

## North York Moors National Park Authority

<b>Scarborough Borough Council (South)</b> <b>Parish: Harwood Dale</b>	<b>App Num. NYM/2014/0599/FL</b>
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**Proposal:** Conversion of garage and stores to form 1 no. holiday cottage

**Location:** Silpho Brow Cottage, Silpho Brow

**Applicant:** Mr and Mrs D Shipman, Silpho Brow Cottage, Silpho Brow, Scarborough, YO13 0JP

**Agent:** Mr Richard Green, 33 Hall Garth Lane, West Ayton, Scarborough, YO13 9JA

**Date for Decision:** 11 November 2014

**Grid Ref:** SE 498118 493297

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN02 Strict Accordance With the Plans/Specifications or Minor Variations
3. WPDR01 Withdrawal of all PD Parts 1 & 2 and 40 Classes A to I
4. RSUO11 Use as Holiday Accommodation Only - Outside Villages
5. RSUO14 Holiday Unit Not Sold or Leased Separately - Outside Villages (Silpho Brow Cottage) (condition 4)
6. GACS07 External Lighting - Submit Details
7. MATS13 Roof Tiles to Match Existing
8. MATS60 Windows and Doors - Timber
9. MATS70 Guttering Fixed by Gutter Spikes
10. MATS72 Black Coloured Rainwater Goods
11. MATS74 Flues to be Coloured Matt Black

#### 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 NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. 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.
4. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
5. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.



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**Reasons for Conditions (continued)**

6. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
7. 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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 8 to 11. 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.

**Consultations**

**Parish** - No objections

**Highways** - No objection

**Yorkshire Water** - No comments required

**Environmental Health Officer** - No objection

**Forestry Commission** -

**Site Notice Expiry Date** - 23 October 2014

**Others - Peter and Sheila Davey, The Shippon, Silpho Brow Farm** - Object to the application. There are bats and swallows using the barn and a survey should be submitted. The existing drainage system would be overloaded. Traffic would increase further bringing added dangers to users of the bridleway. The development would further degrade the peace and quiet and affect neighbouring properties adversely.

**Background**

Silpho Brow Cottage is situated in an isolated location at the end of a long single width track that leads from Silpho to Harwood Dale. The property comprises one of a cluster of three dwellings; formed from the original house and its associated buildings. A Public Right of Way passes to the north of this cluster of dwellings.

The application property forms the eastern half of the pair of semi-detached properties and is known as Silpho Brow Cottage.

Planning permission was granted in 2001 for the construction of a stone and pantile stable building adjacent the main dwelling. This was constructed in 2001/2002 and permission was granted in 2009 to change the use of this stable block to domestic garaging and storage space. Permission was also granted at this time for a pre-fabricated timber stable block within the existing paddock.

This application seeks planning permission to convert part of the garage building into holiday letting accommodation. The south western end of the building would be retained as domestic garage and the eastern end would provide a one bed holiday letting unit.

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**Background (continued)**

Alterations to the building would be minimal, with the existing garage door opening being retained to provide a fully glazed opening, and the existing top opening window being replaced with a casement window. Two rooflights would also be removed over what would be the living space of the resultant holiday unit.

**Main Issues****Policy Context**

Barn conversions are usually considered under Development Policy 8 of the Local Development Framework which says that outside the settlements identified in the settlement hierarchy the conversion of traditional unlisted rural buildings for short term self-catering holiday accommodation will be permitted where the building is of architectural and historic importance and makes a positive contribution to the landscape and character of the National Park. However, in this case, the building which the applicant is seeking to convert was constructed in 2002 and therefore it does not fall within the criteria of Development Policy 8 and this policy therefore is not relevant to this determination.

In this case, Development Policy 14 is the most relevant policy. This policy seeks to ensure that new tourism development 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 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.

In terms of national planning guidance the NPPF (para 28) encourages conversion of buildings to support a prosperous rural economy. The Government is also looking for greater flexibility in National Park Authorities conversion policies on the back of the permitted development exemptions.

**Material Considerations**

The garage building is of stone and pantile construction and of traditional design. It is situated within the context of the existing domestic dwelling and all openings would face over the applicant's land, not neighbouring properties. Consequently the primary issues for consideration are whether the tourism facility proposed would meet the criteria set out in Development Policy 14, whether the proposal would have a detrimental impact on neighbouring amenities and unacceptably increase activity levels and whether the proposed conversion would result in any visual harm.

**Visual Impact and Activity Levels**

Although relatively recent, the existing building is traditional in appearance and is of simple character. Very limited alterations are proposed and the simple character of the building would be retained. The activity levels generated by the use of the building as a one bed holiday cottage are considered to be minimal and not out of place in this existing domestic curtilage. It is not considered that the alterations proposed or the activity levels generated would have an unacceptable impact on the visual amenities or character of this part of the National Park.

**Neighbouring Amenity**

The existing building is located to the south east of the neighbouring dwelling known as "The Shippon". The application building backs onto the boundary with the garden of that property and would have no windows facing that boundary.

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**Neighbouring Amenity (continued)**

Consequently it is not considered that the use of the building as a holiday let would result in unacceptable levels of activity, noise or overlooking. Vehicular access to the site runs past the boundary of "The Shippon", but it is not considered that the extra vehicular movements that would result would have an unacceptable impact on the residential amenities enjoyed by that property.

**Recommendation**

The use of the building to provide a tourism facility would comply with the criteria set out in Development Policy 14 and the nature of the proposed use would not result in any significant harm being caused to neighbouring amenities, activity levels or the character of the locality.

In view of the above, 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.