

North York Moors National Park Authority

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

Application No. NYM/2018/0831/CU

Proposal: change of use of shop (Use Class A1) to Tea Room (Use Class A3)
(retrospective)

Location: Morwen le Faye, New Road, Robin Hoods Bay

Decision Date: 07 March 2019

Extended to:

Consultations

Parish – No objections.

Highways – No objections

Environmental Health Officer – No comments

Site Notice Expiry Date – 12 February 2019

Others –

Natural England – No objections

North Yorkshire Fire and Rescue Service – No comments

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. **Strict Accordance With the Plans/Specifications or Minor Variations**
The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
2. **Customer Opening Hours (inserts)**
The cafe hereby permitted shall not be open to customers outside the hours of 10am to 5pm Mondays to Sunday including Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.

Reason(s) for Condition(s)

1. 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.
2. 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.



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Background

Morwen le Faye is a Grade II listed terraced property located on New Road within Robin Hoods Bay Conservation Area.

Retrospective planning permission is sought for the change of use of the premises from a shop (Use Class A1) to a tea room (Use Class A3), which is what the ground floor of the premises is currently used for.

The opening hours for the tea room are to be 10am to 5pm Monday – Sunday including bank holidays.

Main Issues

The relevant policies of the Core Strategy and Development Policies Document are considered to be Core Policy A (Delivering National Park Purposes and Sustainable Development) and Development Policy 18 (Retail Development).

Core Policy A seeks to provide for development in locations and of a scale which will support the character and function of individual settlements without having an unacceptable impact on the wider landscape of the Park, nor detracting from the quality of life of local residents or the experience of visitors.

Development Policy 18 supports proposals for new retail development or financial and professional services within the defined commercial area of Robin Hoods Bay.

The change of use of the ground floor retail unit to a café/restaurant use under Use Class A3 (which does not permit hot food takeaway) is considered to be acceptable in principle. The premises were already in retail use and a café is not considered to cause any extra activity given the opening hours proposed. As such it is considered that the proposal would not detract from the quality of life of local residents or the experience of visitors and complies with Core Policy A.

There are no external changes proposed to the premises and as such there will be no impact on the character and appearance of the conservation area as a result of this proposed change of use.

As such the proposal is considered to comply with the relevant policies of the Core Strategy and Development Policies Document and approval is recommended.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.