

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Aislaby

Application No. NYM/2018/0687/FL

Proposal: variation of condition 3 of planning approvals NYM/2015/0732/FL & NYM/2017/0253/FL to allow a dual holiday letting/local occupancy letting use

Location: Chestnut Barn
21B Main Road
Aislaby

Decision Date: 12 December 2018
Extended to:

Consultations

Parish - No objections but occupiers need to be encouraged to use off street parking in designated area rather than on street parking as a busy area.

Highways – No objections

Environmental Health Officer -

Site Notice Expiry Date – 6 December 2018

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.															
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Site location</td><td>3.122-01 Rev B</td><td>19 October 2015</td></tr><tr><td>Site plan</td><td>3.122-02 Rev B</td><td>19 November 2015</td></tr><tr><td>Proposed elevations</td><td>3.122-06 Rev C</td><td>11 December 2015</td></tr><tr><td>Proposed floor plans</td><td>3.122-08 Rev C</td><td>11 December 2015</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Site location	3.122-01 Rev B	19 October 2015	Site plan	3.122-02 Rev B	19 November 2015	Proposed elevations	3.122-06 Rev C	11 December 2015	Proposed floor plans	3.122-08 Rev C	11 December 2015
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3.	RSU000	<p>The occupation of the accommodation units hereby permitted shall be limited to either:</p> <ul style="list-style-type: none"> i) a qualifying person; and ii) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person. <p>or for holiday letting purposes.</p> <p>For the purpose of the above, a person is a qualifying person in relation to the accommodation if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she satisfied the Local Planning Authority that he/she was in need of local needs housing in terms of the criteria set out in Core Policy J of the adopted North York Moors Local Development Framework, namely that he/she:</p> <ul style="list-style-type: none"> a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or c) has an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous five years or more and require support for reasons of age or infirmity or d) requires support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous five years or more or <p>needs to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park.</p> <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.</p> <p>Note A: For the purposes of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purposes of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.</p> <p>Note C: For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.</p>
4.	GACO00	<p>The door openings on the west elevation of the development hereby permitted, other than the door into the kitchen/lounge area, shall be not be capable of being opened and shall be maintained in that condition in perpetuity.</p>

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5.	CDLB05A	This permission has been granted in accordance with the details specified in the survey prepared by Richard Agar received on 8 October 2015. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
6.	MATS22	All pointing in the development hereby permitted shall accord with the following specification – a lime mortar mix of 1:2 ¹ / ₂ (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
7.	MATS60	All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8.	MATS30	No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9.	MATS00	All new window frames and glazing bars shall be installed in accordance with the details approved under application no. NYM/2016/0184/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10.	MATS00	All new window frames and glazing bars shall be painted in accordance with the details approved under application no. NYM/2016/0184/CVC. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11.	MATS00	The infill panel to the garage doors, new door and window to the east elevation should be set to the inside wall face to maximise reveals and shall be maintained in that condition in perpetuity unless otherwise agreed in writing by the Local Planning Authority. Detailed plans showing the depth of reveal shall be submitted to and approved in writing by the Local Planning Authority.
12.	MATS55	No work shall commence on the installation of any rooflights in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation style rooflights and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13.	MATS70	The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
14.	MATS72	All rainwater goods shall be black painted cast iron and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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15.	LNDS02B	All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
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Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3.	RSUO12	The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling.
4.	GACS01	In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
5.	CDLB02	In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.
6.	MATS01	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7-14.	MATS02	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
15.	LNDS01	In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.

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**Background**

Woodleigh House is located centrally within Aislaby village to the south of the main road and is detached from neighbouring properties to the east and west. The main house and range of attached outbuildings are Grade II listed set within a walled garden area and fall within the Aislaby Conservation Area.

Woodleigh House and the converted barn (now a holiday cottage) immediately adjacent to the highway are within the applicant's ownership and the adjoining Woodleigh Cottage and detached Woodleigh Lodge are within separate ownerships. Access to the property is via a narrow opening between Woodleigh Lodge and the barn which serves as a garage/workshop to Woodleigh House.

Planning permission was granted in 2015 to convert the building to provide holiday accommodation. Vehicular and pedestrian access to the property is via an existing gateway leading into an existing gravelled parking and turning area to the east of the building.

A number of conditions were attached to that approval, including conditions restricting the use to holiday accommodation only and tying the ownership to Woodleigh House.

In 2017, planning permission was granted to remove the condition which requires the holiday cottage to stay in the same ownership as the main house. However, the two units currently remain in one ownership.

This current application seeks permission to vary the holiday let condition to allow local occupancy accommodation.

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Main Issues

The relevant NYM Local Development Plan policies are Core Policy J and Development Policy 8,

Furthermore, the changes to permitted development rights outside of protected areas demonstrate that Government considers the conversion of agricultural buildings to residential use as important in terms of providing housing.

In terms of Development Policy 8, the conversion of the building has already been accepted and both holiday use and local occupancy use are considered to be suitable alternative uses. The additional use as a local occupancy unit would not have any greater impact on activity levels or parking than the current holiday use.

In view of the above considerations, approval is recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.