

North York Moors National Park Authority

Scarborough Borough Council (South) Suffield-Cum-Everley	App Num. NYM/2013/0070/CU
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Proposal: Change of use of public house and licensed premises with restaurant, letting rooms, holiday cottage and living accommodation to tea room, holiday cottage and living accommodation for a period of two years (no external alterations)

Location: Everley Country Hotel, Hackness

Applicant: David Harrison and Michael Field, The Everley Country Hotel, Hackness, Scarborough, North Yorkshire, YO13 0BT

Date for Decision: 02 April 2013

Grid Ref: SE 497163 488967

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME12 Temporary Use for Two Years

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.

Consultations

Parish - No objections.

Highways - No objections.

North Yorkshire Fire and Rescue Service - No comments.

Environmental Health Officer -

Site Notice Expiry Date - 6 March 2013.

Others - **Mr Paul Goodenough**, Suffield Farm Cottages, Suffield
Mr Craig Gaskell, Red House, Hackness
Mr Phil Hooley, Coombe Slack Farm, Wrench Green, Hackness
Marilyn Palmer, Coombe Slack, Wrench Green, Hackness
Mrs Jane Duffy, Surgate Brow Farm, Silpho

All of the above object to the proposal for the following reasons:

- Loss of an important community facility, the only public house in the area, for the residents of Hackness, Suffield, Silpho and the surrounding areas;
- Even a temporary change of use would be detrimental to the social and community life of these villages and it is unlikely to ever revert back to a public house;

Everley Banks

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Spring

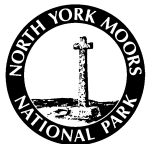
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Scale: 1:2500



The Government Standard

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- A tea room would be seasonal for tourists and not serve the local community in the same way that the public house and restaurant did by providing a meeting venue both informally and more formally by clubs and groups;
- It was a viable business and plenty of people wanted to buy the property but the banks would not lend on the public house trade;
- It was not made known that the property was available to lease – had it been, there may have been more interest in running it as a going concern;
- Crippling business rates have had a serious and detrimental effect on local businesses and tourism;
- This is just the first stage in turning the property into a private dwelling which is not needed in the area - we need a pub with good food and accommodation;
- Request wider public consultation including a Public Meeting.

Background

The Everley Country Hotel occupies a roadside position along the Forge Valley approx. 1 kilometre to the south of Hackness village. It is a substantial two storey property with accommodation in the roof space built of coursed stone under a pantile roof and has in the past been extended to provide a spacious restaurant and bar area. The accommodation comprise at ground floor lounge/bar, restaurant, kitchen, stores and toilets; at first floor there are 4 no. letting bedrooms and spread over the first and second floors is the owner/managers accommodation comprising a sitting room, 4 no. bedrooms and bathroom. There is also an attached 2 no. bedroom holiday cottage.

Planning permission is sought for a temporary period of two years for the change of use of the property from its current mixed use to a tea room. There are no external alterations proposed.

The agent has advised that the property has been on the market since June 2011 with extensive advertising and marketing carried out which has generated a significant amount of interest but none of this has turned into a positive result. A number of business proposals were put forward by interested parties but none of these were able to raise funds to purchase the property. In addition numerous enquiries were also received to use the property as a private dwelling but these were all turned away given the presumption against granting planning permission for the change of use from licensed premises to residential as a matter of national policy. The property continues to be fully fitted and equipped for immediate use and trading.

Main Issues

The relevant policies of the Local Development Framework are Core Policy I and Development Policies 14 and 15 of the NYM Local Development Framework.

Core Policy I seek to resist the loss of community facilities unless it can be demonstrated that the facility is no longer suitable or viable for a community use. The policy considers communities facilities such as village halls, chapels, Post Offices, shops and public houses to be essential elements of sustainable and inclusive communities.

However Development Policies 14 and 15 acknowledge the importance of tourism in supporting the local economy. Tourists are attracted to the Park by the range of tourism facilities and it is important to retain this range. Consequently Development Policy 14 supports proposals for new tourism development providing the special qualities of the Park are not compromised whilst Development Policy 15 seeks to resist the loss of an existing tourist or recreation facility unless it can be demonstrated that the business is no longer viable.

Main Issues (continued)

The Everley Country Hotel served the needs of both local residents and tourist alike with its bar/lounge, restaurant, letting bedrooms and holiday cottage. To some extent therefore the change of use could be argued to result in the loss of a community facility yet the proposal could equally be considered to secure an ongoing tourism facility.

There are a number of other community and tourism facilities in the locality that would to a greater or lesser extent fulfil the role once played by the Everley Country Hotel. For example Hackness Village Hall could be used for meetings of local clubs and Hackness Grange Hotel for functions. The operators of the proposed tea room might also be willing to continue to meet this need for an evening meeting venue.

Whilst it is regrettable that the Everley Country Hotel has been closed for two years, it has been actively marketed for at least eighteen months with no success in finding a new owner to operate it as a going concern. The proposed change of use will provide a new tourism development which the policies of the Local Development Framework support.

Members might also have regard to the fact that the application is for a temporary change of use for two years to see if the proposed tea room business is viable and if not the use would revert to its former mixed use of bar, restaurant and letting bedrooms.

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.

Reason for Approval

The proposed development would not have a detrimental impact on the character of the area and would not result in the loss of a tourist facility. Furthermore there are other community facilities within the immediate locality. The development would therefore be in accordance with Core Policy I and Development Policies 14 and 15 of the NYM Local Development Framework.