Yorkshire Dales National Park Authority

Planning Committee

Date: 21 January 2025

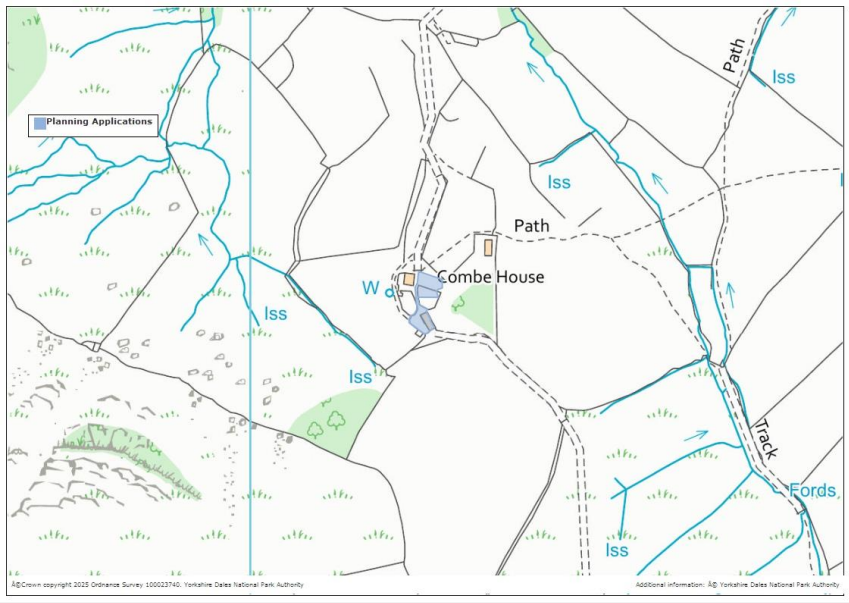
Parish: Dent with Cowgill

Applicants: Mr and Mrs John Airey

Application No: S/01/150G

Site Address: Upper Barn, Combe House, Gawthrop, Sedbergh, LA10 5QQ

Proposal: Full planning permission for conversion of Upper Barn to form a local occupancy dwelling or holiday cottage subject to Section 106 restriction (resubmission of lapsed approval)



Purpose of report

1. That Members 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. Upper Barn is a grade II listed building which forms part of the historical Combe House farmstead on land near Gawthrop under Combe Scar. Combe House also Grade II listed, was re-occupied as a dwellinghouse following the granting of permission in 2005 (S/01/149 and S/01/149A/LB). This is a significant complex and one where the relationship between the buildings (including the Lower Barn, granted permission for conversion to a bunk barn in 2023 (S/01/150F), their setting, and features of archaeological interest in the surrounding landscape, is important.

4. Upper Barn is a single building of two distinct parts. The southern section incorporates part of a former dwelling, possible a former longhouse, which is almost certainly older than Combe House. The northern section is a 19th century barn.

Proposal

5. Full planning permission is sought for the conversion of Upper Barn to form a three-bedroom local occupancy dwelling or holiday cottage. This application has been submitted following the lapsing of a permission granted for a very similar proposal which was not implemented (S/01/150C).

Relevant Planning History

6. Planning permission was granted in 2005 under application reference S/01/149 for the restoration of Combe house as a single dwellinghouse, alongside the restoration of Upper Barn as ancillary domestic store. In 2023, full planning permission was granted for the conversion of Lower Barn to form a bunk barn. Most relevant to this application was the planning permission granted for the conversion of Upper Barn to form a local occupancy dwelling or holiday let in 2021 (S/01/150C). This application is very similar to S/01/150C with only minor alterations to the plans.

Consultations

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

Head of Visitor Services – No comments received at the time of writing.

Trees & Woodlands – No comments received.

YDNPA Senior Historic Environment Officer – Commented on the accompanying listed building application (S/01/150H/LB). No objections subject to conditions, notably:

i. Methodology including structural works, demolition, excavation;

ii. Details of internal details to be affected; and

iii. Level 3 building survey.

Waste and Environmental Services – No comments received.

United Utilities Water Ltd – No comments received.

Natural England – No objection; Natural England considers the proposed development does not have significant adverse impacts on statutory protected nature conservation sites or landscapes.

Area Ranger (Western Dales) – The proposed development does not directly affect nearby footpath 516014. An informative should be included to ensure the footpath remains accessible at all times.

Wildlife Conservation Officer – No objection subject to the recommendations and mitigation measures in The Bat, Barn and Nesting Bird Survey by Environtech, updated 15 August 2024 being followed, and a condition added for wildlife enhancement in accordance with policy W2 of the Local Plan.

The proposal needs to include a contribution to biodiversity net gain (BNG) which would be secured by a section 106 agreement.

Environmental Health – Environmental Protection has no objection to the above proposal, subject to the consideration of conditions in relation to unexpected contamination, electric vehicle charging points, and the private water supply.

Fire Officer – The applicant should be made aware of that the application must meet the requirements of Approved Document B, Requirement B5 for Fire Service access and facilities.

Any alteration to the building will continue to be subject to the requirements of the Regulatory Reform (Fire Safety) Order 2005, including a suitable and sufficient Fire

Risk Assessment. Should the property be used for the purpose of a short-term holiday let, a suitable and sufficient Fire Safety Risk Assessment (FRA) must be completed.

Highways – **Westmorland & Furness Council** – Insufficient information has been provided. The proposal would be considered likely to result in the intensification of the existing access with the adopted highway. The local highway authority requires visibility splays of 215 metres in each direction measured 2.4 metres back from the edge of the highway and a minimum width of 4.1 metres for the first 10 metres of the access track to accommodate conflicting traffic movements.

Dent and Cowgill PC – The parish council would like to note that these plans have changed since the previous submission and that these differences should be pointed out to make it clearer for consultees.

The committee noted the addition of the patio area and proposed new curtilage and has concerns that this is unnecessary and may cause a hazard to the access that is currently in place for a neighbouring piece of land.

Further, the council has a policy not to support applications for holiday let accommodation in the dale due to the vast number of holiday lets already in operation. This policy is intended to protect the sustainability of the village for local residents and therefore the council cannot support the application in its current form. The council would only support the application if it were for local occupancy only.

Public Responses

8. A site notice was posted on 29 August 2024 and one comment was received:
Does not object but says there is still 'through' traffic access (whereas the Design and Access Statement states there is no longer through traffic) across the site adjacent to the proposed curtilage boundary and has concerns over the width of the proposed garden curtilage and measures required to stop livestock from entering the flagged terraced.

Assessment

Key Issues:

- Principle of the Development
- Design
- Impact on the Significance of the Listed Building
- Impact on Neighbours
- Impact on Highway Safety
- Nature Recovery

- Parish Council Comments
- Equality Act

Principle of the Development

9. The National Planning Policy Framework (NPPF 2024) sets out the purpose of the planning system: to contribute to the achievement of sustainable development. Paragraph 84 directs planning authorities to avoid the development of isolated homes in the countryside unless certain circumstances apply. The circumstances listed include where 'the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets' and 'the development would re-use redundant or disused buildings and enhance its immediate setting.'

10. The Yorkshire Dales National Park Local Plan (2015–2030) aims to deliver sustainable development in the National Park context. It aims to achieve the conservation and enhancement of traditional buildings (heritage assets) by allowing them to be adapted or converted to new uses, providing the building and its landscape has the capacity to absorb them.

11. Policy L1 considers development affecting heritage assets. 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.

12. Policy L2 is a strategic spatial planning policy It allows traditional buildings to be changed to residential and employment uses in certain locations (in existing settlements, building groups, or suitable roadside locations). Intensive uses will not be appropriate in buildings that are isolated in the landscape and a change of use is only allowed in isolated buildings where there would be no material alteration to the exterior of the building or its surroundings.

13. Policy L3 considers the details of the conversion works. Proposals will not be allowed where they undermine the architectural and historic character of the traditional building and its landscape setting. The building must have the physical capacity to accommodate the new use without significant extension or alteration or requiring new ancillary buildings.

14. A proposal to convert a traditional building to a new use must satisfy the requirements of all three policies.

15. As Upper Barn was constructed prior to the 20th century and has historical and architectural merit as a grade II listed building, it is a traditional building for the purposes of policy L2. The barn is served by the unsealed track that leads from the Gawthrop road (U5475) to Combe House with which this barn, and Lower Barn, form

a group of buildings. As such, the proposal would meet the locational requirements of policy L2 of the Local Plan (2015–2030).

Design

16. The proposal is similar to the previously approved development (S/01/150C). The proposed windows will largely use existing openings with an additional reinstated opening on the ground floor, and the elongation of one first floor opening of the west elevation. The doors, will be fully glazed with powder-coated aluminium composite frames, use existing openings, as per the previously approved scheme. However, the height of the opening proposed for the glazed screen with outward opening door in the kitchen will be reduced to incorporate the first floor but will keep the lintel, retaining the historical fabric and maintaining the readability of the historical development of the building.

17. Compared to the previously approved application, there will be one additional rooflight; another has been repositioned in this application. The barn has been re-roofed so this is modern fabric and the visual impact of these is limited. The visual impact of the proposal as a whole is limited and not harmful to the significance of the listed building. Therefore, the proposal complies with policy L3 of the Local Plan.

18. The curtilage has been re-positioned to the south-west side of the barn and is well-contained, and on the other side of the house from the now diverted public right of way. The boundary treatment can be limited to a simple drystone wall by condition. Due to the archaeological significance of existing walls surrounding the buildings, the new wall should be new material not salvaged from nearby structures. This too, can be secured by condition.

Impact on the Significance of a Listed Building

19. Upper Barn is a Grade II listed building and is therefore protected in the national interest for its special historic or architectural interest.

20. Section 66 of the Town & Country Listed Building & Conservation Areas Act 1990 requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering planning applications that affect listed buildings.

21. Paragraph 207 of the National Planning Policy Framework (NPPF) (2024) states that ‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.’

22. Paragraph 215 of the NPPF states that ‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’

23. The impact of the development on the listed building is largely considered under the counterpart listed building consent application. However, the conversion scheme is largely sensitive to the agricultural character of the barn.

24. The harm caused to the listed building through the insertion of rooflights would be less than substantial when weighed against the public benefits of securing its optimum viable use, particularly as the barn has been re-roofed so this is modern fabric.

25. The proposal is considered to be in accordance with policy L1 of the Local Plan (2015-2030) and paragraph 214 of the National Planning Policy Framework (2024).

Impact on Neighbours

26. Combe House is the only nearby dwelling. The two buildings are offset with Combe House orientated in a roughly north-south direction and the barn in a north-east/south-west position. There are just over 27m between the buildings and Upper Barn is sited at a higher ground level. With just one very small opening serving on the north-western elevation that faces towards the Combe House, there would be no potential for direct overlooking. The position and separation distance of the buildings is such that no impact would be exerted on the amenity of occupants of Combe House. The proposal complies with policy SP4 of the Local Plan in this regard.

27. Access to the adjacent land is a civil matter rather than a planning consideration.

Impact on highway safety

28. The Highways Authority considers this to be an intensification of an existing access and requires visibility splays of 215m in each direction. As per the assessment in planning application S/01/150C, whilst visibility is limited, Gawthrop road is largely a single-track road and lightly trafficked. Therefore, an increase of one dwelling is not considered to cause detrimental harm to highway safety.

Nature Recovery

29. A Bat, Barn Owl and Nesting Bird Survey report was prepared by Environtech, updated on 15 August 2024. This found the barn offered moderate potential for use by bats. The barn has already been re-roofed, so no emergence survey was

required. There are no records of barn owls within 2km but the surrounding habitat offers potential for nesting and foraging for birds.

30. The Wildlife Officer had no objections subject to precautionary mitigation measures set out in the Bat, Barn Owl and Nesting Bird Survey report being secured by condition, and the installation of bat boxes. Therefore, the proposal meets with policy W1 of the Local Plan 2015–2030.

31. With regards to biodiversity net gain, the proposal meets the requirements for a 10% BNG uplift. As the biodiversity net gain will be provided outside of the application development site, this would need to be secured by way of a S106 legal agreement. The legal agreement would ensure registration of the site, secures the site's use for BNG, and sets out who will do the BNG creation, enhancement and management work for 30 years.

Parish Council Comments

32. The Parish Council has advised that they have a policy that states it will not support any applications for holiday lets in Dentdale as it considers the numbers of these to be excessive. Although the concerns of the Parish Council are understood, this is their own policy and not a Local Plan policy. Policy L2 permits the conversion of traditional buildings such as Upper Barn to new uses including holiday lets in certain locations and this has been permitted previously. This barn meets the locational criteria for such a use and the proposal has demonstrated a sensitive conversion scheme can be achieved. As a dual use of local occupancy dwelling or holiday let is sought, the principle of the development is in accordance with Local Plan policies, there is no reason to refuse the application based on its proposed use.

Equality Act

33. 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.

34. 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

35. Permission was previously granted for the conversion of Upper Barn in 2021. The proposed development varies in only a few small details from that application and

amounts to an appropriate residential conversion of a traditional barn to create a new local occupancy dwelling or short-term holiday let. The new use will re-purpose and provide ongoing future maintenance for the listed building. This outweighs the less than substantial harm caused by the proposed development in accordance with the National Planning Policy Framework (2024). The proposed development would not result in a detrimental impact on neighbouring amenity, protected species or highway safety. The proposed development is in accordance with Policies L1, L2, L3, SP1, SP2, SP4, W1, W2 and W3 of the adopted Yorkshire Dales Local Plan (2015-2030) and is recommended for conditional approval subject to a legal agreement restricting occupancy.

Recommendation

36. It is recommended that permission is GRANTED subject to conditions outlined below and a section 106 agreement securing a local occupancy restriction or use as a short-term holiday let, and to ensure registration of the off-site BNG area and delivery, management and monitoring of the off-site BNG for 30 years.

    Conditions:

    - Standard time limit
    - Accordance with approved plans
    - Methodology for conversion
    - No sandblasting
    - Submission of level 3 building survey
    - Approval of/compliance with details:
        - Pointing
        - Windows and doorways
        - Fixtures
        - Garden
        - Water treatment plant
    - Restriction on external lighting
    - Mitigation in accordance with ecological survey report
    - Biodiversity enhancement (nest boxes)
    - Removal of permitted development rights
    - Contamination of land
    - Private water supply
    - Archaeological monitoring/recording
    - Historical boundary walls and surfaces

    Informative:

    - Advising that the PROW must remain free of obstruction.