Yorkshire Dales National Park Authority **Item 5.1**

Committee: 13th October 2026

Applicant: Mr Stephen Tunstall

Parish: Orton

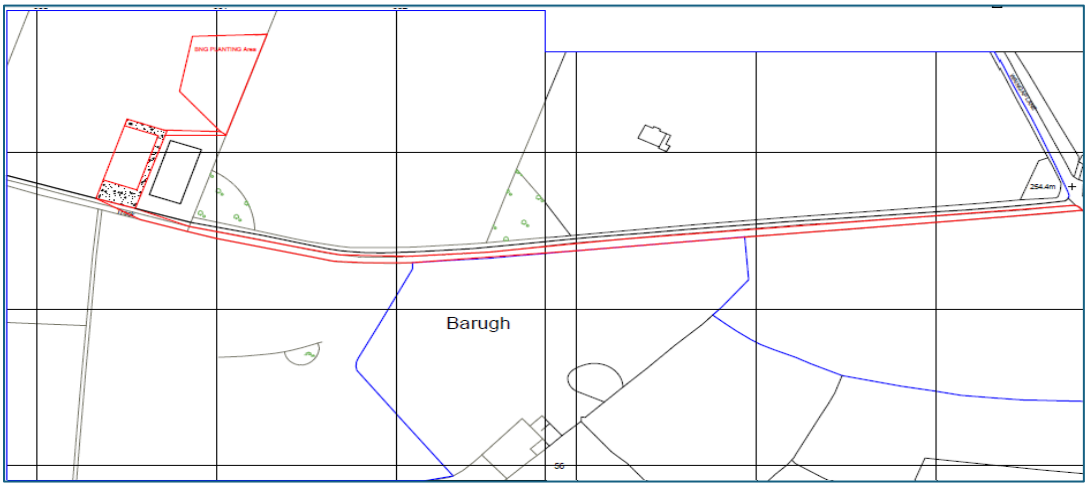
Application No: E/11/54A

Site Address: Land West of Waingap Lane, Kelleth, Penrith, (GR:365054,505789)

Proposal: Full planning permission for erection of an agricultural livestock building with ancillary concrete apron, and underground slurry tanks

Purpose of Report

1. That Members approve planning permission for the above development in accordance with the recommendation below.



Reason For Committee Consideration

2. This application is reported to Committee for the following reason: the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

Application Site

3. The application site is located in open countryside between the settlements of Kelleth (to the east), Raisbeck (to the north) and Gaisgill (to the west) The site is part of a network of pasture fields farmed by the applicant.

4. The proposed building would be sited immediately to the west of an existing agricultural building erected and owned by the applicant and used for agricultural storage. The existing building, adjacent, is of similar size and design to the proposed development, and received permission under permitted development rights in 2021 (ref. E/11/54/GPDO). Located immediately to the east of this existing building is a small copse of mature trees.

5. Access to the proposed building would be from an existing unsealed track (a Byway Open to All Traffic), which runs along the southern edge of the site and connects Waingap Lane to the east with the B6261 to the west.

Proposal

6. The proposed agricultural building would be used for housing cattle. It would measure 36.5m long, 18.2m wide, 4.5m to the eaves and approximately 7.1m to the ridge. The only openings would be three large doors in the south-facing gable. A concrete apron would be provided between the building and the adjacent track, extending around the east and north sides for access. The building would also have an overhanging roof on the east side. Two underground slurry channels with slatted floors above would collect and store animal waste.

7. Several amendments have been made to the proposals in relation to the use of materials for the proposed building and to the associated landscaping scheme. Further information has also been provided with regards to the proposed agricultural operation of the proposed development, alternative sites considerations, biodiversity net gain and airborne pollution . The details of these amendments and additional information are described within the relevant subsections of the ‘Assessment’ section of this report below.

Relevant Planning History

8. The following applications are relevant::

   E/11/54/GPDO - Application to determine if prior approval is required under Schedule 2, Part 6 of the Town & Country Planning (General Permitted Development Order) (England) 2015. Prior Approval Not Required. 14/09/2021.

Consultations

9. The comments of statutory and non-statutory consultees are summarised below:

Orton Parish Council - The Parish Council has objected to the application; the principal reason being visual intrusion. The Parish Council note that the existing building and proposed application site are located on the crest of high ground in open countryside where it is highly visible, principally to the north, and visible from the Shap/Orton B6261 road at a distance approaching 3 miles and the viewpoint on Orton Scar Beacon between one and two miles distant and from the village of Raisbeck. The proposed development would be located in pleasant countryside where there are few buildings of this nature and it would appear an incongruous feature. It would compound the visual damage caused by the existing building to the above areas. There are also concerns that future relocation of agricultural operations to this unsuitable position would become increasingly difficult to contest. The Parish Council has also stated in their representation that they are generally sympathetic to applications of this nature and would support an application in the vicinity of the farm steading rather than open countryside.

YDNPA Planning Ecologist – Comments on the application as originally submitted:
The Planning Ecologist raised concerns about the original tree planting scheme, noting that trees should be spaced further apart and that the proposed linear arrangement would be classified as a different habitat type for Biodiversity Net Gain (BNG) purposes. As no ecological information was submitted with the application, further details were requested, including a BNG report identifying existing habitats, species, site conditions and proposed post-development habitat management. The Planning Ecologist also advised that, because the site lies within 250 metres of priority habitat, the Statutory Biodiversity Metric should be completed by a suitably qualified ecologist. In addition, a Biodiversity Gain Plan demonstrating how a minimum 10% biodiversity net gain will be achieved would be required following any grant of planning permission.

Comments on the additional/amended submission (i.e. updated BNG metric and information; SCAIL information):
In relation to BNG, the Planning Ecologist retains some doubts about the number and type of trees being, although they have confirmed that they are satisfied that the statutory 10% gain in biodiversity can be met on site and that agreement on the number, species and size of the ‘BNG’ trees can be part of any subsequent Habitat Management and Monitoring Plan (HMMP).

In respect to the SCAIL calculations and related information provided, the Planning Ecologist has identified a small exceedance at some SSSI sites. In this context, an exceedance means that the model predicts airborne pollutant levels, such as ammonia, could be slightly above the relevant environmental threshold or critical load for the protected habitat. There is therefore a requirement for the proposal to introduce measures to reduce emissions, and that such measures should be embedded in the proposal. For example, scrubbers could be implemented as part of the building fabric or

the planting of trees could be enough to reduce the emissions, but evidence is required that each measure is achievable, proportionate and verifiable. If the required emission reduction can be demonstrated, then the reduction measures can be secured through the planning permission.

YDNPA Area Ranger (Western Dales) - No objection, although they note that Public Right of Way (ref. 355021) passes close to the site and should remain clear and unobstructed during construction; no new crossing points or gates are permitted on the PROW without approval; and vehicles turning off the Public Byway onto the site should not adversely affect the surface of the PROW. Steps should be taken to reduce any potential damage that may occur due to increased traffic turning at this point.

Westmorland and Furness Council Environmental Health - No comments.

Environment Agency - No objection to the proposal, although recommend an informative reminding the applicant of the requirement to comply with various environmental and pollution prevention regulations.

Natural England - Advise that the potential for air quality impacts arising from the proposed development need to be assessed, referring the Authority to their standing advice regarding air pollution and development, i.e. how to assess sector-specific planning applications that could affect air quality in a protected site. This standing advice is Natural England's formal statutory advice and is a material consideration in the determination of this application.

YDNPA Trees and Woodlands Officer - Provided detailed. constructive advice to the agent with regards to tree siting/spacing, species and specimen sizes which has significantly influenced the amended landscaping scheme that has been submitted. The Trees and Woodlands Officer has been reconsulted (on the aforementioned landscaping scheme submitted) and their response is awaited. Any response received prior to the Committee Meeting will be reported to Members either via late consultations or at the Meeting.

10. A site notice was displayed on 03 November 2025 and expired on 24 November 2025. Public responses received at the time of writing: Three including one objection from Friends of the Dales, in summary:

    - The existing adjacent agricultural building is vast, an 'eyesore' and visible from the motorway [M6] and all approaches. It is positioned on what is locally a prominent ridge in completely open countryside with no other similar buildings in the vicinity. It is particularly visible from the north. There cannot be justification for a second [such building]…This type of development in a National Park is surely inappropriate
    - The approval of the proposed building would be at odds with the requirements/purposes of National Parks, while those people who live here

(or visit) for 'the beauty, wildlife and cultural heritage' of the area will find their daily walks, journeys and experiences severely blighted.

- The proposed building is proposed to house stock so presumably this will entail all the requirements for stock husbandry, such as feed bins, silage storage etc and daily management from the main farm.
- The precedent set [if planning permission for this proposed building is approved] will make it difficult to prevent similar inappropriate developments taking place in open countryside.
- This would be a more appropriate and convenient development if located closer to the main farm steading.

- Friends of the Dales have objected on the grounds that the development would be ‘a large and intrusive development in open countryside’ and therefore support the Parish Council’s objection. While they acknowledge that the proposals contain ‘some innovative features’ (e.g. under-storage of slurry), overall they consider that the proposals would impact on the primary purpose of landscape conservation in the National Park, and its siting, design, materials would be contrary to the requirements and expectations set out in the YDNP Design Guide. Potential concerns have also been expressed regarding the precise details vis-à-vis additional planting and lighting. Overall, they regard the proposals as ‘unsuitable development in a quiet park of the National Park’ and recommend that the application be refused.

Assessment

Key Issues:

- Planning Policy
- Need and Justification
- Design and Landscape Impacts (including impact on Dark Skies)
- Highway Impact
- Biodiversity Net Gain
- Ecological Impacts and Enhancements
- Flood Risk, Drainage and Pollution
- Parish Council comments

Planning Policy

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities to determine planning applications in accordance with the ‘development plan’ unless there are material reasons to do otherwise. The development plan for this area is the Yorkshire Dales National Park Local Plan (2025-2040) (and accompanying Policy Maps), adopted on 30 June 2026.

12. Local Plan Policy E2 (Rural Land Based Enterprises) aims to support development that helps to maintain ‘rural land-based enterprises (such as farming) that produce high quality food while manging the land in ways that help to conserve and enhance

heritage, wildlife and a range of other benefits for the nation. As such, Policy E2 states that such development will be permitted where: it will not harm existing land management that is already delivering the objective of the National Park Management Plan; its scale and impact is appropriate and will not harm local environmental quality; new buildings and structures would be carefully sited within existing building groups or are screened by landscape planting and coloured to minimise their impact.

13. In accordance with Policy E2, proposals for new buildings that are needed to support significant increases in stocking levels that might otherwise risk harm to the landscape or other special qualities of the Park, will not be permitted, unless they are justified by a business case that provides evidence of the need for the proposal. Mitigating measures will also be required to neutralise the effects on nature, water, landscape, dark skies, the highway network and neighbouring amenity. Policy E2 also states that where appropriate to do so, proposals shall take the opportunity to enhance the existing situation, including by nature friendly design, biodiversity and landscape enhancements.

14. In respect of design and amenity, Local Plan Policy CP6 (Design) states that the Authority will permit proposals that deliver high quality design that incorporate good visual appearance, which accord with the principles of sustainability (as set out in Policy CP1) and don't conflict with the National Park Purposes as set out in Policy CP2, or the National Park's landscape character and visual amenity. Regard should therefore be had to landscape character and surrounding amenity.

15. Policy CP8 (Landscape Character) of the Local Plan requires development to conserve and enhance the natural beauty and special character of the National Park, taking account of the Yorkshire Dales National Park Landscape Character Assessment (2020) and the design guidance in Appendix 3 of the Local Plan. The policy requires consideration of the impact of development on key landscape features and character, as well as potential visual and perceptual effects on landscape character and visual amenity.

16. Local Plan Policy L6 (Dark Night Skies) states that proposals will only be permitted where they maintain or enhance the special quality of the Yorkshire Dales Dark Sky Reserve, clarifying that external lighting will only be permitted where it can be demonstrated that it is essential for safety reasons and where the adverse impacts of such lighting is mitigated having regard to the standards set out in the Authority's lighting guidelines.

17. Local Plan Policy AC3 (Sustainable Travel and Vehicle Movements) requires proposals that will generate vehicle movements to (inter alia): ensure the provision for safe and suitable access; meet highway safety standards and not cause levels of additional traffic that would exceed the safe capacity of the local highway network or harm the environment; and make provision for appropriate parking.

18. The Environment Act 2021 requires that new development in England will have to deliver at least 10 per cent Biodiversity Net Gain (BNG). The application does not benefit from any of the legislative BNG exemptions, therefore the statutory BNG requirements would apply in this case.

19. Local Plan Policy CP9 (Biodiversity conservation and enhancement) states that all development should ensure wildlife is conserved and should contribute towards nature recovery, requiring (along with Policy CP6) that all development includes proportionate on-site measures/features to support nature and biodiversity, including bird and bat boxes, swift bricks and landscaping.

20. Local Plan Policy CP4 (Flood Risk) states that all new development should be located in areas ide notified as being of lowest risk of flooding from all sources. Local Plan Policy CP5 (Sustainable Drainage – Foul and Surface Water) requires proposals to make appropriate provision for surface water management. Proposals should be designed to maximise the retention of surface water on-site and minimise the volume, and rate of surface water discharge off-site, with proposals required to accord with the surface water drainage hierarchy. Surface water runoff from development should also be treated to remove pollutants in accordance with CIRIA 'The SuDS Manual (C753)' Chapter 4 and 26.

21. The Yorkshire Dales Design Guide (2026) was adopted in June 2026 and provides comprehensive advice on design-related matters for development within the National Park. Although not part of the development plan, as an adopted Supplementary Planning Document (SPD), it is a material consideration in the determination of planning applications.

22. The National Planning Policy Framework (August 2026) sets out the Government's national planning policies, including a range of 'decision-making policies' for Development Management purposes. The NPPF is a material in determining planning decisions in England and its national decision-making policies should be read alongside the policies of the development plan.

Need and Justification

23. It is stated in the submitted Design and Access Statement (DAS) that the proposed agricultural livestock building would house/finish cattle aged between 12-24 months (for beef) The DAS clarifies that the proposed development would allow the existing agricultural enterprise (based at Townfoot Farm, Longdale, located approximately 2 miles from the application site) to 'expand and diversify its business' with the enterprise's existing dairy herd (110 cows) and similar number of followers remaining at Townfoot Farm where the milking parlour and handling facilities are based. It is intended to increase the size of the dairy herd and to develop a 'parallel beef finishing enterprise' to 'improve overall viability' of the existing farming enterprise, strengthening the long-term sustainability of the business.

24. Subsequently submitted additional information (by the applicant) has confirmed that the maximum number of cattle to be housed within the proposed development is 150, with the length of each housing cycle being approximately 30 months. The proposed site would be maintained and operated as part of the Townfoot farming enterprise, with daily feeding, watering, bedding and inspection routines taking place by existing Townfoot Farm staff/owners who live and work within 20-35 minutes walking distance of the site. Vehicles, machinery, feed and bedding required would potentially be stored in the adjacent agricultural storage building. The applicant has also confirmed that no dwelling (on or adjacent to the site) would be required (now or in the future) in order for the proposed building and its animals to be serviced/maintained, with no foreseeable changes in stock numbers, staffing or farming practices anticipated

25. The Design and Access Statement explains that the proposed development would support the expansion of the farming business by creating a small, grouped farmstead alongside the existing agricultural building at this location. It states that suitable alternative sites closer to the main farmstead are not available due to flood risk, residential amenity concerns, highway issues and impacts on farm operations.

26. Having considered the submitted information and visited Townfoot Farm, officers are satisfied that there are no suitable alternative sites or existing buildings within or immediately adjoining the farmstead that could accommodate the proposed cattle building without giving rise to significant flood risk, residential amenity, farm operational, animal welfare or landscape concerns..

27. Undeveloped land within the farm is limited, and where it does exist, it is already subject to planning permission for additional agricultural storage considered to be reasonably required to serve the operational requirements of the existing farming business. Due to the proximity of Langdale Beck, the useable land outside but adjacent to the farm building group to its north and west is within flood zones 2 and 3, while land further to the west (on the western site of the beck) slopes significantly, thus rendering the siting of a cattle building in this location impractical and unfeasible. Utilising land to the south and east risks damaging the roots and canopies of mature trees along the bank of Longdale Beck and bringing the proposed building in relatively close proximity to existing residential properties, thus raising potentially significant residential amenity issues.

28. Drawing this all together, it is considered that the proposal would result in a significant increase in stocking levels (of the existing farm enterprise) that could potentially harm the landscape of the National Park. Although the applicant has not submitted a business case *per se* (as per the requirement of Policy E2 where a significant increase in stock levels id proposed), the applicant and agent have provided a compelling case for the proposed development based on the diversification, growth and future economic viability of the existing farm enterprise within the National Park. In accordance with Policy E2, mitigating measures will also be required to neutralise the effects on nature, water, landscape, dark skies, the

highway network and neighbouring amenity. Where relevant, these mitigation measures are discussed in the subsections below.

Design and Landscape Impacts (including impact on Dark Skies)

29. The site lies in open countryside between Kelleth, Raisbeck and Gaisgill, within the Orton Fells Landscape Character Area of the Yorkshire Dales National Park. It forms part of the applicant's wider network of pasture fields in an area of rolling farmland and moorland north of the River Lune. The surrounding landscape includes relatively few buildings, although scattered farmsteads and agricultural buildings are present. Due to the area's elevated and undulating topography, there are opportunities for long-distance views across the landscape. Drystone walls are a distinctive feature, defining many field boundaries, particularly alongside roads and tracks. Small groups of trees, including shelterbelts and field corner copses, are also characteristic elements of the landscape.

30. Although the proposed scale of the building (footprint of approx. 664 sq.m) is not unduly large by modern agricultural standards, it would nevertheless introduce an additional agricultural building into the largely undeveloped, pastoral landscape of the Lune Valley/Orton Fells. Due to the aforementioned character and distinctive features of the landscape, the construction of the proposed modern agricultural building in this location would have a harmful impact on the character of the landscape, particularly because the topography and relatively openness of the landscape would afford both short distance and longer distance views of the proposed building.

31. The degree of landscape harm is nevertheless mitigated by the presence of the existing agricultural storage building immediately adjacent to the west of the application site, which is of similar size and scale as the proposed one. The construction of this existing building has already introduced into the landscape off Waingap Lane a modern, utilitarian structure and the proposed building would be viewed and perceived within the context of this existing development. This would particularly be the case from localised, short distance views (i.e. from the adjacent access track) whereby both buildings would be viewed in close proximity to each other.

32. The longer terms visual impact and harm to the character of the landscape, both in terms of short distance and longer distance views would also be mitigated further through the implementation of the proposed landscape scheme and amendments to the design and appearance of the building.

33. The amended landscaping scheme is comprehensive and has been specifically designed to provide natural-looking screening and a natural buffer to the proposed building and the adjacent existing agricultural building. The amended landscape scheme includes the creation of a copse of to the west of the proposed building, consisting of rowan, crab apple, downy birch and hazel, all species that are native

to, and flourish within the upland pastures and moorland fringe of the National Park. The proposed landscaping scheme also includes individual trees of larger species (including oak, lime and sycamore) to be planted to the east, west north and south (on the opposite side of the track) of the existing agricultural building and the site of the proposed building, which once matured, will provide screening/buffer to all sides of both the existing and proposed agricultural building, while establishing a green corridor link between the established tree copse to the east of the existing agricultural building and the aforementioned proposed copse to be created to the west of the proposed building. The accompanying landscape statement states that the copse tree specimens would be planted as whips. If planning permission is granted, it is recommended that a condition is imposed requiring specific details regarding the number and size of the tree specimens to be planted to ensure that the landscaping scheme provides some effective immediate visual benefit.

34. Following discussions with the Case Officer, the agent has agreed to make amendments to the design of the proposed building which would affect its appearance and how it is perceived within the context of the surrounding landscape. The amendments consist of the provision of a darker-coloured (dark grey) fibre cement panelled roof covering and the increase in the proportion of Yorkshire Boarding used (to be dark stained) on the external walls of the proposed building in lieu of the amount of concrete block. Both design amendments would help to darken the outer appearance of the proposed building thus reducing its visual prominence, while the provision of a greater proportion of Yorkshire Boarding to its exterior would help to provide a more natural-looking, less utilitarian building within the context of its landscape surroundings.

35. In respect to the impact of the proposed development on the dark skies of the National Park, the agent has confirmed that there would be no external lighting associated with the proposed development, noting that there is no electricity supply to the site. The proposed elevations show that while the design of the building would include several rooflights, the number would be limited to one rooflight per bay on each roof slope, as recommended in the YDNP Design Guide 2026, in order to strike an appropriate balance between addressing the internal lighting needs of agricultural buildings and limiting the effects on the dark skies of the National Park.

Highway Impact

36. Vehicular access will be taken directly from Waingap Lane adjacent to the southern boundary of the site, with vehicle movements ‘typical of an agricultural beef unit’, i.e. feed deliveries, the transport of livestock, and slurry transportation. Further information has been supplied by the applicant during the course of the application confirming that it is anticipated that two staff visits per day will take place (morning and afternoon) and that the length of each cattle housing cycle would be up to 30 months. Sileage and straw bales (to be stored on site) are anticipated to be delivered twice per annum. The applicant has also confirmed that the application site is within 20 minutes walking distance of the main farmstead (Townfoot Farm) and

that any cattle movements between the site and the farm could be done by foot or trailer.

37. Overall, the nature of the proposed agricultural use (including frequency of cattle housing cycles) and the scale of the enterprise is unlikely to generate vehicle movements that would exceed the safe capacity of the local highway network or harm the environment. Furthermore, sufficient on-site parking (for the needs and purposes of the on-site agricultural enterprise) would be available via the proposed hardstanding areas adjacent to the proposed building to prevent any material issues with regards to the blocking of the adjacent byway.

Biodiversity Net Gain

40. Following concerns raised by officers about the original linear tree planting proposal, the scheme was amended to provide a larger, more natural planting area to the north of the proposed building. Revised biodiversity net gain (BNG) information, including an updated metric and habitat plans, was submitted with the amended proposal.

41. The revised BNG metric identified 0.64 habitat units on the site, consisting of 1,597 square metres of modified grassland. As the development would result in a loss of habitat through the construction of the building and hardstanding areas, a minimum 10% biodiversity net gain is required. Although the detailed measures will be set out in a Biodiversity Gain Plan after any permission is granted, it must first be demonstrated that the required gain can be achieved.

42. The amended BNG metric shows that an 11.6% biodiversity net gain can be achieved through the planting of 45 small trees within the designated BNG planting area. While the Planning Ecologist has raised some concerns about the planting scheme, they have confirmed that the required 10% biodiversity net gain can be achieved within the site boundary.

Ecological Impacts and Enhancements

43. The application site is located within the impact zones of several nationally and internationally important nature conservation sites, including the Asby Complex SAC and the North Pennine Dales Meadows SAC and within SSSI Impact Risk Zones. Natural England has advised that the potential effects of airborne emissions from the proposed cattle building, including ammonia, should be assessed using the Simple Calculation of Atmospheric Impact Limits (SCAIL) tool. The submitted SCAIL assessment indicates only low levels of exceedance at some protected sites. However, it is noted that the SCAIL calculations are based on the proposed building housing up to 80 cattle per cycle, rather than the 150 cattle referred to in later submitted documents/information.

44. To ensure any impacts on protected sites are adequately addressed, suitable mitigation measures may be required, such as tree planting or other pollution reduction measures. As the amount of airborne pollutants to be mitigated is likely to be relatively low, a mitigation solution is considered feasible, although the applicant may need to propose a mitigation scheme (to be approved by Officers) to address the calculated airborne pollutant impacts on the identified protected sites prior to the commencement of the proposed development. It is recommended that officers be given delegated authority to agree any necessary mitigation following further assessment, and that the number of cattle is restricted to no more than 80 by condition.

45. In accordance with Local Plan Policies CP6 and CP9, on-site biodiversity enhancement measures are required to be installed to support biodiversity. Such measures can include bird nest and bat roost boxes, swift bricks and landscaping/green infrastructure designed to support biodiversity. If planning permission is granted, it is recommended that a condition is imposed required details of the number and locations of the bird and bat boxes to be submitted to and agreed in writing by the Local Planning Authority.

Flood Risk, Drainage and Pollution

46. The application site is within Flood Zone 1 (lowest flood risk) of the Environment Agency's (EA) fluvial/coastal flood maps. The EA's surface water flood maps do not identify the site or its immediate surroundings as being of any known risk of surface water flooding.

47. No surface water drainage strategy or plan has been submitted with the application. It is stated on the submitted application form that surface water would be disposed of via watercourse, although there are no further details to explain which watercourse is proposed and where the outfall connection would be. Notwithstanding this, if planning permission is granted, it is recommended that a condition is imposed requiring details of the surface water drainage scheme for the development to be submitted to and approved by the Local Planning Authority. The details will need to demonstrate that the means of surface water disposal has adhered to the (surface water) drainage hierarchy and that the volume and rate of surface water discharge off-site has been minimised through the design of the scheme. In addition – and in accordance with the requirement of Local Plan Policy CP4 – the details of the surface water drainage scheme will need to demonstrate how run-off from development will be treated to remove pollutants in accordance with CIRIA 'The SuDS Manual (C753)' Chapter 4 and 26.

Parish Council Comments

48. The Parish Council has objected to the application; the principal reason being visual intrusion. The Parish Council note that the existing building and proposed application site are located on the crest of high ground in open countryside where it

is highly visible and where there are few buildings, compounding the visual damage caused by the existing building (adjacent to the site). The landscape impact of the proposed development and consideration of proposed mitigation (in the form of a detailed landscaping scheme and use of sensitive external materials) is considered and assessed above.

49. The Parish Council has also expressed concerns that the future relocation of agricultural operations to this location would become increasingly difficult to contest, and that the proposed building should be instead sited in the vicinity of the farm steading rather than open countryside.

50. The concerns of the Parish Council are acknowledged. Whilst any future planning application will need to be considered on its own merits at the time of its submission, the applicant has stated in writing that there would be no foreseeable need for further expansion or increases in stock levels. Furthermore, the proposed landscaping scheme would provide a natural enclosure of the proposed building which would help to restrict any future expansion proposals.

Equality Act

51. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

52. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

Conclusion

53. The proposal would result in a significant increase in livestock numbers within the existing farming enterprise. While a formal business case has not been submitted, as envisaged by Policy E2 where significant increases in stock levels are proposed, the applicant has provided a clear and convincing justification for the development. This demonstrates how the proposal would support the diversification, growth and long-term economic viability of the farm business within the National Park.

54. In accordance with Policy E2 and other relevant Local Plan policies, including those relating to design and landscape character (Policies CP6 and CP8), sustainable drainage (Policy CP5), dark skies (Policy L6), and biodiversity conservation and enhancement (Policies CP6 and CP9), appropriate mitigation and enhancement measures can be secured by condition to ensure that the impacts on the landscape, biodiversity, water environment and dark skies are reduced.

55. Subject to the recommended mitigation and enhancement measures being secured by planning conditions, and with delegated authority given to officers to assess any potential air quality impacts on nearby protected sites using the SCAIL tool and agree any necessary mitigation, the proposed development is considered to accord with the relevant policies of the Yorkshire Dales National Park Local Plan (2025-2040) and the National Planning Policy Framework (2026).

Recommendation

56. It is recommended that permission is granted subject to:

    a. Delegated authority being granted to Officers to assess, through the SCAIL process, any airborne pollution exceedance affecting relevant protected sites within 5km-10km of the application site, and where necessary, to agree and secure an appropriate mitigation scheme; and,

    b. The imposition of conditions, including the following:

        - Time limit condition (3 Years)
        - Plan list condition
        - Maximum of 80 head of cattle per cycle.
        - The dismantling/removal of the building (and associated development) when it is no longer needed for its (agricultural) purpose.
        - No external lighting, unless otherwise approved by the LPA in accordance with the YDNPA's dark skies sensitive lighting guidance
        - Approval of details and samples of external materials
        - Submission of a Habitat Management and Monitoring Plan (HMMP)
        - Submission a sustainable surface water drainage plan/strategy (including pollution prevention measures)
        - Submission of details to mitigate airborne pollution (as it would affect protected sites) and their implementation
        - Submission of details of the implementation of the submitted landscaping scheme (including tree size)
        - Statutory BNG condition
        - Other biodiversity measures

Report Author: Ian Nesbit