

North York Moors National Park Authority

Borough: Scarborough Borough Council
Parish: Fylingdales

Application No. NYM/2016/0500/FL

Proposal: subdivision to create 1 no. additional unit of residential accommodation for local occupancy letting

Location: Post Office, King Street, Robin Hoods Bay

Decision Date: 09 September 2016

Consultations

Parish -

Highways -

Yorkshire Water -

Environmental Health Officer, Environmental Regulation - No objection

Environmental Health Officer, Housing - Several issues should be brought to the attention of the applicant should permission be granted: the front property will require a kitchen and bathroom facilities prior to occupation. The rear property appears to have two kitchen areas. The first floor living room is accessed through the kitchen which is a high risk area in terms of fire and the layout needs to be planned such that the fire escape route is not through the kitchen. The second floor layout needs revising to ensure the second bedroom can be accessed without going through another room to get there. Other than the above points, no objection to the application on housing grounds.

Natural England - The proposal is unlikely to affect any statutorily protected sites or landscapes.

Advertisement Expiry Date - 26 August 2016.

Director of Planning's Recommendation

Approval subject to the following conditions:

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	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.
3.	RSUO13	The occupation of the dwelling hereby permitted shall be limited to: i) a qualifying person; and ii) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person. For the purpose of the above, a person is a qualifying person in relation to the dwelling 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

M. Sainsbury
9 September 2016

		<p>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 e) 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>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 Harisey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irtton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.</p>
4.	RSU000	<p>The dwelling unit hereby permitted shall form and remain part of the curtilage of the existing dwelling known as The Old Post Office, King Street, Robin Hoods Bay and shall not be sold or leased off from the main dwelling or let off except as a single local occupancy dwelling unit in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.</p>

H. Sauer
9 September 2016

Application Number: NYM/2016/0500/FL

Informative

1.	MISC INF06	Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.
----	-------------------	--

Reason for Conditions

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.	RSUO13	In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality.
4.	RSUO09	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.

H. Sam
9 September 2016

Application Number: NYM/2016/0500/FL

Background

The Old Post Office is an imposing three store, stone under welsh slate property occupying a prominent position at the lower end of King Street in Robin Hoods Bay lower village. It is an attractive property and has an historic shopfront with central door up four steps. At the rear of the property is an earlier rear wing, comprising one (possibly formerly two) residential property under a pantile roof.

The ground floor of the property has previously been used as a shop selling gifts and seaside items. The remainder of the property has been used as residential accommodation.

Permission for the change of use of the ground floor retail area (use class A1) to a café with shop (use classes A3 and A1 respectively) was granted in July 2015. That permission has since been implemented and the premises is now operated as a café specialising in loose leaf teas, lightly cooked/toasted snacks and all things postable (i.e. post cards, greetings cards and locally crafted gifts). An application to revise the opening hours has recently been approved.

The current application seeks full planning permission for the subdivision of the residential space to create a unit of residential accommodation for local occupancy letting. The proposed new unit would be provided over two floors (first and second floor) above the café and retail space. The proposal shows minimal internal alterations; i.e. the blocking up of two internal doors and no external alterations.

Main Issues

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Core Policy J (Housing), Core Policy G (Landscape, Design and Historic Assets) and Development Policy 5 (Listed Buildings).

CPJ seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages, as well as other measures including supporting the development of local needs housing within the main built up area of the local service villages and other villages. New housing development in the Open Countryside will be restricted to that which is proven as essential for farming, forestry or other essential land management activities.

CPG seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with particular protection being given to those elements which contribute to the character and setting of Conservation Areas.

DP5 only permits alterations, extensions or changes of use of a Listed Building, or the construction of any structure within its curtilage where such development will not have an unacceptable impact on the special historic or architectural interest, or the setting of the listed building.

Robin Hoods Bay is classed as an 'other village' and as such, the new dwelling (created by the subdivision of the property) must be for local occupancy sale or rental. The applicant has clearly proposed to use the additional unit as local needs letting accommodation and as such, the details of a qualifying person(s) is not required at application stage. (If the unit was proposed for sale, then the Authority would require the details of a qualifying person up front).

M. Saw
9 September 2016

Application Number: NYM/2016/0500/FL

The application relates solely to the first and second floor of the 'front' property; the ground floor shop and store room is the subject of the previous applications for change of use dealt with in 2015 and 2016.

In terms of the internal alterations, as the property is grade II listed, there is an accompanying application for Listed Building Consent to deal with these matters. Although the Environmental Health Officer has expressed concern with regard to the proposed layout and arrangement of rooms, it is clear that the applicant has not correctly labelled the proposed rooms (the proposed local needs letting property comprises four no. bedrooms and no other residential space. The applicant is therefore reminded that any further internal alterations to accommodate to new internal layout of rooms (in addition to the blocking up of doors) will require a further grant of Listed Building Consent.

There being no objections to the scheme, approval is recommended.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

A. Samson
9 September 2016