

North York Moors National Park Authority

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

Application No. NYM/2017/0650/FL

Proposal: Variation of condition 3 of planning approval NYM/2005/0437/FL to enable the annexe building to be sold off as an independent dwelling

Location: Ewefield House, Browside, Ravenscar

Decision Date: 14 November 2017

Consultations

Parish – Support the application because it meets the needs of the family but with the condition that it does not become a holiday let.

Highways -

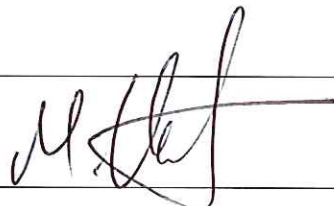
Site Notice Expiry Date – 1 November 2017

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.	RSUO13	<p>The occupation of the dwelling hereby permitted shall be limited to:</p> <ul style="list-style-type: none">i) a qualifying person; andii) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person. <p>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 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 orb) 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

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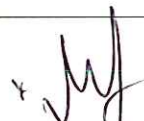

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Conditions (continued)

		<p>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</p> <p>d) requires support for reasons of age or infirmity and need 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> <p>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> <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>
4.	WPDR01	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
5.	RSUO16	There shall be no commercial use of the stable hereby permitted and it shall be used only for the horses kept for hobby/domestic purposes ancillary to the occupation of the property known as Ewefield House and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.
6.	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.
7.	MATS72	The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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Reasons 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.	WPDR01	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
5.	RSUO14	In order to comply with NYM Development Policy 19 which seeks to ensure that proposals for stables are well related to a domestic curtilage and to enable the Local Planning Authority to control any commercial use of the stables which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers which would be contrary to NYM Core Policy A.
6-7.	MATS02	<u>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.</u>

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Background

Ewefield House is located in an isolated position, accessed from the old railway line, between Ravenscar and Robin Hood's Bay. The site comprises a traditional stone and pantile dwelling and a more recently built outbuilding also constructed of stone and pantile, which is a residential annexe. This building is of substantial construction, measures 5 metres to the rear of the main house. It was previously used as a workshop for making toys by the previous owner.

The property was purchased in 2005 by an extended family comprising an elderly couple, their two grown up children and respective families. The main house accommodated the elderly couple and one son and his family and planning permission was granted for the annex to be created from the workshop, tied to the main dwelling, for the other part of the family.

Circumstances have now changed and due to ill health, the occupants of the annexe wish to move to an area which has better road access and is more accessible for health services. However, the occupants of the main house do not wish to move away, but do not have the financial resources to purchase their siblings share of the property.

Consequently, planning permission is sought to allow the annexe building to be sold off as a separate dwelling, preferably without the local occupancy restriction.

Main Issues

Core Policy J of the Local Development Plan does not permit new residential accommodation outside villages, through conversions; however, it does require that the occupancy of any such independent units of accommodation is restricted to local occupancy only.

Development Policy 8 also permits the re-use of agricultural buildings to residential accommodation, which are within a group, with one of the considerations being whether adequate amenity space and highway access can be provided.

This proposal would have no impact on the external appearance and due to the orientation of this building in relation to the main house, there would be no issues of overlooking. Furthermore, each unit of accommodation has adequate levels of private amenity space and parking, which would not be likely to result in conflict.

Whilst DP8 has historically sought to avoid conversions being created into independent dwellings, it is considered that this proposal is in the spirit of the Policy, and is similar to a number of similar proposals in recent years, where delegated approvals have been granted for independent units of accommodation where there is no conflict with private amenity space.

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.

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