

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(North)  
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2018/0086/CU

**Proposal: change of use of part of holiday cottage and garden to tearoom facility  
serving light refreshments to walkers of the Cleveland Way**

**Location: Hornblower Lodge, Highlights, Hawsker**

**Decision Date: 17 April 2018**

## Consultations

**Parish** – No objections

**Highways** – No objections

**Environmental Health Officer** – No objections

**Police Designing Out Crime** – No comments

**Fire Safety** – No objection

**Site Notice Expiry Date** – 4 April 2018

**Others -**

## 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.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	RSUO01	The premises shall not be used other than as a tearoom and shall not be used for any other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).
4.	GACS06	The tearoom hereby permitted shall not be open to customers outside the hours of 10am to 4pm Wednesday to Sunday and Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
5.	MISC00	All marketing/advertising materials relating to the development hereby approved will clarify that the tearoom is not to be accessed by private car.

Signature:



Date:

17<sup>th</sup> April 2018

---

**Application Number: NYM/2018/0086/CU**

---

**Reason for Condition(s)**

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	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.	RSUO01	In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
4.	GACS01	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.
5.	HWAY10	In accordance with NYM Development Policy 23 and in the interests of road safety.

Signature:



Date:

17<sup>th</sup> Apr 2018

---

**Application Number: NYM/2018/0086/CU**

---

**Background**

This property, the former Fog Signal Station, is located to the north of Whitby Lighthouse. It is a single storey, flat roofed, white painted building with the fog horns retained, which is now in domestic use. The property occupies a cliff top location and the Cleveland Way passes directly outside the building.

Planning permission was granted in 1994 to use part of the existing building as a tearoom. Another application was submitted and approved in 2013 allowing the subdivision of part of the property into a holiday let.

This application seeks planning permission for the change of use of part of the holiday cottage and garden to a tearoom facility serving light refreshments to walkers using the Cleveland Way.

**Main Issues**

Development Policy 1 seeks to ensure that the special qualities of the National Park are conserved and enhanced, and consequently seeks to only permit development where, amongst other criteria, it will not have an unacceptable impact on surface and ground water, soil, air quality and agricultural land; where it will not generate unacceptable levels of noise, vibration, activity or light pollution; and stability can be achieved without causing unacceptable environmental or landscape impact.

Development Policy 14 states that the quality of tourism and recreation in the National Park will be maintained and improved through the adoption of sustainable tourism. Proposals are likely to be supported where it will increase visitor's enjoyment of the National Park, the proposal can be satisfactorily accessed by sustainable modes of transport and utilises existing buildings, and where it will not generate an increased level of activity including noise. As this proposal seeks planning permission for a new building, it is recommended that the application demonstrates that the facility cannot be satisfactorily accommodated within an existing building in that location. It is recommended that the toilet facilities comprise only one unisex toilet which is built as a lean-to on the existing garage to minimise the impact of the proposed development.

The principle of commercial use has already been approved in previous planning applications. It is recognised that the existing access is unsuitable for additional vehicles therefore it is important that the tearoom is restricted to the serving of light refreshments to walkers using the Cleveland Way. With this condition in place it is considered that the proposed development would not have an unacceptable impact on the environment and would help increase visitor's enjoyment on the Cleveland Way.

In view of the above, the proposal is considered to be in accordance with adopted Policies and approval is recommended.

Signature:



Date:

17<sup>th</sup> April 2018


---

**Application Number: NYM/2018/0086/CU**

---

**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.

Signature: 	Date: 17 <sup>th</sup> April 2018
--	-----------------------------------