

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Planning Committee 09 September 2008

Schedule No:1

Application No:	C/26/734	
District:	Craven	
Parish:	Embsay-with-Eastby	
Applicant's Name:	Mr S Willis,	
Grid Ref:	SE00155348	
Received by YDNP:	11/08/2008	Officer: Katherine Sycamore

PROPOSAL: full planning permission for replacement porch and erection of conservatory

LOCATION: 52 Dales Avenue, Embsay

CONSULTEES

Embsay-with-Eastby PC no objections

Area Ranger (Lower Wharfedale) Proposed development does not affect PROW.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

B14(06) - Extensions and Alterations to Buildings

GP2(06) - General Design Policy

OFFICERS' OBSERVATIONS

The Site

This application relates to 52 Dales Avenue, a modern semi-detached property within an estate of similar properties in Embsay. 52 Dales Avenue occupies a corner plot at the end of a cul-de-sac. The front elevation of the property is clad with artificial stone and the side and rear are rendered. A public right of way runs to the rear of the property.

The Proposed Development

This application seeks full planning permission for the erection of a uPVC conservatory to the rear and a replacement porch to the side of 52 Dales Avenue in Embsay. The proposed conservatory will measure 3.65m (length) x 2.8m (width) and will closely match an existing conservatory on the adjoining property, 50 Dales Avenue. The proposed replacement porch will utilise the existing base, replacing the frame only.

The key considerations are the visual impact of the proposed conservatory and replacement porch and residential amenity.

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It is considered that, given the modern design and materials of the existing building and surrounding properties, the design and modern materials proposed would be acceptable in this location. There are similar conservatories on neighbouring properties including one on the adjoining property. Although the rear of the dwelling is highly visible from the adjacent public right of way, there are many conservatories of this style visible from the right of way and views from this right of way are of a typical modern estate where such attachments are commonplace and not out of context. The replacement porch will effectively appear the same as the existing, given that only the frame is to be replaced in a similar style to the existing frame.

With regard to residential amenity, the conservatory will be positioned immediately adjacent to the boundary with the neighbouring property, 50 Dales Avenue. The conservatory will therefore be immediately adjacent to the conservatory of that property. However, the presence of an existing close boarded fence minimises overlooking. It is also considered that any additional overlooking will not be greater than experienced from the existing conservatory being adjacent to the patio of the application site. Therefore, subject to a condition ensuring the retention of the fence, it is considered that there will be no significant increase in loss of amenity to the neighbouring property as a result of this proposal.

It is therefore considered that the proposed development is acceptable in accordance with Policies GP2 and B14 of the Local Plan.

Members to note:

This application is before members of the planning committee as the applicant is a member of staff.

The publicity period for the site notice will not expire until the 9th September (the day of committee). Any comments received will be reported verbally at committee.

RECOMMENDATION

Recommendation is to grant planning permission subject to conditions based on the following:

Standard time limit
Accordance with approved plans
Materials
Retention of fence

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Application No:	C/58/19F
District:	Craven
Parish:	Otterburn
Applicant's Name:	Mr & Mrs A Haggas,
Grid Ref:	SD88365794
Received by YDNP:	23/04/2008
Officer:	Katherine Sycamore

PROPOSAL: full planning permission for equestrian development, including stabling within existing building, outdoor ménage, associated car parking and new vehicular access

LOCATION: Grove Farm, Otterburn

CONSULTEES

Otterburn PC

There were no objections; indeed, the support was unanimous and the development seen as a future positive asset for the village.

Highways - Skipton Area Office

Recommend stone setts be provided for a min. distance of 4.5m from carriageway edge. Any gates set back 10 m from carriageway. Best all round solution - provide a cattle grid close to road edge - included within 4.5m of setts i.e. 2.5m setts and 2.0m grid

**Environment Agency
CEHO Craven
Fire & Rescue Service
Senior Wildlife
Conservation Officer**

None received.

None received.

None received.

Whilst there is no objection to the application, in order to minimise the loss of road verge it would be preferable to keep the width of the entrance as narrow as is practically possible. I would also suggest putting in some form of boundary stone/kerb edge to prevent vehicles cutting the corner and damaging adjacent areas of road verge

**Area Ranger
(Malhamdale)
C/o Democratic
Services**

Comments received regarding the status of surrounding lanes.

None received.

**Senior Conservation
Archaeologist**

None received.

PUBLIC RESPONSES

One letter of objection received from CPRE.

RELEVANT PLANNING POLICIES

F2(06) - Farm Diversification
GP2(06) - General Design Policy
SR6(06) - Equestrian Centres
VF1(06) - Assessment of Visitor Facilities

OFFICERS' OBSERVATIONS

Introduction

This application was present to the June Planning Committee. The application was recommended for refusal on the grounds that the proposed livery business is of a significant scale and includes a large ménage, car park and access which will result in a considerable intrusion in the wider landscape, severally altering the character and appearance of the surrounding landscape and will not result in a material conservation gain, by virtue of the scale of the ménage and parking area and the position, scale and design of the proposed access, contrary to Policies GP2, F2, SR6 and VF1 of the Local Plan. A copy of the previous report is attached.

The applicant was deferred for a site visit which took place on the 20th June 2008. The minutes of the site visit are attached to this report.

Following deferral from Planning Committee, further discussions have taken place with the agent for the applicant. As a result of these discussions, amended drawings have been received which revise the position and works involved with the proposed new access and revise the proposed screening to the training ring and the car park. An appraisal has also been prepared by the agent in response to concerns relating to the scale of the proposal. The Authority has commissioned an independent appraisal of the proposal to establish whether the proposed equestrian business would complement or dominate the agricultural business and also to consider the applicants' justification for the proposed new access. Copies of the conclusions from both reports are attached to this report. Full copies of these reports can be viewed by members via the extranet.

The Site

This application relates to Grove Farm, a 315 hectare farm on the outskirts of Otterburn. Grove Farm currently comprises a traditional farm house, fronting the existing access road with a number of modern farm buildings to the rear surrounding the farm yard.

The Proposed Development

This application seeks full planning permission for the change of use of a large 648sq m modern agricultural building to livery stables to include 18 loose boxes, an office, wash/staff room, WCs, tack room and drying room. The proposal also includes a training ring measuring 40m x 20m to be sited immediately to the east of the building, a car park for 14 cars to the north and a new access road to the south-east of the farm. The training ring and parking area are to be set down from the rising ground by between 0.5m and 1m. The 1m high embankment originally proposed has now been omitted and a dry-stone wall is proposed to enclose the car park. A tree planting belt approximately 15m x 40m in area is proposed running along side the lane to the north-west of the farm, adjacent to the public right of way. The applicants' agent has also confirmed that there will be hedging along the fence line of the training ring and the fence line of the existing farm yard. The proposed access has been significantly revised, repositioning the new track approximately 40m further to the west of its originally proposed position. The proposed track would be 3m in

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width for the most part, constructed from two consolidated hardcore wheelings with a central grass strip. A pull in is also proposed, to allow for vehicles to pass. The entrance will measure 7m in width at its widest by 2.5m in depth and will be surfaced with stone setts. A cattle grid is proposed rather than a gate. With the exception of the corner of a wall adjacent to the training ring, all boundary walls will remain in their current position.

Policy

The key policy is SR6 (Equestrian Centres) which also states that that the development must conform to policy VF1 (Visitor Facilities). The applicant has applied for the proposal as a farm diversification scheme and as such policy F2 (Farm Diversification) is also of relevance.

In principle, the proposal conforms for the most part with Policy SR6 in that it makes use of an existing building and would make adequate provision for training and exercise areas in the form of the large training ring. However, there is doubt over the accessibility to an adequate network of safe and otherwise suitable riding routes in the locality, which is addressed later in this report.

Policy SR6 states that the proposal must conform with policy VF1. Policy VF1 refers primarily to the wider impact of the proposed development on the landscape, highways and residential amenity. Significantly, VF1 states that development that supports informal recreation will be permitted provided that it makes a material conservation gain and is in scale and character with the surrounding landscape and built environment.

The impact on the character and appearance of the surrounding area

The use of the building for loose boxes should have no direct impact on the character and appearance of the surrounding area as no external alterations are proposed, except minor alterations to include two windows on the eastern elevation. The building is surrounded on three sides by fields, and as such the greater impact will be as a result of the training ring, parking area and access. The independent appraisal states that the loss of the existing building to the proposed use will not impact on the agricultural operations undertaken on the farm and will not require its replacement in the foreseeable future. As with any equestrian development, there is pressure on land surrounding the development to be use in association with the development. Whilst grazing horses is acceptable and does not constitute a change of use, there can often be a significant impact on the character of fields through the erection of horse fencing and jumps. The applicants have therefore agreed to the inclusion within the legal agreement a clause to control the erection of such fencing and jumps, so far as it does not prejudice the farm enterprise.

Car park and training ring

Concerns were expressed in the previous report to committee regarding the size of the car park and the training ring. Since the original submission, the Authority has commissioned an independent appraisal of the proposal which concludes that the 14 parking spaces are reasonable for a development of this scale. The independent appraisal also states that 'the proposed ménage is of a size appropriate to the development. It is the size of a dressage arena and therefore the minimum requirement for the training of a sports horse.'

The screening of the car park and the training ring has also been reconsidered and will now include a dry-stone wall along the northern and eastern boundary of the car park. The agent for the applicant has agreed to hedge planting along the fence line enclosing the training ring and along the fence line of the farm yard adjacent. A small belt of tree planting adjacent to the right of way to the north-west of the farm is also proposed. It is

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considered that the proposed walling and hedging immediately bordering the site, with no embankment, will have significantly less of an impact than the previous screening proposal and will reflect boundary treatment in the area which is a mix of walling and hedging. The principle views of the car parking area and training ring will be from the right of way to the north-west. The proposed tree planting adjacent to this track will blend in with existing tree belts in the area and will significantly soften long distance views of the development.

New access

The proposal also includes a new access to the site, separate from the current access to the farm, through Otterburn. The access proposed in the original submission involved a 100m track running from the proposed car park into the field to the north of the site and cutting across the field to join the road. This element of the proposal has been significantly revised to an 80m track running through the field immediately to the south-east of the building. The proposed access would be a 3m wide track comprising of two consolidated limestone wheelings. The agent for the applicant has confirmed that, in order to enable vehicles to cross near the entrance, there will be a pull-in surfaced with geo-block membrane to lessen the impact. Rather than the originally proposed hard surfaced entrance stretching 10m back from the road and 5m wide, there will be a 2.5m stretch of stone setts and a cattle grid. The access will not be enclosed and as the land is relatively flat at this point, there should not be wide views of the proposed track. The repositioned track will enable existing field boundaries to remain intact. The track will meet the highway at the junction of two roads which visually appears to be the entrance to the village rather than opening onto the narrow traditional lane as previously proposed. Views of the entrance will also be limited to close range views from the adjacent highways. It is considered appropriate to control signage at the new entrance to ensure that the impact on the character and appearance of the lane is minimal.

Concern was expressed in the previous report regarding the justification for a new access. The independent appraisal the Authority commissioned considers this matter further. This appraisal confirms that the access will maintain the biodiversity of the farm; separate the equestrian traffic from agricultural traffic; maintain the physical security of the farm and ensure that people are kept away from the areas where agricultural operations are undertaken.

On the basis that a new access is justified in principle, it is considered that the repositioned access with the sensitive treatment to the entrance and track will not have such a significant impact to warrant refusal of the application.

Diversification

This application has been considered as a diversification scheme under Policy F2 of the Local Plan. Criterion ii) of that policy states that the proposal must assist viability and not prejudice the farming enterprise. The scale of the proposed was raised in the previous report, as it was uncertain whether the use would complement or dominate the farm business. The independent appraisal has considered this matter and concludes that 'the proposed equestrian enterprise represents a reasonable diversification for this holding' ... 'Stocked with 18 horses the livery stable would require a maximum of 35 acres of land for grazing and haylage production but the applicants have land that is currently capable of being cut for hay or haylage that is surplus to requirements and grazing land that is not currently being used to capacity. The agricultural business at Grove Farm is well established, viable in the current agricultural economic climate and has a clear prospect of remaining so. The equestrian operation appears to have been planned on a sound footing, is of a size which should not impact upon the agricultural business, and appears to be

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sustainable in long term'. As the proposal is a relatively large farm diversification project, the applicants have agreed to enter into a legal agreement to tie ownership to the farm.

Employment

The agent indicates that the enterprise is expected to create two part-time jobs.

Highways

The Highways Authority is satisfied with the proposed revised access.

Rights of Way

Policy SR6, criterion iii) states that equestrian centres should be well related to an adequate and readily accessible network of safe or otherwise suitable riding routes that are capable of sustaining and expected level of use. This aspect of the proposal is still in some doubt. The agent for the applicant has stated that there are a number of tracks nearby where BOAT claims are being processed, including Dacre Lane and Langber Lane. Langber Lane is an unclassified county road of which there are unproven rights for horses. The Area Ranger has commented that the BOAT claims may take up to several years to process. The applicant owns the majority of the lane running north of the farm, although there is doubt whether this lane meets with any further lanes to enable a loop. As such, there is uncertainty whether the equestrian centre is well linked to suitable riding routes. However, the proposal is not for a riding/trekking centre, but for livery of show horses. Whilst there will inevitably be riding in the open countryside, the provision of the training ring will enable training and exercise to a certain extent.

Residential Amenity

The site is sufficiently distanced from neighbouring properties to avoid any loss of amenity to neighbouring residents.

The Campaign to Protect Rural England has objected to the proposal, as originally submitted, on the grounds of increased traffic on the narrow lanes around Otterburn, light pollution by lighting the riding ring after dark and that the proposal is not sympathetic to the dales, the landscape and the environment. They have been reconsulted on the amended proposal. Any further comments will be reported to the Planning Committee.

Archaeology

At the committee site visit a query was raised regarding any archaeological impact of the proposed works to excavate the training ring, car park and access. The Authority's Senior Conservation Archaeologist has been consulted and any comments will be reported to the committee.

Analysis of Material Considerations

The appraisal submitted by the applicants and the independent appraisal commissioned by the Authority has demonstrated that the proposed equestrian centre will complement the farm business and that the scale of the associated car park and training ring are justified for the type of equestrian centre proposed. The independent appraisal also confirms that the new access is justified.

The proposal has been revised to incorporate traditional boundary treatment and tree planting to screen the training ring and car park. There will also be an enhancement of the existing farm through hedge planting along the fence line of the yard, which should assist in off-setting the impact of the development. The repositioned track will have a significantly less impact on the character and appearance of the surrounding area.

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It is therefore considered that previous concerns regarding the scale of the development and the impact on the surrounding landscape have been overcome. There is still some debate regarding access to suitable riding routes, however, it is considered that this is not so significant to warrant refusal of this application.

It is therefore considered that the proposed development is acceptable in accordance with Policies GP2, F2, SR6 and VF1 of the Local Plan.

RECOMMENDATION

Subject to the receipt of amended plans showing the revised surface treatment of the access and hedge planting, recommendation is to GRANT planning permission subject a Section 106 legal agreement to ensure that equestrian centre remains tied to the farm enterprise; to ensure that no signage shall be displayed without the prior agreement of the Local Planning Authority; and to ensure that no jumps or fencing are erected in those fields adjacent to the development (field numbers to be agreed), without prior agreement of the Local Planning Authority and;

based on the following conditions:

- 3 year time limit
- Accordance with approved plans
- Surfacing materials
- Entrance and access track materials
- Hedging/tree planting scheme to be agreed
- Details of the dry-stone wall enclosing the car park to be agreed
- No outside storage
- Access and parking area to be kept free from obstruction
- Restriction regarding minor alterations, including means of enclosure and access tracks
- Control of external lighting
- Control of telecommunications equipment
- Timber windows in the building
- Blocking of existing doors with Yorkshire Boarding and block work to match existing building

Schedule No:3

Application No:	R/56/32G	
District:	Richmondshire	
Parish:	Hawes	
Applicant's Name:	Honeycott Caravan Park LLP	
Grid Ref:	SD86388972	
Received by YDNP:	15/05/2008	Officer: Richard Graham

PROPOSAL: full planning permission for siting of 14 static holiday caravans in lieu of 18 touring caravans (to make 42 static holiday caravans in total)

LOCATION: Honeycott Caravan Park, Ingleton Road, Hawes

CONSULTEES

Hawes and High Abbotside Ward

No comment received.

Hawes & High Abbotside PC

Object on the grounds that permission would set a precedent for static caravans to replace tourers and at the potential loss of existing facilities for tourists.

Trees & Woodland Officer

New tree planting should be of native broadleaved species and adequately protected and maintained so that they survive. Any trees that do die within three years should be replaced.

Fire & Rescue Service Richmondshire District Council (Env Health)

No reply at time of writing.

C/o Democratic Services

No objections.

C/o Committee Services

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

VF5(06) - Sites for Static Holiday Caravans

OFFICERS' OBSERVATIONS

APPLICATION SITE

Honeycott Caravan Park is situated on the Ingleton Road near Hawes. It comprises a sloping site that accommodates 28 static caravans and pitches for 18 touring caravans, together with various outbuildings, the owners accommodation and holiday cottages.

PROPOSAL

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The application is for the remodelling of the site involving the demolition of the existing toilet block and the replacement of 18 touring pitches with 14 static pitches. The proposal includes tree planting around the site perimeter. The applicant also seeks a standard occupation period for the whole site of 1st March to 14th January (10 and a half months).

RELEVANT PLANNING HISTORY

A number of applications between 1975 and 1992 for caravans and associated development - none directly relevant.

KEY ISSUES:

- planning policy
- impact on landscape
- other issues

PLANNING POLICY

Policy VF5 'Sites for Static Holiday Caravans' is directly relevant. The policy allows for the extension or increase in number of pitches on existing sites only where they form part of a comprehensive remodelling scheme that produces significant visual or environmental improvements.

IMPACT ON LANDSCAPE

The site is adjacent to the Ingleton Road just outside of Hawes. It is not unduly prominent from the road as the larger part of the site lies on sloping land that falls away from the road level. Along the boundaries of the site there are a number of mature trees which help to screen the site to a degree in views from the footpaths to the north and west.

The proposal offers a straightforward replacement of static caravans for touring pitches. It includes the removal of the unsightly toilet block building and some additional planting around the site boundary. The applicant also suggests a planning condition to ensure that all new and replacement caravans are provided in a green colour.

The proposed static caravans along the boundary adjacent to the road will be a permanent feature visible from road however they would be screened to some extent by the existing dry stone boundary wall and some new planting. The proposed static caravans within the site are unlikely to have a significant visual impact being seen in the context of the rest of the site and given some additional tree planting to close gaps in the existing boundary tree belt.

OTHER ISSUES

The comments of the Parish Council appear to describe concern at the loss of tourers in favour of static caravans and that in doing so the range of facilities offered visitors would be lost. This issue is not covered by the Local Plan policy and is therefore difficult to assess or give significant weight.

ANALYSIS AND MATERIAL CONSIDERATIONS

Policy VF5 concerns proposals to extend existing sites or increase the number of caravans whereas this proposal is to replace touring caravans with fewer statics. However it is considered that the principle of requiring a significant visual or environmental improvement can reasonably be applied in this case.

The scope for achieving improvements on this site is limited and the applicants have addressed most opportunities – additional planting, removal of unsightly buildings and the

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colour of new caravans. It is considered that the proposed planting could go further than shown on the plans, including some planting within the site, however this could be secured by condition. Although the new caravans will meet modern insulation standards it is unfortunate that opportunities to provide renewable energy, water recycling and other environmental best practise have not been taken up.

As the application stands it is considered that it would allow for a visual improvement of the site and its impact on the landscape, largely through additional tree planting. The regularisation of the occupation period across the whole site is as is recommended in Government guidance and similar to other sites in the area. The issues raised by the Parish Council are not supported by evidence or Local Plan policy and can therefore be given little weight.

RECOMMENDATION

It is recommended that permission is granted subject to conditions that include the following:

1. Time limit.
2. Submission, approval and implementation of landscape planting scheme.
3. Replacement of dead trees.
4. Approval of colour of new and replacement caravans.
5. Occupation of all caravans on the site restricted to between the 1st March and 14th January in any year.

Schedule No:4

Application No:	S/02/41B	
District:	South Lakeland	
Parish:	Garsdale	
Applicant's Name:	Mr N Woodfine, Riverdale Properties Ltd	
Grid Ref:	SD74528961	
Received by YDNP:	04/06/2008	Officer: Andrea Burden

PROPOSAL: full planning permission for conversion of former dwellinghouse and barn to create one dwellinghouse

LOCATION: School House, Garsdale

CONSULTEES

Garsdale PC	In support of the application.
Highways, Cumbria County Council	Opposed to vehicular access as submitted on amended plans. The applicant is advised to provide visibility splays in both directions - otherwise there are strong highway grounds for refusal.
SLDC - Strategy & Planning Department	No response.
The Ramblers Association	Note that there is no intention to interfere with the public right of way. No comments to make.
Area Ranger (Cumbria)	Does not affect the public right of way providing the grassland adjacent to the house and river bank is retained.
Trees & Woodland Officer	No objections to the pruning of 1 Ash and 2 Sycamore trees which overhang the site as proposed. Recommends that this work be undertaken by a competent tree surgeon.
Environment Agency Species Officer	No objections.
Senior Wildlife Conservation Officer	No evidence of roosting bats was found following an inspection of the buildings and an emergence survey so no objections to the application. The mitigation measures recommended in the report to be included.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

B14(06) - Extensions and Alterations to Buildings

B15(06) - Conversion of Traditional Buildings

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B17(06) - Changing Land for Domestic Use

B7(06) - Building Design

EP2(06) - Flood Risk

GP2(06) - General Design Policy

H3(06) - Conversion of Traditional Buildings to Housing within Settlements

NE7(06) - Protection of Species

TA1(06) - Protection of Public Rights of Way and Access Opportunities

TA12(06) - Access from the Highway

OFFICERS' OBSERVATIONS

This application requires the authorisation of the Planning Committee as a statutory consultee (Highways) has objected to the proposal.

SITE

The School House is a detached property located adjacent to the A684 within the housing development boundary for Garsdale Street. It is a stone built, predominantly two storey property, with a a stone flagged roof. To the eastern gable is a single storey leanto. The gable end facing the highway has been rendered. A small amount of land surrounds the building. There is no formal parking available for the building. A public footpath leads from the A684 in an easterly direction to the rear of the building. The River Clough is within close proximity to the site (north).

RELEVANT PLANNING HISTORY

S/02/41/LDC – change of use of former School Master's House to form single dwelling – refused as the evidence suggested that the use of the building and related garden had been abandoned, decision date 12 July 2000.

S/02/41A – full planning permission to convert the former School Master's House to form a dwelling – withdrawn 14 March 2006.

PROPOSAL

The proposal is to convert the building into a local needs dwelling with a garden area surrounding the building, a new portion of access road to the rear of the neighbouring Village Hall and the provision of parking/turning within the site.

Internally the conversion would provide a lounge, kitchen and porch at ground floor with 3 bedrooms and a bathroom at first floor.

Externally the alterations proposed would predominantly focus on the re-use of existing openings, inserting timber painted windows and doors. Existing roof slates would be re-used. The western gable would have the existing cement render removed to expose the stonework. To the eastern gable the existing small single storey lean-to would be demolished, and in its place would be a longer replacement single storey lean-to. A Flood Risk Assessment, Structural Survey, Bat Survey and Housing Need Statement have been submitted.

HOUSING NEED

The building is located with the H3 (conversion of traditional buildings to housing with settlements) housing development boundary for Garsdale Street. The applicant, in terms of providing evidence of need has submitted a Housing Needs Survey undertaken by Cumbria Rural Housing Trust for Garsdale in 2007. The report states that 5 households indicated a housing need, with 2 having a need for affordable housing with the Garsdale Parish area.

The Authority's Strategic Planning Officer was requested to comment on the evidence provided. He has advised that the application is not proposed to be for affordable purposes. However, the survey does provide evidence for two other households in the Dale that wish to move to alternative accommodation and it is possible that the conversion of this property might satisfy part of that need, though it cannot be guaranteed. He has indicated that very little residential conversions have been forthcoming over the last 10 years, and it would seem likely that this provision would be beneficial to community social sustainability.

ISSUES

Following concerns from the Highways Authority amended plans were submitted on 29 July 2008 for a new portion of access track to the east of the Village Hall. This was primarily aimed at gaining off-road parking/turning for two vehicles utilising an existing vehicular access which serves the Village Hall. The point of access is to the south of the Village Hall. It is bound by a dry stone wall, with the entrance way having a timber double gate opening inwards. The surfacing within the boundary of the Village Hall is stone flags. This would remain. A new portion of vehicular access road would be created from the existing paved area into an area currently used primarily for grazing. This is at the rear of the Village Hall (east) and is relatively flat. The track would be 3 metres in width, and 24 metres in length. It would be formed from 2 lines of a grass reinforcing system, with a portion of grass in the middle.

Despite this Cumbria Highways have opposed the existing vehicular access as submitted as they consider that the visibility to the north is inadequate as visibility splays cannot be achieved. It has been suggested that the applicant considers splaying the entrance and raising the gradient to make the existing access acceptable.

ANALYSIS OF MATERIAL CONSIDERATIONS

Members are advised that potentially without off-road parking/turning then it is likely that the new occupiers could, and would park on the highway. On balance given the 30 mph speed restriction, reasonable visibility in both directions and that the access point could be more intensively used by users of the Village Hall then in this case it is considered that the on-site provision should be allowed. In addition if the advice of Highways were to be followed it is considered that such changes to the existing boundary walls to achieve improved visibility would erode the character and appearance of the area.

POLICY

It is considered that the proposal would meet the requirements of Local Plan policies H3 (Conversion of Traditional Buildings to Housing within Settlements) as the evidence provided does indicate a local need identified by a Housing Needs Survey in 2007, this is

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supported by this Authority's Strategic Planning Officer. The proposal is also considered to meet the objectives of Local Plan Policies B15 (Conversion of Traditional Buildings), B14 (Extensions and Alterations to Buildings), B7 (Design), GP2 (General Design), B17 (Changing Land to Domestic Use) and TA1 (Protection of Public Rights of Way and Access Opportunities). This is because the building is capable of conversion and extension without such change to its external appearance, and is structurally sound. The proposal utilises existing openings and traditional materials. The extent of garden and parking area is considered to provide a sympathetic provision for off-street parking/turning. It also retains the character of the area to the north where a public right of way crosses the proposed garden. The right of way would be retained and would not be directly affected by this proposal.

The proposal would meet the requirements of Local Plan Policy NE7 (Protection of Species) as the Bat Survey has identified that the building does have the potential for bats predominantly during summer months, with limited scope for roosting bats. A series of mitigation measures relating to timings, creation of bat roosts, limiting light and the provision of bat boxes were recommended to minimise the potential impact on protected species. The measures can be dealt with through planning conditions.

The proposal would meet the requirements of Local Plan Policy EP2 (Flood Risk) as the applicant has sought advice from the Environment Agency who have suggested that the drainage system be improved and renewed, and that ground floor level and electrical sockets be raised. In addition no concerns were expressed on the written evidence provided on the incidents of flooding in the area. The recommendations can be dealt with through planning conditions.

The proposal would meet the requirements of Local Plan Policy TA8 (Access Tracks) as the applicant has considered all possible opportunities for providing off-road parking and the layout and design of the portion of new access track is considered to minimise any impact due to the proposed route/width and materials.

The proposal is considered to meet the requirements of Local Plan Policy TA12 (Access from the Highway) as the proposal would be utilising an existing vehicular access point serving the Village Hall. This proposal would retain traditional boundary features and would not adversely affect the visual quality and character of the surrounding area. In this case should the provision for car parking/turning not be provided within the site then it is likely this would lead to the parking of up to two vehicles on the highway. This proposal would provide an opportunity to provide safe and convenient parking/turning within the site. Overall the level of intensification of use of the existing vehicular access from one local needs dwelling is not considered to be sufficient to recommend refusal of the application as the Village Hall has the potential to generate a high number of vehicle movements when events take place.

RECOMMENDATION

That planning permission be conditionally approved subject to the satisfactory completion of a Section 106 legal agreement securing the dwelling for Local Needs Housing, and the following recommended conditions -

1. Standard time - 3 years
2. In accordance with amended plans 29/07/08
3. Restricting permitted development rights - extension/alterations
4. Restricting permitted development rights - in curtilage

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5. Restricting permitted development rights - microgeneration equipment
6. Restricting permitted development rights - new vehicular access track
7. Restricting permitted development rights - means of enclosure
8. Restricting permitted development rights - hard surfaces
9. Restricting permitted development rights - domestic heating
10. Restricting permitted development rights - satellite dishes
11. All joinery to be timber and painted within 3 months and retention thereafter
12. Existing roof slates to be retained
13. New slates for extension to match existing
14. Stonework for extension to match existing stonework
15. New heads and sills to match existing
16. Rainwater goods - black in colour
17. Mitigation measures - Provision of artificial bat roosts and bat boxes, prior to commencement
18. Time restriction on when building works can take place to minimise disturbance to bats
19. Dwelling not to be occupied until vehicular access in place, retained and available at all times
20. Finished ground floor levels raised by minimum of 150 mm above existing
21. Finished ground floor level of electrical sockets to be 400 mm above existing
22. No external lighting - light pollution and habitat protection

Notes to Applicant:

N.B. This permission does not authorise the doing of anything which interferes with any public right of way which crosses the site. The development authorised must not be started unless and until this right of way has been diverted or extinguished under the provisions of Section 247 or 257 of the Town and Country Planning Act 1990. Unless and until this happens the right of way must remain free of obstruction and be available for use at all times.