

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Glaisdale	App No. NYM/2018/0310/FL
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Proposal: demolition of existing Filling Station and construction of Bed and Breakfast accommodation, comprising up to 7 no. letting rooms with manager's accommodation together with Tearoom and spa/beauty facility and associated parking and landscaping works

Location: Honey Bee Nest, Glaisdale

Applicant: Guy Bentley Ltd, Bentley Buildings, Windhill, Glaisdale, YO21 2QY

Agent: Malcolm Tempest Ltd, High Parks, Newton le Willows, Bedale, DL8 1TP

Date for Decision: 16 August 2018

Grid Ref: 478261 505465

Director of Planning's Recommendation

Approval subject to the following conditions:

1.	Standard Three Year Commencement Date
2.	Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3.	Use Restricted to That Specifically Proposed
4.	The building hereby approved shall not be used for residential purposes other than holiday letting purposes or managers accommodation as described below. 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
5.	The accommodation hereby approved shall not be occupied for overnight accommodation unless overnight on site management is provided in either the adjacent dwelling known as Honey Bee Nest or within one of the rooms within the building. The site shall be managed in this manner in perpetuity unless a further grant of planning permission is issued by the Local Planning Authority.
6.	Holiday Unit Not Sold or Leased Separately - Inside Villages
7.	The working hours for all construction activities on this site shall be limited to between 08:00 and 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays and not at all on a Sunday or Bank Holidays.
8.	The tea room hereby approved shall not be used unless the full height fixed louvre indicated on the floor plans is fitted in place which inhibits views out of the side windows of the rear gable towards the neighbouring properties.
9.	The tea room and spa/beauty facilities hereby permitted shall not be open to non-residents outside the hours of 10am to 5pm. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
10.	External Lighting - Submit Details
11.	Stone and Tiles to be Approved
12.	Stone Panel
13.	Timber Cladding Samples
14.	Doors - Details of Construction to be Submitted
15.	Detailed Plans of Window Frames Required
16.	Windows and Doors - Timber
17.	Windows and Doors - Submit Details of Colour/Finish
18.	Guttering Fixed by Gutter Spikes
19.	Conservation Rooflights Only

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Conditions continued

20.	Rooflight Details to be Submitted
21.	Prior to the first use of the building the separate systems of foul and surface water drainage of the site shall be installed in accordance with the details provided unless otherwise agreed in writing with the local planning authority.
22.	Foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass through a fat and grease trap of adequate design before any discharge to the public sewer network.
23.	<p>Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements</p> <p>a. The existing access shall be improved by installing a kerbline with a 25mm height splayed kerb face from Honey Bee Nest, downhill to tie in with the existing kerbline outside the neighbouring property.</p> <p>b. That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.</p> <p>c. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with approved details and maintained thereafter to prevent such discharges</p> <p>d. The final surfacing of any private access within one metre of the public highway shall not contain any loose material that is capable of being drawn on to the existing public highway.</p> <p>All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.</p>
24.	Landscaping Scheme to be Implemented - Large Scale Development/ General Development
25.	Contaminated Land - Submission of Remediation Scheme
26.	Contaminated Land - Implementation of Approved Remediation Scheme
27.	CO ² Details to be Submitted

Informatives

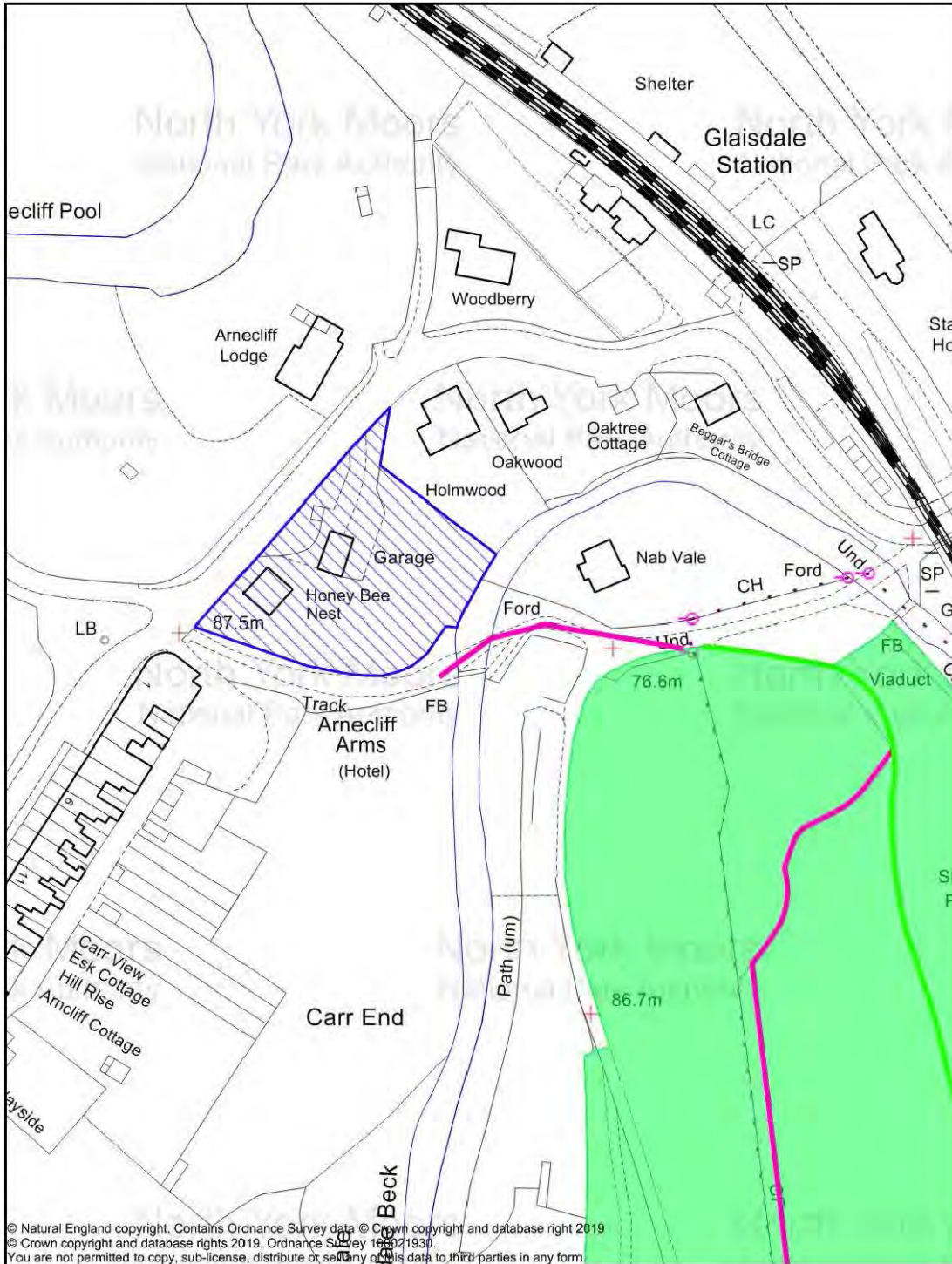
1.	Pedestrian Visibility Splays
2.	Bats
3.	Coal Referral Area
4.	The tearoom hereby approved would need to register with us as a Food Premises (28 days Prior to Opening via www.scarborough.gov.uk/foodregistration)



North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

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Scale: 1:1250



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Consultations

Parish – Members considered this application at length and were unanimous in opinion that the proposed development was inappropriate at this location, being too large, having insufficient parking spaces to accommodate staff, residential visitors and day visitors to the proposed spa/tea room facilities. Numerous observations were also made regarding likelihood of excessive noise and traffic both during any construction period and subsequently once the development commenced operation.

The previous use of this location was for a motor repair and fuel sales business, which had operated for a considerable period of time (decades) and over that time there has been significant subsidence on the site and in surrounding area and the possibility of significant hydrocarbon contamination of the ground which, if disturbed, could spread onto local property and into nearby watercourses which feed into the river Esk. Members are not opposed to the development of this site in a manner that negates the concerns raised but consider that the development as proposed does not do this and the application should be refused as is.

Highways – In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The current layout has nothing to prevent surface water coming from uphill of the site, running down the carriageway and onto the site. Similarly, the design has nothing to prevent surface water from the proposed parking areas running onto the publicly maintainable highway. A kerblineline installed along the boundary between the highway and the site would channel water along the edge of the road and prevent it from going onto the application site. This would also allow the parking areas to drain away from the highway.

The proposal of seven parking spaces is not likely to be sufficient at busy times to cater for guests of the seven bedrooms, customers of the tea room, staff and deliveries causing drivers

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Consultations continued

to park elsewhere. However, it is also likely that some guests will travel by rail due to the close proximity of the railway station and some will travel by foot as it is next to the Coast to Coast walk. The Local Highway Authority are aware that some drivers park on the opposite side of the road, which has the effect of narrowing the width of the carriageway but there are no recorded collisions suggesting that this is causing a hazard for highway users.

The proposed parking area is set back from the edge of the carriageway ensuring there is sufficient turning space, even if cars are parked opposite.

Consequently the Local Highway Authority recommends that a highway Condition is attached to any permission granted:

Yorkshire Water - Waste Water

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

The site shall be developed with separate systems of drainage for foul and surface water on and off site. (In the interest of satisfactory and sustainable drainage) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority. (To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network)

Development of the site should take place with separate systems for foul and surface water drainage. The separate systems should extend to the points of discharge to be agreed. Foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass through a fat and grease trap of adequate design before any discharge to the public sewer network.

Yorkshire Water promotes the surface water disposal hierarchy and it is noted from the submitted planning application that surface water is proposed to be drained to watercourse.

Forestry Commission – Offer a link to the standing advice with regard to nearby Ancient Woodland.

CL63 Protection Group – As no incursions onto Common Land are shown in this application, we have no objections to the project. We would not normally comment, other than on Common Land Issues, but this project appears to be of high quality and a positive addition to the village. For something of this standard to be successful and upgrade of the Public House would obviously be required and that can only be beneficial to the village.

Fire Officer – No comment at this stage

Police Liaison Officer - Having reviewed the documents submitted, in relation to designing out crime, there are no issues. Consequently I have no comments to make.

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Environmental Health Officer – Food Safety Contaminated Land

As the site refers to Filling Station there is a high probability of part/all of the site having petroleum/hydrocarbon contamination (see link to Industry Profile) <http://webarchive.nationalarchives.gov.uk/20140328161255/http://cdn.environmentagency.gov.uk/scho0195bjko-e> If approved The Hotel would need to register with us as a Food Premises (28 days Prior to Opening via www.scarborough.gov.uk/foodregistration) -e.pdf

Therefore initial desktop studies following BS10175 Investigation of Contaminated Sites by a suitable/competent geotechnical company should be undertaken and any remediation strategy based on their findings.

Natural England – Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites.

Site Notice Expiry Date – 24 July 2018

Others - Louise & Mark Couldry, Holmwood, Glaisdale– Regarding the above application we have a major concern that the proposed full height glazing to the north elevation tea room/catering area will severely overlook our property and garden due to its elevated position. We feel that this will be extremely obtrusive with the potential for 14+ people directly overlooking our property via full height glazing on a daily basis. Coupled with the fact that this area is to be used as a tearoom, the intrusion therefore would not be limited to breakfast time, but be all day, every day. Were the glazing to be restricted to the east elevation only, we would have no objection. We also note that the rear field is labelled as agricultural land and would hope that this remains the case in the future, as the use of this land for any other purpose would, again, be extremely obtrusive to our own property and privacy due to the location and outlook from this area.

Background

This application seeks approval for the demolition of an existing filling station and construction of bed and breakfast accommodation, comprising up to seven letting bedrooms with manager's accommodation together with tea rooms and spa/beauty facilities and associated parking and landscaping works.

The filling station on site has been closed for a number of years and the site was operated in association with another service station/petrol forecourt at the top end of the village which continues to operate and has recently had approval granted for the expansion of this business.

The applicant who wishes to develop this site is a partner in the Public House, which is closely associated with this site. At first the application referred to this venture being annexed accommodation to the Public House, however it has later been clarified that this is not the case and the site will operate as a separate business, managed from either the adjacent property known as Honey Bee Nest or from one of the rooms within the building itself if Honey Bee Nest is let as a separate concern.

The application site is adjacent to the Railway Station in Glaisdale and the Arnecliffe Arms is the only village pub. It is an area frequented by visitors/tourists with rail road and footpath links. At the bottom of the hill is the Beggars Bridge Ancient Monument and the River Esk. It is therefore proposed to take advantage of and meet visitor's needs. In this way it will support the existing pub business to ensure an economic and viable enterprise.

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Background continued

Many moors villages have the expected tearoom, however Glaisdale has not and the station has no refreshment facilities.

The application states that the site is a previously developed site situated in a well frequented part of the village, and the re-development of it will support existing business and meet visitor's requirements and thus help the local economy.

The Proposed Building

The site falls away from the highway to lower ground at the back, making a full storey difference plus. The design takes advantage of this, presenting an obviously two storey building to the road, but a basement floor opening to the rear, facing the valley. There is also a three storey rear gable extension design to appear as more of a modern addition. Generally the area is well developed with buildings of various ages and styles but the applicant has opted to give the appearance of a rural farm/mill type building. The building is proposed to be constructed of stone with slate and pantile pitched roofs and a wooden style extension to the rear to take advantage of the elevated position, light and views.

Access is as per the existing filling station with parking spaces on the road frontage. The road outside of the site also has unrestricted parking. A field access leads down behind the building for agricultural purposes. Internally inclusive access is provided by level access plus a lift.

The landscaping proposed to the site comprises a hard surface to old forecourt and a grass field to rear, as existing. Retaining stone in gabions will be used to the rear, with protective railing and climbing evergreen plants to hide the gabions. Stone retaining walls with black steel railings will be used to the road side. Small trees are also indicated on site plan. Access to the field will be via a five bar gate.

Main Issues**Policy Background**

There are a number of policies relevant to the redevelopment of this site:

- CPA Delivering National Park Purposes and Sustainable Development
- CPB Spatial Strategy
- CPD Climate Change
- CPH Rural Economy
- CPI Community Facilities
- DP3 Design
- DP10 New Employment and Training Development
- DP11 Reuse of Existing employment facilities
- DP14 Tourism and Recreation

The overarching theme with all of these policies is to encourage a more sustainable future for the Park and its communities whilst preserving its special qualities. Policies promoting the rural economy look to focus development in the local service centres rather than other villages (which Glaisdale is one), however the policy goes on to state that sustainable tourism based development will also be supported.

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Main Issues continued

In villages such as Glaisdale Development Policy 10 looks to focus development for employment in the re-use of an existing building and where there is no existing suitable accommodation in the immediate area and where the proposal relates to the expansion of an existing facility or business.

Development Policy 14 is the Tourism and Recreation policy which seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

Redevelopment of the Site

Loss of community facilities is resisted through Core Policy I unless it can be demonstrated that it is no longer suitable or viable for a community use and Development Policy 11 is permissive of the re-use of existing employment sites and training facilities for other purposes where the premises are not capable of beneficial re-use for economic purposes; or the new use would result in a significant improvements to the environment or highway arrangements which outweigh the loss of employment land.

As the existing two garages in the village have merged it is not considered that the fuel and servicing provision has been lost from the village. As such, on the basis that the remaining business will continue to provide the same level of service as existing, then the closure of Honey Bee Nest garage and redevelopment of the site for an alternative business use is considered to be acceptable.

Proposed Development

Design alteration have been made to the scale, massing, materials and appearance of the proposed building during the processing of the application to result in a scheme which Officers feel is appropriate for the location and commensurate with the size of the adjacent buildings. The building would be constructed of stone with a slate roof to the main section and pantile on the front, rear and side additions. The design of the rear extension has been revised and internal fixed louvres have been proposed to significantly reduce the level of overlooking into the neighbour's property from people sat in the tearoom, but still allow light into the building.

Management of the Site

The applicant owns a share of the adjacent Public House, whilst he considered that this proposal will help to support this business, it will however be run as a separate business and therefore is not tied in any way to the Public House. The proposed site includes an existing dwelling adjacent to the proposed site for redevelopment. This will be occupied by the manager of the building, however if they are not carrying out this duty then Bedroom 4 will be made available for an onsite night manager.

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Proposed Use

The reuse of the site as a continued business and employment site is considered to be appropriate to find a new use for this underutilised site located within the village of Glaisdale. The location within the village of Glaisdale and close to the train station is considered to be appropriate for the provision of bed and breakfast accommodation and a tearoom and the spa facilities are considered to be acceptable to supplement these businesses.

Consultee Responses

The application is before Planning Committee as the Parish Council objected to the original submission and no further comments have been received as yet to the revised scheme and additional information submitted.

The Parish Council Members considered that the proposed development was inappropriate at this location, being too large, having insufficient parking spaces to accommodate staff, residential visitors and day visitors to the proposed spa/tea room facilities. Numerous observations were also made regarding likelihood of excessive noise and traffic both during any construction period and subsequently once the development commenced operation. Concern was also raised with regard to how onsite contamination of the ground would be dealt with to avoid spread onto local property and into nearby watercourses which feed into the river Esk. They have stated that the members were not opposed to the development of this site in a manner that negates the concerns raised.

The proposed location is considered to be suitable as it is located close to the only remaining Public House in the village and also within walking distance of the train station and also Beggars Bridge and the river where visitors to the area like to visit. The Highway Officer is happy with the level of parking provision proposed given that there is unrestricted offsite parking in the locality. As the applicant also owns the Public House they have stated that there is also the possibility of using this car park too. It is not considered that would therefore result in an adverse impact on the free flow of traffic or parking within the area.

Since these comments were submitted, a site condition report has been submitted which details the level of contamination found when the tanks were removed from the site. It also clarifies that further investigation around the wider site will be required prior to redevelopment and this will be conditioned.

A condition is proposed which would restrict the operation times during the construction phase, which is a fairly standard condition in residential areas. However, it is not considered that a bed and breakfast facility and tea room would create an unacceptable level of noise whilst in operation. The application form has stated the hours of business for the tearoom to be 10am-5pm and therefore this has been conditioned.

The neighbour's concerns with regard to overlooking have been addressed in the revised design by adding fixed louvres to the inside of the tearoom windows, however again, no further comments have been received in relation to the amended plans.

The Authority's Ecologist had initially raised concerns with regard to the drainage of the site and also how any existing contamination would be dealt with to ensure that there was no adverse impact of the development on Glaisdale Beck which abuts the eastern edge of this site. The beck not only supports spawning Atlantic Salmon and Sea Trout itself, but also adjoins the River Esk just downstream of the site which is of extremely high value to aquatic life, including both the above mentioned species in addition to being one of the few remaining sites where Freshwater Pearl Mussels can be found. The proposed land use,

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Main Issues continued

however is potentially far less harmful to aquatic life than the current land use as a filling station.

Natural England considers that the proposed development will not damage or destroy the interest features for the which the nearby Arnecliffe & Park Hole Woods and the NorthYork Moors SSSI have been notified and therefore has no objection to the application.

It is considered that all of the objections raised have been addressed or can be mitigated against through imposing conditions on the final decision.

Conclusion

The proposal is considered to represent an appropriate development of an existing business use site within settlement with a new tourism business which will continue to offer employment opportunities. The massing and design has been amended through the processing of the application to ensure that the proposal is appropriate for the setting and the management of the site has also been clarified. Through the imposition of conditions it is considered that the proposed scheme can be implemented and managed on site without having an adverse impact on the neighbouring properties and land uses and therefore approval is recommended.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy B3 which seeks to promote overnight tourism accommodation and Policy B4 which states that the quality and variety of tourism and recreation facilities and accommodation will be improved.

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 recommended changes to the proposal to improve the scale massing and design, so as to deliver sustainable development.