

## North York Moors National Park Authority

<b>Scarborough Borough</b> <b>Parish: Hinderwell</b>	<b>App Num. NYM/2010/0359/FL</b>
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**Proposal:** Variation of condition 1 of planning approval NYM/2004/0069/FL to allow the holiday units to be let in excess of 28 days

**Location:** Trig Point, 49 Staithes Lane, Staithes

**Applicant:** Mr & Mrs A Walker, Mole End, Greenhow, Pateley Bridge, North Yorkshire, HG3 5JQ

**Agent:** Bruce Armstrong-Payne, The Coach House, Sandath Fell Lane, Penrith, Cumbria, CA11 8BJ

**Date for Decision:** 06 July 2010

**Grid Ref:** SE 478012 518275

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. RU00 The units hereby approved shall only be occupied for holiday purposes and shall not be occupied between 2 January and 1 March in any one year. The owner/operators shall maintain an up-to-date register of all owners/occupiers of individual log cabins on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority to ensure the units are not used as permanent dwellings.
2. RU00 The holiday letting units hereby approved shall not be sold off separately from the planning unit currently known as Trig Point 49 and shall not be let off separately except as detailed in condition 1 above.

#### Reasons for conditions

1. The site is in a location where permanent residential accommodation would be contrary to NYM Core Policy J but holiday accommodation which provides facilities for visitors would accord with NYM Development Policy 16.
2. To minimise the impact on the local environment from servicing requirements and to accord with the provisions of NYM Development Policy 14.

### Consultations

**Borough -**

**Parish -**

**Highways -** On the clear understanding that this application will be conditioned to remain ancillary to the main residence and to restrict use to holiday accommodation only, there are no highway objections to the application.

**Site Notice Expiry -** 26 May 2010.



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**Others - Mr J Pink, Glen Vale, 78 Staithes Lane** - Object. I share the ownership of the access road that leads to Trig Point. I overlook the holiday cottages mentioned and therefore know that they are in frequent use most weeks of the year like all of the other cottages in Staithes. An extension of the time limit is not in my opinion needed, nor would it benefit the village in any way or form. These wooden huts were not designed for permanent residence. Allowing this application would mean that the applicant would be legally allowed to put people in the huts all year round, a loop hole for renting out the huts to just about anyone he chooses, which is not acceptable by any standard. The site is currently for sale, as one or in two lots. If allowed this application will only add interest and value to the site and attract prospective developers. This application looks to be another attempt to make the ex army huts into permanent residential premises which is something that myself and other locals have strongly opposed in the past.

**Chris & Lynn Percy, 76 Staithes Lane, Staithes** - I would like to object to the units at Trig Point 49 being used for periods over the present 28 days. The present holiday trend in the village is for people to book the cottages for shorter, not longer periods of time (whereas one-/two-week periods were previously the norm, it is now often just a long weekend or a few days at a time). In the light of this research, we see no need for this extension and can foresee the possibility of it being abused (without Mr Walker's knowledge, of course). We are unable to comprehend how the abuse of this extension (the units being used as cheap permanent housing) could be policed. The example cited by Mr Walker's agent bears no resemblance to Trig Point 49. That single cottage was positioned in a secluded wooded area, whereas (despite comments to the contrary in previous applications) Trig Point 49 is situated in sight of roads and paths used by the general public (including the Cleveland Way) and abuts several residential properties.

### **Background**

Trig Point 49 comprises a number of single storey timber buildings set in approximately five acres originally erected to provide barrack accommodation for army troops stationed at Staithes during the First World War. They have been used since 1985 by the applicant as bunkhouse/hostel-type accommodation for both catered and self-catered groups visiting the area. Prior to 1985 the site was operated in a similar way by the Holiday Fellowship Group. Trig Point is situated on the east side of Staithes Lane and is currently accessed off Staithes Lane through a private resident's car park to the rear of Glenville, a private dwelling. The complex occupies a prominent position in Staithes, particularly when viewed from the public car park at the top of Staithes Bank and the Public Rights of Way surrounding the site.

Three of the existing buildings located towards the west end of the site closest to Staithes Lane were renovated to create self-contained holiday accommodation units, capable of being let separately to the remainder of the units on the site. One of the units has also been subdivided to create two smaller self-contained units. Externally the buildings have been clad with new featheredge timber, installed with new uPVC windows frames, and some new windows and door openings created. Private garden areas with timber decking have also been created outside each new unit. A retrospective application seeking permission to retain those works already carried out in relation to this development was approved in April 2004 and was granted with two conditions. The first restricted the use of the holiday cottages to 28 days a year by each individual group and the second tied the cottages to the site so that they were not sold off separately.

The remainder of the barrack buildings are in a poor state of repair, many of them having been patched and repaired many times in the past and some of them almost in their original state. The outer timbers are becoming dilapidated and the roof material is extremely friable allowing water penetration and for that reason, huts one to five on the south side have not been used for a number of years. The applicant is concerned that in their current state they are becoming a target for vandals, visually unattractive and repair is not economically feasible.

Background (continued)

An outline application for the redevelopment of the full site including the construction of 36 eco-efficient timber framed dwellings with detached garages was refused in January 2007.

This application is to vary the first condition on NYM2004/0069/FL, the retrospective application for the change of use of the existing buildings to create four holiday units. As stated above the condition allowed holiday letting which was defined as letting to the same person, group of persons or family for period(s) not exceeding 28 days in any one calendar year.

The applicant has stated that recently it is becoming increasingly difficult to let the properties due to the general economic circumstances in the country and the increase in the number of holiday lets available. As enquiries are received from people who wish to have extended holidays for more than 28 days, this application has been submitted to vary this condition in line with the example condition offered in the 'Good Practice Guide on Planning for Tourism' published in 2006 which allows all year round tourism provided that the owners of the site maintain an up-to-date register of names of all occupiers of the units and of their main home address to ensue that the holiday unit is not the resident's primary residence.

**Main Issues**

There are no policies in the Local Development Framework which are directly relevant to this proposal which is for the redevelopment of an existing site rather than the expansion of a tourism site. However, Development Policy 16 which deals with proposals for the provision of small scale new caravan, camping and chalet sites or the expansion of existing sites gives some guidance. It requires that the site is located within an area of woodland or forest which is well established and will provide a setting for the proposed development which will enable the proposal to be accommodated within the wider landscape without harming the Park's special qualities; that the site is physically and functionally linked to an existing business and can be managed appropriately without the requirement for additional permanent residential accommodation; that the site is in close proximity to the road network and the proposal will not result in an increase in traffic generation that would be harmful to the character of the area or highway safety; that the scale of the development and the design of the structures proposed and associated works together with the anticipated levels of activity will not adversely affect the special qualities of the National Park.

The site is not located within an area of well established woodland or forest but owing to the history relating to the site it still retains the original barracks character when viewed from a distance, it is not unduly prominent in the landscape and is not readily identifiable from within the village.

The units used for holiday letting are physically and functionally linked to the remaining site which is used as managed, catered and self-catered group accommodation.

The site has good access arrangements in place from the village main street, albeit through a residents car park to the rear of Glen Vale and the village itself is located on the main Whitby to Easington Road, the A174. As there is no increase in the overall number of units on the site, the proposal is unlikely to lead to an increase in traffic movements to and from the site that would be harmful to the character of the area. Furthermore, the Highway Authority raises no objection to the proposal on highway safety grounds.

As the units are already used for holiday use all year round, the proposal to amend the length of time that occupants are able to stay but restricting the use of the units to 10 months a year would be unlikely to result in increased noise and activity to the detriment of the special qualities of this area of the National Park.

In order to address the neighbour's concerns and to ensure that the units are not used for unauthorised permanent residential accommodation, a version of the model condition referred to in the 'Good Practice Guide on Planning for Tourism' published by the DCLG in May 2006 is recommended. This requires the site owner to maintain an up-to-date register of the names of all occupiers of the units and their main home addresses and has been successfully used by East Riding District Council in the control of similar sites. The requirements of the condition will ensure the units do not become permanent dwellings but are retained as holiday accommodation which is considered to be more supportive of the local economy and helps to promote the second purpose of National Parks which is to ensure public enjoyment of its special qualities.

In view of the above it is considered that the proposed variation of condition will allow the applicant more freedom when renting out the application site, with no increase in site area or numbers. As such the application is recommended for approval.

### **Reason for Approval**

The units used for holiday accommodation at Trig Point 49, Staithes are physically and functionally linked to the operation of the rest of the site and are in close proximity to the classified road network. The proposal will not result in an increase in traffic generation or activity which would otherwise adversely affect the special qualities of the National Park. As such the proposal generally accords with the criteria of Development Policy 16 of the NYM Local Development Framework and DCLG's 'Good Practice Guide on Planning for Tourism.'