

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
Parish: Staintondale

Application No. NYM/2016/0575/FL

Proposal: Change of use of shop/post office to additional living accommodation together with subdivision to create 1 no. additional dwelling for local occupancy

Location: Stonelea, Prior Wath Road, Staintondale

Decision Date: 21 October 2016

Consultations

Parish – Fully supports the application to restore the now closed village shop and post office to its original use as a dwelling and agrees with the local occupancy criteria.

Highways – No objections on the grounds that the layby opposite was provided for users of the shop and post office but is unlikely to be widely used now and therefore the e proposal will decrease the impact on the highway in this location.

Environmental Health Officer – No objection but request a condition limiting working hours during the development.

Site Notice Expiry Date – 21 September 2016

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.						
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Plans</td><td>A1-1166-WO817</td><td>17 October 2016</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Proposed Plans	A1-1166-WO817	17 October 2016
Document Description	Document No.	Date Received						
Proposed Plans	A1-1166-WO817	17 October 2016						
3.	LNDS00	A screen hedge of native species shall be planted around the oil tank hereby approved no later than the first planting season following the installation of the oil tank, or in accordance with a programme agreed by the Local Planning Authority. The approved screen hedge planting shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.						

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4.	RSUO13	<p>The occupation of the dwelling hereby permitted shall be limited to:</p> <ul style="list-style-type: none"> i) a qualifying person; and ii) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person. <p>For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she satisfied the Local Planning Authority that he/she was in need of local needs housing in terms of the criteria set out in Core Policy J of the adopted North York Moors Local Development Framework, namely that he/she:</p> <ul style="list-style-type: none"> a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or c) has an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous five years or more and require support for reasons of age or infirmity or d) requires support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous five years or more or e) needs to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park. <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.</p> <p>Note A: For the purposes of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purposes of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.</p>
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Reason for Condition(s)

1.	RSNTIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSNPLAN01	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.	RSNLNDS03	In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.

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4.	RSNRSUO13	In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality.
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Background

Stonelea is a stone and slate built property occupying a roadside frontage on the north side of Prior Wath Road in Staintondale. It comprises the original two storey dwelling which was linked to the adjoining cottage some years ago to provide a larger property and a single storey outbuilding to the side which until recently was operated by the applicant as a village shop and post office.

Planning permission is sought for the change of use of the former village shop and post office into additional living accommodation for Stonelea and the subdivision of the property to create an additional dwelling where there was once a cottage known as Holly Cottage. No external alterations are proposed other than the blocking up of a door and the provision of a flue to the rear elevation and the siting of an oil tank partially submerged in the front garden. The existing vehicular access to the side of Stonelea will be retained for use by that property; Holy Cottage will not have any off street parking however there is a layby available directly opposite the site for parking. Both properties will have their own private amenity space to the rear.

Main Issues

The relevant policies of the Core Strategy and Development Policies Document are Core Policy I (Community Facilities) and J (Housing). Core Policy I seeks to resist the loss of community facilities such as village shops and post offices unless it can be demonstrated that they are no longer suitable or viable for a community use. Core Policy J only supports new housing, whether new build or as a conversion of an existing building, for local needs in villages such as Staintondale.

The closure of the post office at Staintondale was outside the control of the applicant; following the applicant's decision to retire as post mistress the Post Office took the decision to reduce the hours and were only willing to offer 2 hours per week (as opposed to the present 17.5 hours at Staintondale and 10 hours at Ravenscar) to be operated as satellite offices from another existing post office. It is understood that South Cliff Post Office, which already operates a satellite post office in Cloughton Church, has agreed to take on both Ravenscar (in St Hilda's Church, Thursday 10.30-12.30) and Staintondale (in the Village Hall, Tuesday 13.30-15.30) as satellite Post Offices, to ensure a Post Office presence in the two villages. As such, whilst the drastic reduction in hours of the post office service in the two villages is regrettable, a service is still being provided to local residents and as such there is not a total loss of the community facility. Furthermore given the small scale of the shop unit (10.6 square metres), the lack of any staff facilities and its physical links to the applicant's dwelling, it is considered unlikely that there would be any interest to continue the operation of the unit as a shop by a third party. In view of this it is considered that the premises are no longer suitable or viable for a community use and that alternative services are being provided within the Parish in accordance with Core Policy I.

With regard to the provision of an additional dwelling, Core Policy J only supports new housing in this location through the conversion of an existing building. As the proposal is for

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the subdivision of Stonelea into two dwellings, it is considered to comply in principle with Core Policy J. Furthermore the proposed occupant of the smaller cottage would be the applicant's son who has provided evidence that he would comply with the local occupancy criteria as required by Core Policy J.

No external alterations are proposed to the front elevation of the property except for the provision of an oil tank in the front garden of Holy Cottage. This will be partially submerged so that only 1 metre will be visible above ground and the applicant intends to plant around this to screen it. Locating the oil tank to the front garden is the only realistic option for the property given the lack of vehicular access to the rear garden. Whilst not ideal, it is considered that the tank would not be unduly prominent given that both neighbouring properties are set forward of the proposed dwelling and that the existing stone wall and railings provide some screening.

In conclusion therefore that whilst the proposal will result in the loss of a small village shop and post office, alternative facilities are being provided within the Parish by the Post Office and given the size of the shop unit and its limited facilities it is considered that the unit is not suitable for another community use. Its conversion therefore into additional living accommodation and the subdivision of the property into two would comply with Core Policies I and J of the Core Strategy and Development Policies Document .

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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