

## North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(South)  
Parish: Newby and Scalby

Application No. NYM/2017/0080/FL

**Proposal:** Subdivision of dwelling to form 1 no. holiday letting cottage (no internal or external alterations)

**Location:** Foxhill Paddocks, Low Road, Throxenby

**Decision Date:** 06 April 2017

### Consultations

**Parish** – No objections.

**Highways** – No objections.

**Environmental Health Officer** – As the bathroom is accessed through the bedroom the accommodation should be restricted to holiday lettings only.

**Site Notice Expiry Date** – 9 March 2017

### Director of Planning's Recommendation

**Approval** subject to the following condition(s):

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.	RSUO11	The dwelling unit hereby approved shall not be used for residential purposes other than holiday letting purposes. 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.
4.	RSUO14	The holiday unit(s) hereby permitted shall form and remain part of the curtilage of the existing dwelling known as <b>Foxhill Paddocks</b> and shall not be sold or leased off from the main dwelling or let off except as holiday accommodation in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.

Signature:



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**Reason for Condition(s)**

1.	RSNTIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSNPLAN01	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.	RSNRSUO11	The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
4.	RSNRSUO09	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.

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**Background**

Foxhill Paddock is a substantial dwelling situated on the north side of Raincliffe Woods, between Ox Pasture Hall to the west and Throxenby to the east, formerly part of Raincliffe Farm. It is one of a pair of former stone barns, situated in a courtyard arrangement, both of which are grade II listed buildings. The buildings had been in a state of deterioration and disrepair for a number of years before planning permission and listed building consent were granted in December 1999 for the change of use into two units of residential accommodation with associated workspace (Use Class B1).

Subsequently planning permission and listed building consent were granted in August 2004 for 'amendments to previously approved scheme, rebuilding of collapsed section of building (retrospective), proposed demolition and rebuilding of workshop to unit 2 and demolition of existing outbuildings and erection of garage and stables' with conditions restricting the use of the workspace to be for B1 purposes only and tied to the associated dwelling. Then in November 2009 and March 2010 planning permission was refused for a variation to the conditions to allow the dwelling to be occupied by persons partly (as opposed to mainly) or wholly employed in the associated workspace.

Planning permission was again refused in February 2015 for the removal of the occupancy and business use restrictions to create an open market and unrestricted dwelling but this was subsequently allowed at appeal.

This application seeks planning permission to use that area of the dwelling that was formerly workspace as a holiday letting cottage comprising a kitchen, living room, bedroom and bathroom. No internal or external changes are proposed to the listed building as the accommodation already exists and to separate it from the main dwelling will only involve the locking of an internal door.

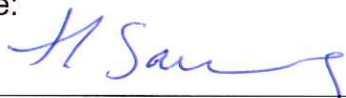
**Main Issues**

The relevant policies of the Core Strategy and Development Policies Document are considered to be Development Policy 5 (Listed Buildings) and Development Policy 14 (Tourism and Recreation).

As no internal or external alterations are proposed it is considered that the proposed change of use will not impact on the special historic or architectural interest of the building. Furthermore as there is sufficient amenity space and parking already in existence to serve the holiday cottage, there will be no impact on the setting of the listed building either. As such the proposal accords with Development Policy 5.

The proposal will make use of part of an existing dwelling, with no alterations or extensions proposed. Furthermore there is adequate amenity space and parking about the property to serve the proposed holiday cottage and it is not considered that the additional activity or noise generated by the proposed use would have an adverse impact on the quality of life of

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local residents or the enjoyment of the Park for visitors. As such the proposal accords with Development Policy 14 which seeks to supports new tourism development in the Park.

In view of the above the proposal is considered to meet 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.

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