



The Planning  
& Environment  
Studio

Town & Country Planning and  
Environmental Consultancy Services

Mrs C. Ward  
Planning Officer  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP

Date 19<sup>th</sup> March 2012



Dear Mrs Ward,

**Application NYM/2012/0119/FL.**

**Variations of Conditions 8 and 9 of planning approval NYM/2008/0210/FL to allow extended opening hours on 24 days per calendar year and takeaway facility (hot drinks only).  
The Old School House, Grosmont.**

I refer to the above current planning application. I represent Mr and Mrs Orme, the owners of 'Applegarth' which is the residential property to the immediate east of the application building, located in close proximity to the Old School House.

My clients wish to object to the proposals for variation to planning consent NYM/2008/0210/FL as applied for. Our concerns are based upon the inevitable harm later operating hours and take-away services would have in relation to the residential amenity of Applegarth.

In addition we would wish to draw to the attention of the NPA that the application site location plan submitted as a formal part of the application is inaccurate.

**Loss of Amenity**

Both buildings are located to the south of the river and are therefore slightly separated from the main built elements of the village. This affords Applegarth with a particularly peaceful location, a characteristic which was an important consideration for my clients in purchasing the property. Vehicular access is severely restricted, adding to the tranquillity of the location.

Our concerns relate primarily to the disturbance likely to be generated through evening 'events' for which opening hours are sought to 10-30pm.

The application states that these opening hours are to accommodate evening events and to act as a 'venue with all services available'. It is unclear exactly what such functions are intended or what the building would be a venue for, and this remains a significant concern. *It is incumbent on the NPA to make sure that any such 'events' would be lawful in terms of the planning consent for the property which is limited to cafe and dwelling only.*

My clients' strong concern relates to the immediate proximity of the application property to Applegarth, which makes it very susceptible to noise and disturbance generated from within and outside the application building at unsociable hours. We believe that noise will be generated by:

- The visitors – especially when gathering or leaving;
- From whatever the 'event' entails; and
- From the operations of the kitchens / extractor fans etc. which are located within the parts of the site closest to Applegarth.

Whilst the application states that most of the late opening evenings will be 'off-season' there is no guarantee of this and therefore these could quite feasibly coincide with summertime when the amenity of Applegarth would be more seriously affected because of the likelihood of open windows and enjoyment of the garden well into the evening times.

My clients are concerned that should this relaxation of control be permitted that it would be difficult for the NPA to control the extended use through appropriate monitoring. Unless the 'venue' was to inform the NPA of which days it will operate to later opening hours it will be unlikely that the NPA would be able to ensure that later opening hour conditions are complied with. Moreover, should the proposals be permitted and the later opening hours prove to be profitable (which is surely the intention of this application), the precedent would have been set in relation to proposals to extend the somewhat arbitrary 24 days a year for late opening, further eroding residential amenity at Applegarth.

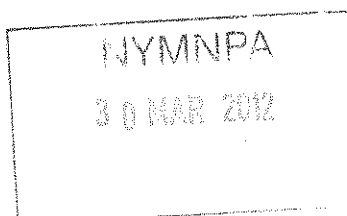
In considering this application my clients would wish to ensure that full regard is had to the adopted NYM Core Strategy. 'Core Policy A - Delivering National Park Purposes and Sustainable Development' states ...

*.....'Providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquility of the Park, nor detract from the quality of life of local residents or the experience of visitors'.*

In addition, policy 14 – 'Tourism and Recreation' allows for new development but only where....

*'3) The development will not generate an increased level of activity, including noise, which would be likely to detract from the experience of visitors and the quality of life of local residents'.*

(emphasis added).



My clients strongly believe that these policies would **not** be complied with by the proposed relaxation of conditions as applied for. It must be remembered that Planning Conditions 8 and 9 of consent NYM/2008/0210/FL have been attached by the NPA precisely to protect local amenity from undue disturbance and should not be relaxed without very careful consideration as to local consequences.

It is pertinent to note that in the course of the applying for NYM/2008/0210/FL which established the current use for the Old School House, the proposed opening hours were amended to the current approved use by the applicants following discussions with my clients, acknowledging the potential for loss of residential amenity. My clients are therefore disappointed that this application has been made which seeks to return to the original proposals without any clear change in circumstances.

My clients do not object *in principle* to the sales of hot drinks off the premises as applied for within current open hours, but are concerned that this would increase the likelihood of litter in the area which would be to the detriment of the special qualities of the National Park.

**Application Site Inaccuracy.**

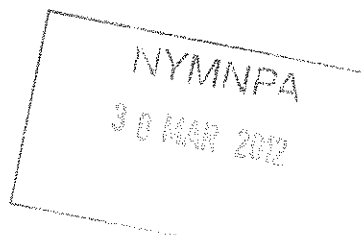
In addition to these reasons for objecting to the application, it is important to note that my clients believe that the application site as presented on the Location Plan includes part of their property, and that no formal notification of intent has been sent to them. In this respect the applicants are in breach of the provisions of the GPDO. For your information the area affected is the triangular riverside parcel of land on the northern edge of the stated application site. This is in the ownership of Mr and Mrs Orme, and clearly functions as the main access point to their property.

I trust you will take this objection fully into account in determining the planning application. If you have any queries about this matter please do not hesitate to contact me.

Yours sincerely,

**Graham Bradford MRTPI**  
Director

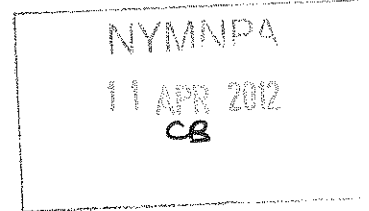
On behalf of Mr and Mrs C. and T. Orme.



2 Station Cottages  
Grosmont  
Whitby  
North Yorks YO22 5PB

Chief Planning Officer  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York YO62 5PB

7 April 2012



Dear Sir

**Planning Application NYM/2012/0119/FL Grosmont School Front Street**

I realise that due to circumstances beyond my control I have unfortunately missed the formal window for lodging comments with you in regard to the above. Nonetheless, I trust that you are able to take account of my views regardless of this technicality.

Can I state firstly that as a resident of Station Cottages, my wife and I, apart from the occupants of Applegarth (the former schoolhouse), are two of the closest residents to the former school and thus potentially likely to suffer more than the majority of Grosmont residents from any inconvenience the proposed extension to the opening hours of the above might cause.

In short we do not foresee any problems or inconvenience arising at all. In fact the motivating reasoning behind the application is heartily appreciated by the people of Grosmont. The village has for many years been virtually a desert of evening cultural activity basically due to a lack of available, suitable accommodation. I feel the owners of the café are to be commended for their willingness to provide this facility and encourage evening activities for residents of Grosmont and neighbouring villages. I have every confidence that this venture would prove a resounding success.

As a member of the Parish Council here, I know that we supported the application as a body – I am now enthusiastically doing so as an individual. I would hope that my views on this matter can be taken into consideration in your decision –making process.

Thanking you,

Yours faithfully

W Norman