Yorkshire Dales National Park Authority

Committee: Planning

Date: 21 January 2025

Applicant: WL Capstick

Parish: Long Preston

Officer: Clare Bland

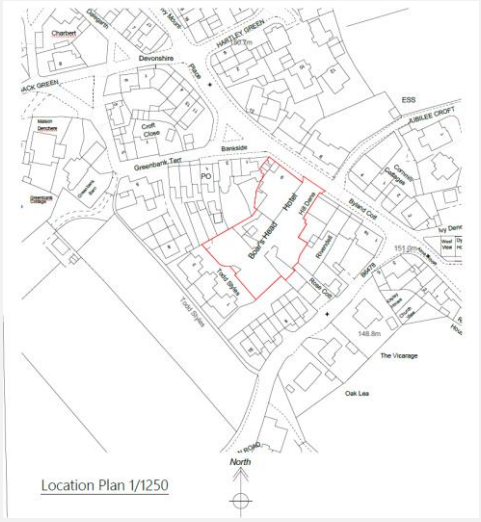
Application No: C/52/38F

Site Address: 9 Main Street (The Boars Head), Long Preston, Skipton, BD23 4ND

Proposal: Full planning permission for conversion of the former Boars Head public house to form three dwellings; erection of two new dwellings in former car-park and associated parking and landscaping

Purpose of Report

1. That Members delegate authority to the Head of Development Management to APPROVE planning permission for the above development in accordance with the recommendations 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 a former public house and accompanying car park close to the centre of Long Preston, accessed directly from the south side of the A65.

4. The site is an irregular shape, the narrower northern portion is predominantly occupied by the former public house, with the wider southern section mainly given over to hard surfaced parking and servicing areas.

5. The site is dissected by a central access track between the parking and service areas which also provides access to three residential properties on Todd Styles.

6. Other than for the north eastern boundary, which is formed by the existing building and the A65, the site is surrounded in all directions by residential properties.

7. There is little in the way of soft landscaping at the site as existing, with a narrow strip between the former public house and the rear gardens of residential properties on Bankside, along with a small number of individual trees peripheral to the parking and service areas.

Proposal

8. Full planning permission for conversion of the former Boars Head public house to form three dwellings through the vertical sub-division of the building internally, combining the former public bar and back of house ground floor areas with the existing upper level residential floorspace. Each of the resultant dwellings would have dedicated private amenity space and parking. The proposals include for the removal of an existing single storey outrigger to the north western elevation (the existing toilet block), reopening three currrently blocked up doorways, and the introduction of a single first floor window in the south east gable wall.

9. Two new two storey dwellings are proposed in the south western portion of the former car-park, with each benefitting frrom private amenity space and parking.

10. The residential mix would be as follows:

    - 3 x 4 bedroom dwellings through conversion of the existing building; and
    - 2 x 4 bedroom new build dwellings.

11. The proposals also include a provision for visitor parking, refuse storage, biodiversity net gain planting and enhancements to the access track.

Relevant Planning History

12. The following applications are relevant:

YD5/52/38 - extension of public house to provide 18 additional bedrooms, residents lounge, reception area, dining facilities, kitchen extensions and garaging accommodation
Approved - Conditional 12/01/1978

YD5/52/38B - full planning permission to alter and extend the Boars head hotel
Refused 26/02/1990

YD5/52/38C - full planning permission for erection of two storey extension to provide bedrooms
Approved - Conditional 25/10/1991

C/52/38D - full planning permission for erection of two storey hotel annexe comprising six holiday flats
Approved - Conditional 01/09/1994

C/52/38E - full planning permission for erection of 3 no. four bedroomed dwellinghouses with alterations to car park of existing public house
Approved - Conditional 14/11/2001

Consultations

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

NYC - Drainage & Floods (LLFA) - the LLFA objects to the application, recommending that the applicant provide further information before any planning permission is granted by the LPA. They advised that the objection may be overturned following the submission of adequate information, with the applicant advised to ensure that the development needs to meet the requirements set out in North Yorkshire County Council's SuDS Design Guidance The applicant provided the requested information and the LLFA were reconsulted on 27/11/24, no further response has been received from the LLFA to date.

Long Preston Water Trust – no comments received

Head of Visitor Services – no comments received

Trees & Woodlands - the trees identified for removal to facilitate the development are poor specimens with low amenity value. The only tree on site with any amenity and habitat value is the mature Goat Willow, which is to be retained during the development.

Support the landscaping plan, but suggest that only one Oak is planted within the grassed area - this species will mature to be a large canopy tree, and there is the potential here for some pressure to the buildings and patio areas with overplanting.

Wildlife Conservation Officer – no objection subject to conditions restricting works during nesting bird season; compliance with recommendations contained in the Bat Emergence Survey; whilst the BNG Metric requirements have been complied with, to ensure delivery the applicant needs to submit an updated metric; and, to submit and comply with a BNG Plan and Habitat Management and Monitoring Plan.

Long Preston PC – comments submitted to the amended scheme are set out below, the comments do not specify being submitted either in support or objecting to the amended scheme:

‘Long Preston Parish Council considered this planning application at its meeting on 5th December 2024 and has instructed me to write to you with its comments.

It is clear that a significant number of Long Preston parishioners feel very strongly about this application. The vast majority of comments submitted oppose the application. Their views centre on the loss of a village amenity and its potential as a source of business and employment. This is a concern shared by Long Preston Parish Council, as a rural community such opportunities are dwindling and anything that can be done to slow that decay should be seriously considered. Has the change of use been properly considered, there is some uncertainty over this? Equally, whilst the guidelines do not require this for a development of this scale we note with great disappointment that there is no provision of even one affordably priced property.

The other concerns are over the potential for the planned development to intrude on the privacy of neighbouring properties and put pressure on the already elderly infrastructure of the village. We would hope that the application does not merely "follow the guidelines" but has clear sympathy with the concerns of neighbouring householders and that the planning authority respects these concerns in making firm recommendations such as the type of privacy windows to be installed (top hanging as opposed to side hanging). We would hope that provision in the landscaping includes additional screening between the development and those affected neighbouring properties. Whilst this is not within our remit, we would hope too that serious consideration is given to more than adequate sewerage and drainage provision. In addition, we note that the water supply in Long Preston is at its capacity. Finally, and again, we note that the new plan partially exceeds the guideline provision for visitor parking spaces; if this application were truly to be sympathetic with the needs of the village as a whole we would ask that there be a consideration for “Planning Gain” by increasing the parking provision using up the remaining space and ensuring that there can be no parking

overflow caused by this development and even a benefit by creating some additional parking spaces for the village.

Given the strength of community feeling over this proposal we would strongly request that:

1. The planning authority makes firm recommendations that take into account the concerns of the affected residents.
2. The application is taken to the full planning committee for consideration so that elected representatives are given the opportunity to debate the proposal properly.'

Highways – awaiting formal comments which will be reported prior to the meeting.

Chief Technical Officer CTO - Craven – recommends that all work is to be carried out, to ensure compliance with the Building Regulations 2023.

United Utilities Water Ltd – requests conditions be attached to any grant of permission in respect of SUDS and foul water drainage; and, protection of the on site rising main.

Chief Environmental Health Officer CEHO – No objections.
The site has 3 options in terms of water supply for the proposed dwellings: there are two private water supplies and the mains water supply. The addition of the proposed dwellings to one of the existing supplies would not alter the classification or sampling frequency.

From an Environmental Health perspective the development is unlikely to cause and/or be affected by a nuisance and consider that there will be no negative impact.

The applicant has submitted a phase 1 contamination site investigation report undertaken by ERGO ref:24-1952-01 dated May 2024. The report has recommended a intrusive phase 2 environmental investigation is undertaken at the site to identify any potential ground contamination at the site. Conditions are recommended to secure the site investigation and a remediation strategy/validation report should it be required.

Fire Officer - Craven - no objection/observation to the proposed development.

Historic England – do not wish to offer any comments.

Senior Listed Building Officer - No objections to the conversion of the former inn, subject to suggested conditions. Initially recommended that the proposed new-build units are reduced in number and scale to have a more subservient character to that of the existing inn, and to provide a more harmonious appearance within this part of Long Preston Conservation Area.

Following the amendments the Officer commented as follows 'Solely from a conservation perspective, with respect to the impact of the development on the

Conservation Area and on the setting of the Boar's Head, I don't have any further concerns with the proposal. My previous comments regarding the number, scale and height of the proposed new units have been addressed by the amendments'.

Public Responses

Public responses received at the time of writing: 38

14. The application was advertised by site notice on 7 August 2024. It was also advertised in the Craven Herald on 15 August 2024 as works affecting a Conservation Area (Long Preston).

15. 38 responses have been submitted by neighbours and interested parties. A number of the respondents have submitted numerous responses, commenting on each iteration of the application proposals. Overall there have been 22 individual objectors and 3 supporters of the application.

16. The following points were raised within the objections:

- Loss of pub / community asset / employment use
- Impact on residential amenity due to loss of light and overlooking
- Scale of development (height and number of units / overdevelopment)
- Appearance of new build and impact on heritage asset
- Capacity / integrity of foul drainage infrastructure and water supply
- Loss of parking
- Highway safety
- Impact on right of way
- Access for emergency service and refuse vehicles
- Lack of affordable housing

Assessment

Key Issues:

- Planning Policy
- Principle of development
- Impact on character and appearance of area
- Impact on neighbours
- Impact on heritage assets
- Highway considerations
- Trees
- Nature Recovery
- Flood risk & drainage
- Sustainability
- Parish Council comments

- Equality Act

Planning Policy

17. 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 most relevant policies of the Yorkshire Dales National Park Local Plan (2015-2030) are;

SP1	Sustainable development
SP3	Spatial strategy
SP4	Development quality
BE7	Safeguarding employment uses
C1	Housing in settlements
C9	Existing community facilities
C12	Infrastructure needed to support development
L1	Heritage assets
W2	Biodiversity enhancement
CC1	Renewable & low carbon energy

18. The Yorkshire Dales National Park Local Plan (2015 – 2030) is the relevant policy document. Policy SP1 confirms the Authority's presumption in favour of sustainable development, in accordance with the principles established by the National Planning Policy Framework, also indicating circumstance where development would be considered unsustainable.

19. Policy SP3 sets out the spatial strategy for the Authority area, identifying Long Preston as a Service Village where new build housing will be permitted on sites inside the housing development boundary. It also states that the re-use of suitable traditional buildings will be permitted in accordance with Policies L2 and L3 to help conserve the historical landscape, promote growth in the local economy and increase the supply of housing.

20. The proposed development accords in principle with these overarching strategic policies.

Principle of Development

21. The site comprises the Boars Head, a long established public house in the centre of the village of Long Preston, along with the remaining grounds which are largely given over to parking and service areas.

22. The premises has historically operated as a pub with ancillary restaurant and guest accommodation functions. For purposes of planning policy within the Authority area such a use does not constitute an 'employment' use as the primary function was as a public house (a sui generis use) and not as a restaurant or hotel, hostel, large

guesthouse, or other recognised employment use which might otherwise be considered appropriate to preserve pursuant to Policy BE7. A change from the established use is therefore acceptable in principle pursuant to this policy.

23. The site does not benefit from a specific housing allocation however it complies with the locational requirements for windfall housing being located within the housing development boundary of Long Preston which is identified as a Service Village in the adopted development plan.

24. The conversion of the former public house is similarly acceptable in principle to ensure the retention and re-use of a traditional building (acknowledging that although the premises is not a traditional farming building it remains a traditional Dales building which has been in situ for centuries). The proposed use is therefore acceptable in principle pursuant to spatial policy SP3 and Housing in settlements policy C1.

25. Policy C1 advises that on sites of between 6 and 10 dwellings a commuted sum payment would be required in lieu of affordable housing and of sites of up to 5 dwellings there is no affordable housing requirement although new housing will be restricted to local occupancy controls. In this instance the application originally proposed 6 dwellings and a commuted sum payment would have been required. However, due to the scale of the new development element of the application, the proposals were considered to have an overbearing impact on the character and appearance of the former public house and be of a form which would not preserve or enhance the character of the Long Preston Conservation Area, therefore, at the request of Officers, the scale of the new build element was reduced and the design amended. The amendments to the scale of the proposals resulted in a reduction in the number of dwellings from 6 to 5. There is therefore no requirement to contribute to affordable housing however the occupation of all proposed dwellings would be restricted to local occupancy by way of a S106 obligation in accordance with Policy requirements. Whilst no specific affordable housing provision can be secured from the development, as noted in paragraph 4.6 of the adopted local plan, the occupancy restriction has the beneficial side effect of lowering house price by around 20% and as such will potentially ensure all the housing at the site is more affordable than might otherwise be the case for unfettered open market housing.

26. The policy advocates that a minimum density requirement of 35 dwellings per hectare should be met unless reasoned justification can demonstrate otherwise. With an area of 0.185 hectares, the site should generate a minimum of 6 dwellings at a density of 35 dph.. However, in order to ensure compliance with all other relevant policy requirements, a development of 5 dwellings is considered appropriate in this instance subject to the imposition of a relevant occupant control.

27. Policy C9 seeks to secure the retention of existing community facilities which includes commercially-oriented facilities such as pubs. The policy advises that development which would result in the loss of such facilities will not be permitted

unless it can be demonstrated that the use is no longer needed or a suitable located replacement facility of at least equivalent standard has been secured, and the land or building could not fulfil or is not needed for an alternative community use.

28. The Boars Head was owned on a freehold basis by Punch Pubs & Co prior to the Applicant purchasing the property in February 2024. It was operated on a tenancy basis. Evidence provided by the Applicant, which is publicly available on the Companies House website, indicates that the operating business had been consistently returning an escalating loss between incorporation of tenants in August 2017 and the most recently returned accounts in 2023. The level of loss was not insignificant, increasing from a deficit of approximately £32,000 in 2018 to £156,000 in 2023. Whilst it is reasonable in a commercial context for a business to initially operate at a loss, when the loss inures and substantially increases year on year it is evident that the business is not viable. Whilst there is anecdotal comment that the management of the business changed twice in 2023 and that this led to the demise of the business, there is no proof of this. It is clear however from the empirical financial evidence that whatever the circumstance in 2023, the business had been operating at a substantial loss for in excess of 5 years. It is understood that the business ceased trading in September 2023, it did not relocate.

29. The unfettered freehold ownership of the property was subsequently listed for sale by the owners in late September 2023. The property was marketed as a freehold vacant property at a realistic market value (when compared to similar properties). As the Applicant was not the client of the marketing agents there is no information available to them relating to enquiries or offers made on the property. It is however reasonable to presume that as the property had been made available on the open market for a number of months before the Applicant purchased it, as it was vacant, with a freehold title, had there been interest from another party to use the property for community purposes or an employment use there would have been the opportunity to do so.

30. Whilst there are concerns raised in consultation responses as to the loss of the public house as a commercial operation, there is sufficient evidence to demonstrate that the business was not commercially viable, that there was no alternative tenant or freehold owner with a desire to continue the pub use either at this or an alternative site, and that there would not appear to have been any interest from others to establish an alternative community or commercial use at the property. No third party has come forward during the publicity of the Application to indicate that there had been any attempt by others to purchase or lease the property for an alternative community use – such notification would have been expected if that were the case and evidence would have been sought by the Authority to corroborate any such claim. Although the Authority's local plan policy includes a strong desire to retain community facilities, in instances such as this where it has been demonstrated that the business is not commercially viable and no alternative use or operator is available, the Application must be determined based on the evidence provided. In this instance it is considered that the proposals comply with the requirements of

Policy C9 and the change of use associated with the residential use of the former public house and its grounds considered acceptable in principle subject to compliance with other relevant policy.

Impact on character and appearance of area

31. The site lies in the centre of Long Preston, within the Long Preston Conservation Area. It is surrounded on all sides by small scale commercial and residential accommodation of predominantly traditional Dales style stone and random rubble buildings with stone slate roofs. There is little soft landscaping in the vicinity of the Site, with much of the area dominated by two storey, residential properties, some with small enclosed front gardens and some built to the back of pavement.

32. As existing the site differs in both scale and appearance, currently housing a single large footprint painted and rendered building which is slightly taller than its surroundings, alongside parking and servicing areas.

33. No works are proposed to the existing building that would alter its character or appearance within the context of the wider area. The proposals would include the erection of a low level stone wall to the front (south) of the building, providing defensible space between the residential use and the access road. This would be representative of many properties in the area. The only other alterations being the removal of more modern porch / outrigger extensions and the reinstatement of door openings. None of these works would detrimentally impact on the character of the area.

34. In terms of the works to the car park, the wider plot of the Boars Head has evolved over the years and has aided in the evolution of this part of the village. More recently this is evidenced by the relevant planning history which dates back to 1977 and includes various approvals for single and two storey extensions to the west of the existing building, oversailing what is currently car park to increase the guest accommodation offer (including C/52/39 – 18 guest bedrooms, lounge, dining room, kitchen and garaging, C/52/38C – 12 additional bedrooms & C/52/38D – 6 self contained holiday flats), and more latterly with the approval in 2001 of 3 dwellings on part of the former car park, 1-3 Todd Styles (C/52/38E), and also the development of 7 dwellings, 4-16 Station Road. The permissions to release land and develop dwellings have been implemented, the permissions to extend the commercial business have not.

35. This current proposal would represent a further stage in this evolution. The principle of developing on the car park of the Boars Head is considered acceptable, the works not conflicting with adopted planning policy, the car park areas are in private ownership and therefore there would be no loss of publicly available parking, and other than a private right of access from the A65 to the properties at Todd Styles, and an easement relating to utilities infrastructure in the south eastern portion of the site, there are no known constraints to development.

36. The key considerations are the scale and appearance of any such development in terms of their effect on the character of the area and the impact on neighbouring amenity. The application has already been amended to reduce the originally proposed 3 dwellings, reducing the number to 2 and also securing a reduction in the overall scale of the proposed works to ensure that the historic building retains its dominance and to ensure there would be no detriment to neighbouring amenity. Officers are continuing to work with the Applicant to ensure that the final design of the 2 dwellings is appropriate for the context of the site, the aim being to secure a simplified design that reflects the prevailing vernacular style and form of buildings in the village and further detail on this process will be reported to Members prior to the Committee Meeting.

37. The parking and access road remain in their current location, with parking dedicated for all dwellings along with visitor parking and servicing areas / turning space.

38. The Trees and Woodlands Officer has no objection to the proposals and the Wildlife Officer has no objection in principle to the scheme which has been designed to incorporate biodiversity net gain alongside ecological uplift, requesting conditions to ensure the implementation of the same.

39. Overall, the amended proposals are considered to be of an acceptable overall scale and a layout which makes best use of the site whilst respecting the character of the wider area and the Conservation Area. Subject to agreeing amendments to the detailed appearance of the 2 new dwellings it is considered that the development will accord with design aspects of policy SP4 of the Local Plan.

Impact on neighbours

40. In terms of impact on neighbouring amenity, whilst there are a number of comments from neighbouring residents concerned about overlooking and overshadowing, the proposals comply with the recommended separation distances of 21m between directly facing principal windows and 14m between a principal window and a blank / gable elevation, there being no minimum recommended separation between elevations with no principal windows. In addition, there are existing and proposed boundary fences, walls and landscaping that will preclude any propensity for direct overlooking between gardens and ground floor living spaces both into and from the proposed development.

41. Whilst the existing building is closer to the neighbouring properties than the recommended separation distances, this is an existing relationship, with rooms already in habitable use and therefore the requisite standards do not directly apply. Notwithstanding this however, there is no direct line of sight at ground floor level due to an existing high stone wall and, due to the orientation of the properties, the windows at the upper levels are at oblique angles to each other which substantially reduces a direct line of sight and therefore propensity for overlooking.

42. There has been comment as to the potential for loss of daylight / sunlight to 2 Todd Styles caused by the western most of the proposed new dwellings. However, due to the relationship between the properties, their orientation to each other, along with the overall height / scale of the proposed dwelling, there would not appear to be any detrimental impact. The proposed drawing confirms this point, however, good practice guidance advises that if there is an instance of a minor infringement, and an obstructing building is taller than the 25 degree line, it is still possible to achieve good daylighting providing the obstruction is not continuous, and it is narrow enough to allow daylight around its sides. In this instance there is no known obstruction however, in any event, the orientation, depth and overall height of the proposed dwelling would ensure that daylight levels would not be affected to a significant degree.

43. It is recommended that in order to ensure the long term protection of residential amenity a condition be imposed to require any windows in the side / gable elevations to be obscure glazed and top hung opening only.

44. It is acknowledged that the properties on Todd Styles are accessed via the access track that dissects that site and that this will be the principle access for any construction traffic / deliveries associated with the proposed development. It is also acknowledged that the site is located in a primarily residential area. Whilst parking of construction related vehicles can reasonably be accommodated within the site, as can materials stores, it would be reasonable to require the developer to provide a construction management plan to ensure neighbouring amenity is not detrimentally affected during the construction process, the plan to include but not be limited to details or parking and storage areas, hours of construction, delivery management, wheel washing and site access cleaning, and noise suppression / mitigation as may be required subject to construction methods engaged.

45. Subject to the above it is considered that the proposed development will accord with policy SP4 n) of the Local Plan.

Impact on heritage assets

46. Section 72 of the Town & Country Listed Building & Conservation Areas Act 1990 requires that the Local Planning Authority pays special attention to the desirability of preserving or enhancing the character or appearance of that area.

47. The Boar's Head is a former inn of early 19th Century date, and whilst not designated as a listed building, it is a prominent building within Long Preston Conservation Area. The Authority's Senior Listed Building Officer advised that it has communal value, as a former public house that served the local community, historical value due to its age and evidence of its original function, and aesthetic value as a prominent roadside building with fine details including pronounced quoins and full window surrounds along with render incised to resemble ashlar stonework.

48. Having regard to the above therefore it can be concluded that the principal element of the Site from a heritage and conservation perspective resides in the Boars Head building, with the wider servicing area originally associated with the property having been eroded and absorbed into the village over time and the remaining element adding little to enhancing the wider character of the Conservation Area.

49. From reviewing historic records and undertaking a site visit it is clear that the interior of the building has been subject to a long history of change and adaptation, with little fabric of significance remaining and as such there would be little benefit in applying a condition requiring a historical building recording.

50. The Senior Listed Building Officer advised that the proposed conversion will retain the external layout and appearance of the former inn to its publicly visible elevations. Some new openings are proposed to the ground floor of the north-west (rear) elevation, although this will be enclosed and screened by the existing stone boundary wall and will not affect public views of the building. The porch to be removed is of relatively modern date and low significance, with no objection to its removal. Overall, they considered that the works to the existing building would conserve the character of the Conservation Area and have no objections subject to conditions relating to external material finishes.

51. The SLBO has no objection to the principle of new residential development within the car park area, considering it to have no detrimental impact on the character or appearance of the Conservation Area, subject to the amended plans that make the dwellings less prominent by reducing the roof height and to give a more subservient relationship to the existing inn and to match the scale of these units more closely to the surrounding properties.

52. Policy L1 advises that proposals that result in less than substantial harm to a designated heritage asset will only be permitted where it can be demonstrated that the public benefits of the proposal clearly outweigh the loss of significance, with the NPPF stating that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. NPPF goes on to advise that ‘local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. In this instance there is considered to be public benefit associated with this development proposal by virtue of the provision of local housing and the retention of the character building in a form and use that would ensure its preservation in perpetuity.

53. Having regard to the above, subject to agreeing the final detail of the proposed new build dwellings, and subject to the appropriate conditions in respect of materials, the proposals are considered to accord with Policy L1.

Highway considerations

54. It is proposed to utilise the existing access onto the A65 which currently serves the three dwellings on Todd Styles and the Boars Head. The proposed conversion and new build works are not anticipated to generate any greater level of vehicular movement than might otherwise have been generated by an operating pub. The replacement of a commercial operation with residential use has the potential to improve the highway safety, particularly with regard to being more aware of neighbours regular movements and of pedestrian activity.

55. The creation of a pedestrian footpath is a welcome addition to the site, providing for clear separation between pedestrians and vehicles. There is ample space to ensure this provision, with the access track being approximately 9.5m at it narrowest point close to the junction with the A65 and the proposal retaining just over 5m to serve the development and the adjacent properties.

56. There has been some objection to the loss of the car park however this is in private ownership and is not a public parking facility. The proposal includes 2 parking spaces for each of the proposed dwellings along with visitor space. This is considered to be acceptable.

57. The lack of any built form on the south easterly car park area ensures that there remains space for refuse and emergency vehicles to enter and leave the wider site in a forward gear.

58. The Highway Authority has not raised any concern with the proposals and appropriate visibility is already achievable from the existing access which will not be impinged by the development.

59. It is recommended that conditions be imposed to ensure the parking is retained as proposed in perpetuity. Subject to this, it is therefore considered that the proposed development would not prejudice highway safety, would not cause an unacceptable level of traffic and would have an appropriate access and parking provision in accordance with policy SP4 of the Local Plan.

Trees

60. The Authority's Tree Officer has commented that the trees identified for removal to facilitate the development are poor specimens with low amenity value. The only tree on site with any amenity and habitat value is the mature goat willow, which is to be

retained during the development. In light of this the Officer is supportive of the impact that the development would have on existing trees.

61. They are also supportive of the proposed landscaping plan subject to a reduction in the number of proposed new oak trees. A condition would be imposed to ensure an amended landscaping plan is prepared to reflect this request and to also take on board the Wildlife Officer's comments (addressed below).

Nature recovery

62. The application is accompanied by a preliminary ecological appraisal which advises that the plant species assemblages recorded at the site are all common in the local area and are considered to be of low ecological value, and that birds are likely to utilise scrub on site for nesting between March and September therefore any vegetation clearance should therefore be undertaken outside of this period. No other notable or protected species were recorded on the site.

63. The application was also accompanied by a Bat Survey and subsequent emergence survey which confirmed the absence of bats roosting at the site, advising that the proposed works present minimal risk of impacting bats or their roosts.

64. A Biodiversity Net Gain assessment has been undertaken which confirms that sympathetically landscaped open space is considered to offer habitat of equal or greater ecological value than the existing and an updated landscaping plan has been prepared to take account of Wildlife Officer comments. Notwithstanding this however it is recommended that conditions be imposed, as recommended by the Wildlife Officer, to ensure that the BNG and ecological enhancements proposed as part of the development are clearly set out in an appropriate Plan and a relevant Management Plan is also submitted to approval and implementation control, in accordance with the requirements of Policy W2 and national BNG statute).

Sustainability

65. Policy SP1 of the Local Plan sets out a presumption in favour of development that is sustainable. As a previously developed site within an existing Service Village the site is considered to be in a sustainable location for such development.

66. In accordance with the recommendations within Policy CC1, the applicant has been requested to consider that some form of renewable technology be incorporated into the development such as the installation of electric vehicle charging points for all new dwellings. An update will be provided prior to the meeting.

Flood Risk & Drainage

67. The site lies within flood zone 1, with a low probability of flooding from rivers. It is similarly not considered to be at risk from surface water flooding. There is not

considered to be any potential impact from the conversion of the existing building, it already being connected to the private combined drainage system within the site. It is proposed to link the 2 new dwellings to this system.

68. The remainder of the site is currently predominantly hard surfaced and as such, due to the nature of landscaping proposed and the overall minimal area of impermeable surface, it is anticipated that there would be an overall positive impact on surface water run off, which currently runs downhill towards the properties at Todd Styles, being caught in part by surface drains and pumped into the combined sewer system via the on site private pumping station, the infrastructure for which runs up the eastern side of the Site.

69. Whilst the LLFA initially had an objection to the proposed drainage strategy due to lack of information, the applicant has provided the requested detail and a further response is awaited from the LLFA which will be reported to Members prior to Committee.

70. There were some neighbour concerns relating to the impact of the development on the local combined drainage network however the applicant has provided for a comprehensive package of works that will ensure the proposals can be suitably drained without detriment to the existing drainage infrastructure or increase the propensity for flooding on neighbouring sites.

Parish Council Comments

71. The Parish Council initially objected to the application however following the amendments to the proposals they provided a further comment albeit it is not clear whether this supersedes the initial response and overrides their initial objection, or sits alongside the original response and therefore the objection would remain.

72. With regard to comments made in each response, the PC raised a concern relating to neighbouring residential amenity, specifically loss of privacy, loss of sunlight and loss of outlook, suggesting that the proposals be located to the opposite side of the access track. Due to the location of existing infrastructure it is not possible to build on the land to the opposite side of the access, however, the proposals were amended and it has been confirmed that the amended scheme will comply with amenity standards in respect of loss of privacy and also to impact on daylight that might be experienced within the neighbouring dwellings (albeit this is a building control and not a planning regulation), there being no planning policy provision to protect outlook.

73. Concerns were raised over the capacity of the existing water pumping system to support the capacity of additional dwellings. Unfortunately, this is also not a matter for planning policy to control, it being again a matter for building control and for the utilities providers, however, the applicant has submitted detailed calculations to address comments raised by the LLFA which, whilst not specifically relating to the

capacity of existing infrastructure, will hopeful also alleviate any concerns as to the ability to suitably drain the proposed development.

74. In the response to the revised proposals, the PC note their concern as to the loss of the pub as a village amenity and a potential source of business and employment, the question raised as to whether a change of use has been properly considered. As noted in paragraphs 27 – 30 above, it can be confirmed that the requisite policy has been considered in response to the proposed conversion and it has been concluded that, in this instance, the proposals satisfactorily accord with the policy requirements.

75. In response to the PC comment as to affordable housing, they are correct in acknowledging that a proposal of this scale is not obligated to make such a provision, however, the comment at paragraph 25 should be noted as to the impact of local occupancy control on property value / sales prices.

76. The reiterated comments as to neighbouring residential amenity and drainage have been addressed to the full within the parameters permitted by planning policy and statute, any requests over and above the policy requirements can result in any decision taken by the Authority being subject to legal challenge.

77. The above is similarly the case for requiring planning gain over and above that necessary to ensure a development complies with policy and it is unfortunately beyond the remit of the Authority to request additional parking on private land or to prevent any residents or visitors to the application site from parking elsewhere within the village.

Equality Act

78. 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.

79. 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

80. The proposal would deliver a small scale residential development on a sustainable brownfield site in an appropriate location within an established Service Village in accordance with the provisions of Policy SP3. The dwellings would be restricted by a Section 106 agreement to meet the local occupancy requirements.

81. The creation of 5 new local occupancy homes would help to meet the aims of Policy C1 of the Local Plan without detriment to the provisions of Policy SP4 in respect of design, transport, human safety and amenity, and environmental safeguarding.

82. The design and layout of the new dwellings has been amended to provide a development that will tie in with both the character of the wider site, the Boars Head as a character building, and with the Long Preston Conservation Area.

83. The proposals would result in the loss of a community asset however sufficient evidence has been provided to demonstrate that the business was unviable and there has been no interest in the property for business operation or other community use operators.

84. Without a viable commercial operation, traditional buildings such as the Boars Head can suffer from neglect and can eventually be lost. This building forms an important part of the character of the Long Preston Conservation Area and allowing for its conversion to residential use will ensure its preservation in perpetuity. This development proposed will secure such a future and without inappropriate extension to the existing built form which will help to maintain the building and the Conservation Area character.

85. The proposed new houses would be sufficiently distanced from neighbouring properties to avoid any adverse impact on residential amenity.

86. There will be no impact on trees or ecology, with conditions proposed to ensure suitable uplift in the provision for both.

87. The existing access road would be enhanced to provide a pedestrian footway and access would remain as existing for the site and neighbouring dwellings, with no greater impact on highway safety than the existing baseline.

88. It is therefore considered that the proposal is acceptable and would accord with Policies SP1, SP3, SP4, C1, C9, L1, W2, W3 & CC1 of the Yorkshire Dales Local Plan (2015-2030), with advice contained within the Yorkshire Dales National Park Design Guide and guidance within the National Planning Policy Framework (2024).

Recommendation

89. It is recommended that authority be delegated to the Head of Development Management to approve, subject to a S106 agreement to impose a local occupancy restriction, and to agree the final detailed design of the two dwellings, subject to conditions based on the following:

- Three years to implement the permission
- To be built in accordance with the approved plans and details
- Permitted development rights removed

- Hard and soft landscaping details to be agreed
- Protection of Trees
- Scheme of biodiversity enhancements finalised and management plan secured
- Approval of sustainable surface water and foul water drainage scheme
- Materials/details/samples to be agreed
- Surfacing, boundaries and bin storage
- External lighting scheme and light spill mitigation
- Highway conditions
- Construction management plan
- Unexpected contamination
- Provision of EV charging points