

North York Moors National Park Authority

11 July 2024 Planning Committee members update sheet

Item 9 – Miscellaneous items (a); Appeals received

Please note the address for appeal NYM/2023/0435 was omitted from the report in error. For clarification the address is land north of Ghyll Brow & Thorn Hill View, Glaisdale.

Item 9 – Appendix G; List of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation for the period of 12 April 2024 to 21 June 2024

Please note the following replacement wording setting out the decision taken in relation to enforcement enquiry 16706:

The money owed to the Authority following direct action has now been paid in full.

Item 2, NYM/2024/0058

Further third party responses

An agent, on behalf of a third party and objector, Mr Graham has written again to restate their position. Full details of the correspondence, including Land Registry plans, have been uploaded to the application file. The correspondence outlines in brief:

The application followed an enforcement investigation, we have strong legal title information that the applicants do not own the land where the fence has been erected, the serving of notices regarding land ownership was not correct. Greater weight should be given to the fact that the objector and his company being two entities in law. Considering the above, would expect the Authority to dispose of the application or pause the Committee determination until ownership discussions have taken place and the matter resolved.

The third party and objector has also written in individually, expressing concerns that the Authority should pause the Committee determination until ownership discussions have taken place and the matter resolved.

Item 4, NYM/2024/0342

Further third party responses

C Hirst, 5 Mill Hill Lane, Pontefract – Support

Item 5, NYM/2024/0236

L. Watson, 26 Church Street, Castleton -

Further comments in response to changes-

The Post Office have no interest in providing a fixed Post Office service in the village. Marske who run the van say it is too expensive to run a counter and despite me offering counter space for free with zero cost to themselves they were not interested at all.

In response to their own comments about Jack renting the tea rooms, and breaking the clause on the planning, this just goes to show that the business was not successful when being rented, an additional overhead of rent really impacts a business. Also, they only ran the business themselves for almost exactly 12 months, then Jack rented it from them, then when Jack left it closed, not the 3 years they suggest.

In terms of a community cafe, they normally run with a very nominal rent, not 10% below market value. I can predict that after the specified time frame to show a non-viable business, that a new set of plans will be submitted for the conversion to residential, should this tie be severed, because I fully do not believe a business will be viable with a rental income, who wants to work so hard setting up a rural business to pay hundreds a month in rent.

The old tearooms were historically a very successful business site and should have remained a business premises in the village. The old tearooms building was only allowed to become residential as the old chapel (new tearooms site) was providing a business site within the village. By allowing the removal of this clause and severing the tie between the accommodation and business I do believe this would see the end of any business succeeding at this address.

At the Parish meeting Mr Penter discussed the viability of the business, I do not agree with his comments that the village tearooms were not a viable business. The previous owners ran the village tearooms very successfully from 2006 (at both sites) until Mr Penter purchased it. I do believe that had Mr Penter given the business a chance to become established under his ownership then they too could have had a very successful business, however 12 months is not sufficient to establish any new business and I would be disappointed if any financial evidence provided by Mr Penter was given any weight in this decision.

The village is suffering in many ways without our village tearooms. Losing the tearooms is having a negative effect adding to rural isolation as many residents of the village do not have access to suitable transport and rely on amenities within the village. The effect on tourism in the village is substantial. Each week I encounter several people looking very disappointed that the village they visited since childhood for a cuppa and cake on their day out, no longer has a tearoom and they all comment on how sad that is.

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Having been the previous chapel this building was a community building where many village groups used to take place. I believe it should remain an asset to the village, a community hub, a meeting space and place to be enjoyed by the community. There is no other building with such a prominent location in the village, renovated specifically to be a village tearoom, with such great disabled access and those wonderful views too.

I do not believe allowing the removal of this clause is going to support a much needed business in this premises.

Item 6, NYM/2024/0276

Further consultation responses

Environmental Health

Satisfied with the potable water supply and drainage proposals and raise no objection.

Item 8, NYM/2022/0259

Recommendation

As the re-consultation period for the amended plans does not expire until end of business on 18 July 2024, should Members be minded to approve the application this will need to be delegated to the Director of Planning to issue subject to no comments being received that raise new material planning considerations that Members have not considered.

Amended condition 2:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Date Received
Proposed site layout	519/01 (02)041 A	27 June 2024
Proposed Ground Floor Layout	519/01 (02)031 A	27 June 2024
Proposed First Floor Layout	519/01 (02)032 A	27 June 2024
Proposed Second Floor Layout	519/01 (02)033 A	27 June 2024
Proposed Elevations	519/01 (02)034 A	27 June 2024
Design and Access Statement	519/01 03 V2	27 June 2024

Email from Shaw & Jagger regarding proposed works 4 June 2024

Further consultation responses

No comments received from statutory consultees or third parties in relation to the amended plans received.

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Background

By way of clarification, the materials proposed for the extension are stone and clay pantiles to match the host property. It is also proposed to remove the render to the east and south elevations of the host property to expose the original stonework which is to be repointed with a lime mortar to match the front elevation.

Item 9, NYM/2022/0260

Recommendation

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