

North York Moors National Park Authority

Scarborough Borough Council (South) Parish: Newby and Scalby	App Num. NYM/2011/0002/CU
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Proposal: Change of use of existing residential annexe accommodation to form 1 no. holiday letting cottage (retrospective)

Location: South Beck Cottage, Hackness Road

Applicant: Mr D G Jenkinson, South Beck Cottage, Hackness Road, Scarborough, North Yorkshire, YO13 0QY

Agent: Simon Ward (Scarborough) Ltd, 3 Coldyhill Lane, Scarborough, North Yorkshire, YO12 6SF

Date for Decision: 03 March 2011

Grid Ref: SE 500722 489991

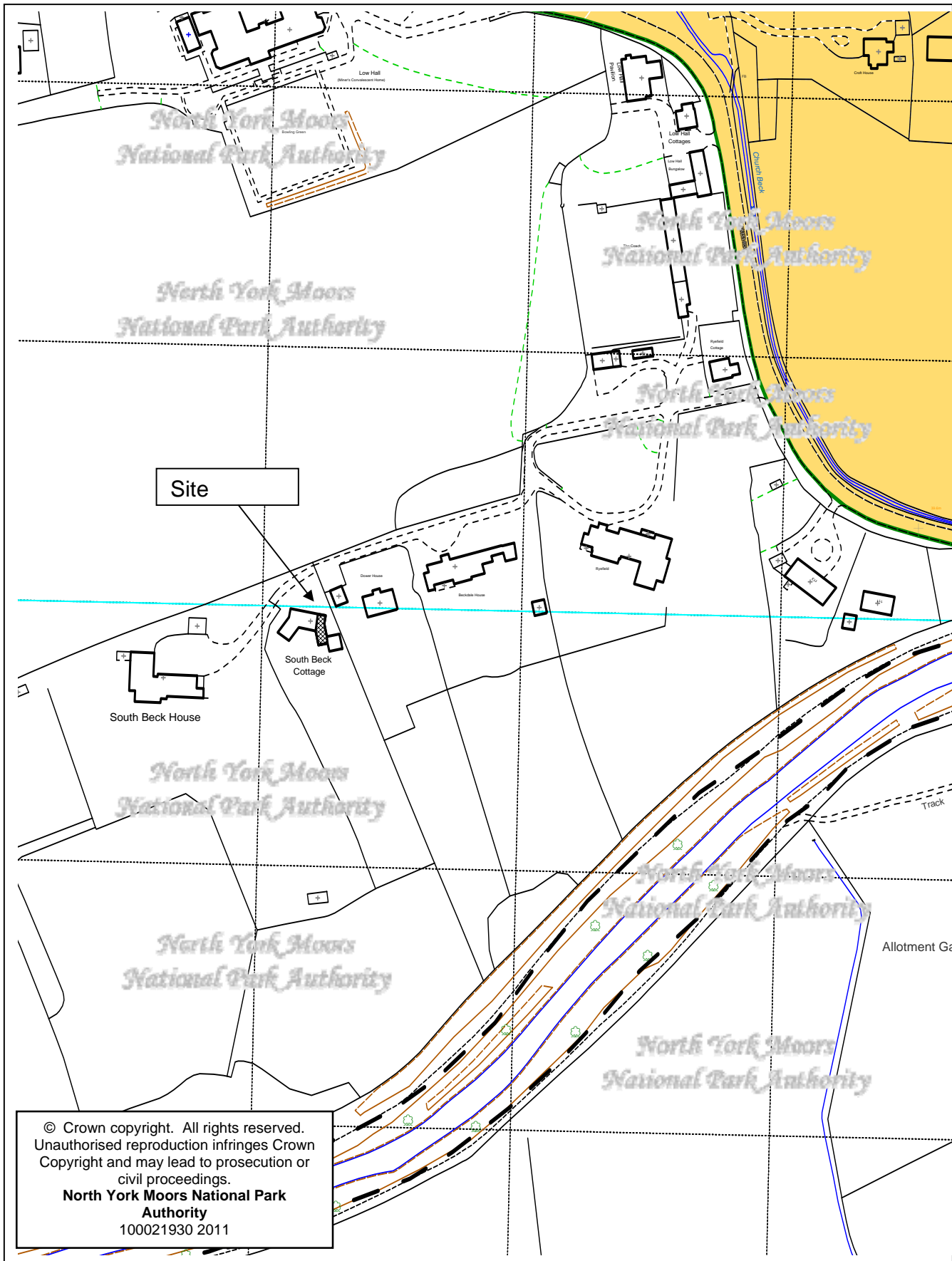
Director of Planning's Recommendation

Approval subject to the following conditions:

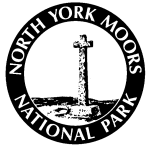
- 1 TL03 Standard three year commencement date
- 2 AP03 Original plans amended by plans and letter received on ...
- 3 RU12 Use as holiday accommodation only - inside villages
- 4 RU00 The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as South Beck Cottage and shall remain as part of the curtilage of this main dwelling as a single planning unit.

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and Development Plan Policy 3.
3. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling and to accord with NYM Development Policy 19.
4. The site is in a position where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the annexe and main dwelling in accordance with NYM Development Policy 19.



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Application No:
 NYM/2011/0002/CU

Scale: 1:2000 



Application No: NYM/2011/0002/CU

Consultations

Parish - Object. Council had concerns as to the level of additional traffic which would be created and noted public concerns about the additional activity and noise. Council objects to the application as submitted on the grounds it does not accord with Development Policy 14[3] since it will generate an increased level of activity, including noise, which would be likely to detract from the quality of life of local residents.

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 Date - 7 February 2011.

Others - **Susan and James Adamson**, Dower House, Hackness Road, Scalby
Nick Thomas, Beckdale House, Hackness Road, Scalby

Object. The proposed change of use would generate a significant increased level of activity including noise which would detract from the quality of life of local residents. The property is situated in a very quiet exclusive residential area of six detached houses, Dower house lies immediately adjacent to South Beck Cottage and we are within easy earshot of the access door to the property. We note that this application is retrospective and have experienced comings and goings of visitors over summer 2010 with regular change over days on Fridays with the associated audible guided tour to new visitors which significantly affected our privacy.

The property is accessed by a narrow single track lane with a blind bend which is privately owned and maintained by six residential properties. There have been at least four accidents and the extra traffic is likely to increase the risk of accidents, particularly as visitors will be unfamiliar with the lane. Planning permission has been granted for a seventh house but this has yet to be built. Access to and from the lane onto Hackness Road is also hazardous with restricted views.

There are no proposals for provision of opportunities for increasing awareness and understanding of the special qualities of the National Park or proposals to conserve or enhance the National Park.

Raise concern with the level of detail and accuracy of information included on application forms. In particular, comments are made in relation to likely increase in activity from an annexe originally intended for elderly relatives without cars to holiday accommodation which would inevitably increase traffic, noise and disturbance; availability of parking as there is normally two cars and a trailer belonging to the owner, any further parking would restrict an already modest parking and turning area; access to the site is in an area of high flood risk and although the property has not flooded, its access has which would present difficulties for emergency vehicles to service the potential needs of elderly/disabled visitors.

An annexe occupied by a single elderly parent without a car is a totally different situation to a holiday let in terms of impact on character of local area which is a private cul-de-sac of residential properties. Traffic movement will inevitably increase. Dower House is in very close proximity to the annexe, according to our measurements the distance from the annexe to boundary is 2.4 metres and the distance from the wall of the annexe to kitchen wall of Dower House is 10 metres. The mature boundary hedge does not provide a total screen.

The window overlooking Dower House is obscure glazed but this does not provide protection from curious holiday makers keen to explore their surroundings and there is no screen from noise and disturbance resulting from use on an ever changing basis. Dower House patio abuts the boundary hedge and privacy on the patio and garden would inevitably be invaded.

Application No: NYM/2010/0002/CU

Background

South Beck Cottage is a relatively modern detached brick built dwelling located along a private lane characterised by substantial properties in generous grounds off Hackness Road in Scalby. This property was formerly a cottage serving one of the other houses and in 1987 planning permission was granted for substantial extensions to the dwelling including the construction of a 'granny annexe'. In 1992, following a change in family circumstances, an application for the relaxation of the condition restricting its use to ancillary residential accommodation to allow independent occupation was refused on amenity grounds. Planning permission was granted in 1996 for the construction of a sun lounge extension to the annexe and this consent reinforced the ancillary accommodation condition.

This application seeks permission for the change of use of the annexe from ancillary residential accommodation to holiday letting use. The annexe accommodation was used for dependant family members only but provided completely separate accommodation for a maximum of two people with its own access and patio space to the rear. The applicant's agent has commented that over time the requirement for annexe accommodation has diminished and given that the main dwelling is of sufficient size to provide for family needs, the owners have occasionally allowed the annexe to be used by non family members in order to make better use of the annexe.

Main Issues

The main issues to consider with this application are whether the change of use of this annexe would comply with the requirements of Development Policy 14 (Tourism and Recreation) in terms of providing accommodation which would not undermine the special qualities of the National Park and, due to its location among residential properties, whether the proposal would result in a significant adverse impact upon the amenities and quality of life currently enjoyed by visitors and local residents.

Policy Context

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity and where it will make use of existing buildings.

Material Considerations

The Local Planning Authority consider that the location of the annexe within this part of Scalby village (which is defined in the settlement hierarchy as a Service Village) would not impact upon the special qualities of the National Park which include the variety of beautiful landscapes, woodlands and historic sites. The proposal would make use of an existing building and would therefore not detract from or undermine the character and appearance of the wider, protected landscape.

Concern has been raised by the occupiers of the neighbouring property in relation to flooding at the site. Whilst the properties within this small group of dwellings are located well outside the limits of the Environment Agency's flood risk zones 2 and 3, the neighbours have submitted information and evidence to demonstrate that the access to these properties (including the property subject of this application) has suffered significant pluvial (rainfall based) flooding in the past.

Application No: NYM/2011/0002/CU

Impact on Neighbouring Properties

The occupiers of the next door property have lodged a lengthy objection to the proposal based on grounds of impact on quality of life and amenity and parking and access.

The primary concern of neighbours is the issue of privacy and adverse impact upon the enjoyment of their own amenity space given the proximity of the annexe to their boundary and patio space. The owners of Dower House have commented that their privacy was greatly affected by the comings and goings of visitors to South Beck Cottage during the summer of 2010, particularly in respect of noise disturbance. They comment that the annexe was only ever intended to provide accommodation for elderly dependants who did not own cars and therefore the level of activity associated with this use in comparison to holiday letting use is substantially different. However, Officers note that the condition relating to occupancy of the annexe restricted the occupation to family members only and not specifically elderly relatives. Therefore, the Local Planning Authority considers that younger, car dependant relatives may use the annexe without requiring a further grant of planning permission and which would result in similar levels of activity to the current proposal for holiday letting.

Whilst it is recognised that the annexe is situated within close proximity to the boundary between Beck Side Cottage and Dower House, it is noted that the boundary hedge is a substantial and mature Beech hedge which offers considerable visual screening between the two properties and the Dower House is of satisfactory distance from the boundary to allay any issues of overlooking. Furthermore, it is apparent from site plans that the Dower House benefits from extensive gardens which further reduce the impact of any overlooking or invasion upon private amenity space by any occupier of Beck Side Cottage or the associated annexe. Notwithstanding the above, the application does not clearly demonstrate the level or location of the amenity space associated with the proposed holiday let and as such, Officers have requested confirmation of this in order to address the concerns raised by the neighbouring occupiers. Members will be updated with this information at the Meeting.

Access and Parking

The application site is accessed via a narrow private road leading from Hackness Road and there is sufficient parking at the site to serve at least three cars (in addition to the space provided within the single garage). The neighbouring occupiers have provided further objections to the proposal on grounds of inadequate parking and access particularly in view of the fact the access lane is narrow with a blind bend and together with Hackness road has a history of accidents which is likely to be exacerbated due to use by visitors who will be unfamiliar with the potential hazards. Furthermore, the objectors have commented that the available parking is always fully occupied by the owners' two cars and a large trailer. Any further parking at this site would further restrict the turning circle and access to the garage. The Highway Authority have confirmed that they have no objection to the proposal on the clear understanding that the annexe remains ancillary to the main residence and restricted to holiday accommodation only. Officers have therefore recommended conditions reflecting this to be included on any approval given and in order to address parking concerns raised by the neighbour, have requested further information about the amount of space available for car parking and how the vehicles will be parked in order to reduce any detrimental effect upon the turning space available and garage.

Recommendation

Whilst it is acknowledged that objections have been raised by the occupiers of the neighbouring property, Officers consider that these objections can largely be addressed by the submission of further information and that, the level of adverse impact created by a holiday letting unit would be no greater than that created by use of the annexe by family members other than elderly dependants. In terms of parking and access concerns, the Highway Authority have no objection to the development and in view of the above, approval is recommended.

Application No: NYM/2011/0002/CU

Reason for Approval

The proposed change of use of the existing annexe to holiday letting accommodation is not considered to result in a significant reduction in the enjoyment of amenity or quality of life currently available in the locality and the proposal makes use of an existing property which is situated within the main built up part of Scalby; a Service Village well served by public and more sustainable modes of transport. The proposal is therefore considered to comply with the requirements of Development Policy 14 of the NYM Local Development Framework.