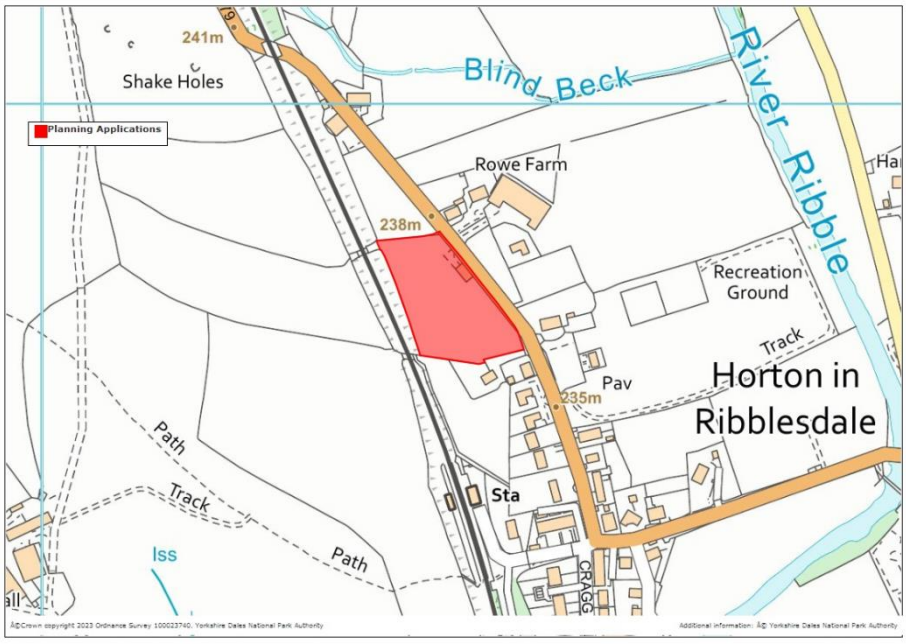
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Horton in Ribblesdale
Date:	30th May 2023	**Officer:**	Katherine Wood
Applicant:	Mr Barrow & Craven District Council	**Application No:**	C/44/277A
Site Address:	Land at Rowe Garth, Horton in Ribblesdale, Settle, North Yorkshire, BD24 0HT		
Proposal:	Full planning permission for housing scheme to provide 10 dwellings including 6 no. open market houses and 4 no. affordable houses/flats, the conversion of barn to one local occupancy dwelling and creation of new access' (AMENDED DESCRIPTION)		



REASON FOR COMMITTEE CONSIDERATION

1. To seek a new resolution from Members on this application.

BACKGROUND

2. At the meeting of the Planning Committee held on the 12th November 2019, Members resolved that, subject to approval of detailed highway layout being delegated to Officers and discussing options for improved pedestrian access, full planning permission be granted subject to a section 106 agreement to secure (amongst other matters) the affordable housing provision within the development, originally to be provided by Craven District Council acting as the Registered Provider.
.
3. The application was then referred back to Planning Committee in June 2022 as Craven District Council, was unable to progress with the affordable housing on the site. The applicant then sought to amend the proposal to include a fall-back position within the Section 106 agreement in the form of a commuted sum in lieu of the on-site affordable housing provision, if they could not secure the involvement of a Registered Provider to provide the affordable dwellings on the site. Members resolved to approve this amendment.

4. However, the applicants have not been able to identify a Registered Provider to provide the 4 dwellings (units 1-4) and have stated that the development would not be viable. They have continued to discuss options for providing on-site affordable units over the last year and are now proposing a further amendment; the proposed development has been amended from 9 houses (5 open market and 4 shared ownership) to 10 dwellings by splitting unit 4 into two flats (5 open market, 2 affordable rent flats, 2 First Homes and 1 Principal Residency dwelling). The barn conversion remains for local occupancy. The mix would be as follows;

   Unit 1 – Principal Residency – A dwelling restricted by a principal residency condition which requires the owner to occupy the premises as their principal home. It is estimated that the occupancy restriction reduces the open market value by up to 5% as has been evidenced by experience in other, similar, areas in England.

   Units 2 & 3 – First Homes - First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of affordable housing for planning purposes. Specifically, First Homes are discounted market sale units which must be discounted by a minimum of 30% against the market value and be sold to a person or persons meeting the First Homes eligibility criteria.

   Units 4a & b – Affordable rent – Affordable rented housing where the rent is set in accordance with the Government's rent policy, or is at least 20% below local market rents and the landlord is a Registered Provider.

   Units 5-9 – Open market housing

   Unit 10 – Barn conversion for local occupancy in accordance with Appendix 5 of the Local Plan.

CONSULTATIONS AND PUBLIC RESPONSES

5. Re-consultation has been undertaken with neighbours, the Parish Council and relevant consultees, to give an opportunity to comment on the proposed amendments to the housing mix.

6. Network Rail have reiterated comments regarding boundary walls, planting and sections of the development adjacent to the railway line which would be subject to the conditions and an informative previously recommended. No comments have been received on the proposed amended housing mix.

ASSESSMENT

POLICY CONSIDERATION

7. The site is allocated in the Local Plan for new housing development, with a notional capacity for 8 houses. Policy C1 states that on sites of between 6 and 10 dwellings, a commuted sum would be required in lieu of the delivery of on-site affordable housing. The commuted sum would be in the form of a financial contribution in lieu of on-site delivery of 50% affordable housing. This contribution would be paid to the Authority at the point of completion of each dwelling and will be used to support affordable housing elsewhere in the National Park. In this case, whilst adopted Local Plan policy states it should be commuted sum, it is recognised that on site affordable houses are much more desirable as they will benefit the community most affected by the development.

8. Policy C1 of the Local Plan states that 'If it is demonstrated that the site cannot deliver the mix of housing required, then the Authority will consider an alternative mix of housing on the basis of an independent site viability study.' Since the Committee resolution to approve the application for 9 open market houses with either 4 shard-ownership dwellings on site or through a commuted sum, the applicant has indicated that this would not be viable. The applicant has therefore amended the proposal to split the 4 dwellings originally proposed to be shared ownership units, into 5 units (one house split to form two flats); 4 of which would be affordable and one would be principal residency. This would equate to a 40% affordable provision on the site. The applicant has supported the proposed amendment with a viability appraisal which concludes that the proposal as originally submitted would result in a low land value and so would not be viable to develop.

9. Whilst the applicant's viability appraisal is not independent, it also draws on evidence contained within the Authority's Economic Viability Assessment (April 2022) prepared by Three Dragons and Rural Housing Support when comparing land values. This report is now the Authority's strategic housing viability evidence for the National Park and, as well as informing the emerging local plan, it also brings evidence up to date in support of application decision making. This report concludes that Horton in Ribblesdale falls within a lower value area where the affordable housing contribution on sites of 10 dwellings is likely to be viable at 30% rather than 50%. Whilst weight cannot be given yet to emerging plan policy the viability evidence underpinning it is a material consideration which supports the case made by the applicants at this site. It is therefore considered that there is sufficient evidence to demonstrate that the scheme is not viable on the basis of the original proposal for shared ownership units or for the commuted sum in lieu of 50% on site affordable.

10. The question is therefore whether the proposal as amended would bring forward sufficient benefits to the local community. As the applicants could not identify a Registered Provider to

bring forward the 4 shared ownership units, the site could be brought forward with a commuted sum to contribute towards an alternative affordable housing scheme elsewhere in the National Park. This is unlikely to have a direct benefit to the immediate community of Horton in Ribblesdale. The proposed amendment, however, would directly benefit the local community by providing 4 affordable dwellings within the village, which would be subject to a local connection clause prioritising those within the Horton in Ribblesdale Parish. The principal residency dwelling would also provide a permanently occupied 3 bed dwelling in the village.

11. It is therefore considered that the proposal would comply with the Authority's housing strategy aimed at delivering affordable housing on an appropriate site at a level that reflects what is viable and a mix that is informed by up to date evidence.

PARISH COUNCIL COMMENTS

12. No comments received to the amendment.

EQUALITY ACT

22. 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.

23. 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

13. It is considered that the applicant has provided sufficient site-specific evidence to demonstrate that the site is unviable to develop in line with the policy requirement of providing a commuted sum in lieu of 50% on site affordable units. This evidence is also supported by the Authority's up to date viability evidence for the National Park. It is also considered that the provision of 4 affordable dwellings and 1 principal residency dwelling would directly benefit the community of Horton in Ribblesdale. As such it is considered that the proposal as amended would still meet the aims of policy C1 of the Local Plan.

RECOMMENDATION

14. Members are requested to grant planning permission subject to an amended section 106 agreement to cover the following matters;

    - affordable housing provision (4 affordable dwellings - 2 x First Homes and 2 x affordable rent); the affordable rent units secured by the involvement of a registered provider;

    - the affordable housing would be made available on a 'cascade' basis [to the Horton in Ribblesdale parish first, then to adjoining parishes within the National Park (including split parishes), to the entire National Park, and finally the whole of the local Housing Authority area;

    - local occupancy restriction to the barn conversion;

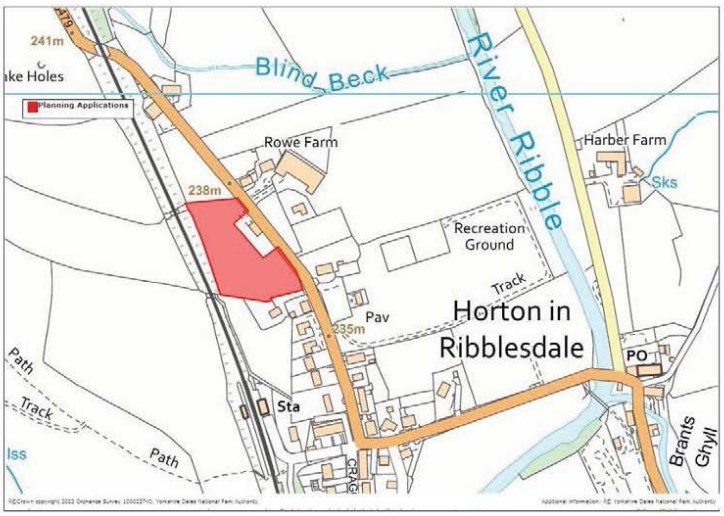
- landscaping scheme for areas outside of housing plots (including remaining field), to include long term management;
- conditions as listed in the officer's report (November 2019) and minutes;
- Principal Residency condition to unit 1. (eg. The dwelling hereby permitted and identified as unit 1 on the approved site plan shall not be occupied otherwise than by a person as his or her only or Principal Home. For the avoidance of doubt the dwelling(s) shall not be occupied as a second home, holiday home or short-term let holiday accommodation. The Occupant will supply to the Local Planning Authority (within 14 days of the Local Planning Authority's written request to do so) such information as the Authority may reasonably require in order to determine whether this condition is being complied with).

PREVIOUS REPORT

2

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Horton in Ribblesdale
Date:	21 June 2022	**Officer:**	Katherine Wood
Applicant:	Craven District Council	**Application No:**	C/44/277A
Site Address:	Land at Rowe Garth, Horton in Ribblesdale, Settle, North Yorkshire, BD24 0HT		
Proposal:	Full planning permission for housing scheme to provide 5 No. open market dwellings (self build) and 4 No. affordable dwellings (or a commuted sum in lieu of on-site affordable housing provision) and, the conversion of barn to one local occupancy dwelling and creation of new access' (AMENDED DESCRIPTION)		



REASON FOR COMMITTEE CONSIDERATION

1. To seek a new resolution from Members on this planning application.

APPLICATION SITE

2. The application relates to a field to the north of Horton in Ribblesdale known as Rowe Garth. The site includes a traditional roadside barn, positioned on the eastern boundary. The field is bound to the west by the Settle to Carlisle Railway. To the south there are two properties; Hill Croft Cottage and Hill Croft Barn. The land slopes up towards the southwestern corner.

PROPOSAL

3. Full planning permission for housing scheme to provide 5 No. open market dwellings (self build) and 4 No. affordable dwellings (or a commuted sum in lieu of on-site affordable housing provision) and, the conversion of barn to one local occupancy dwelling and creation of new access' (AMENDED DESCRIPTION)

RELEVANT PLANNING HISTORY

4. None relevant.

CONSULTATIONS AND PUBLIC RESPONSES

5. The proposed description of development has been amended and reconsultation has been undertaken with neighbours, the Parish Council and consultees, to reflect the proposed change in the provision of affordable housing. Several consultee responses have been received commenting on the original proposal which are already addressed and have been considered at the November 2019 Planning Committee.

6. One letter of comment has been received from a neighbouring resident reiterating their previous comments regarding their owner of the grass verge.

BACKGROUND

7. At the meeting of the Planning Committee held on the 12th November 2019, Members resolved that, subject to approval of detailed highway layout being delegated to Officers and discussing options for improved pedestrian access, full planning permission be granted subject to a section 106 agreement to cover the following matters;

   - affordable housing provision, secured by the involvement of a Registered Provider

   - the affordable housing would be made available on a 'cascade' basis [to the Horton in Ribblesdale parish first, then to adjoining parishes within the National Park (including split parishes), to the entire National Park, and finally the whole District Housing Authority area.]

   - local occupancy restriction to the barn conversion

   - landscaping scheme for areas outside of housing plots (including remaining field), to include long term management,

   and conditions as listed in the officer's report/minutes.

This previous report and an extract of the relevant minutes are attached as appendix 1.

8. Following the Committee resolution, the site layout was amended to seek to address the highway layout concerns and the Section 106 agreement was drafted. With regard to the highway layout as delegated to officers to approve, due to the topography of the site, an additional turning head to serve the four affordable houses, as requested by the local highway authority, would require significant engineering works. As such, the applicant amended the scheme to reposition the affordable housing parking area further away from the site boundary and the neighbours garden. The car park and access to it would not form adopted highway, although the lack of a turning head would mean refuse vehicles would need to turn within the part of the access proposed for adoption. Whilst not ideal, this would represent the preferred layout by officers given the topographical constraints and on this basis the planning application was to progress

9. With regard to the Section 106 agreement however, since the Committee meeting the identified registered provider (Craven District Council) were unable to progress with the affordable housing on the site. It is understood that the landowner has contacted alternative registered providers but as yet has been unable to secure the involvement of one. The landowner has therefore requested that the application be determined on the basis that a registered provider will be identified following the grant of planning permission. It is this aspect of the planning application that Members are asked to reconsider.

ASSESSMENT

PRINCIPLE OF DEVELOPMENT

10. Where a proposal includes the on-site provision of affordable housing the Authority will require the affordable element to be delivered through a partnership between the developer and a Registered Provider (RP), such as a local housing association. The RP would normally be identified prior to the determination of the application and be party to the Section 106 agreement to secure the affordable housing in perpetuity. In the absence of an identified RP in advance there is a risk that once permission is granted no RP comes forward. Therefore, it is proposed in this instance to include a fall-back position within the Section 106 agreement in the form of a commuted sum in lieu of the on-site affordable housing provision should no RP come forward. This would be calculated and be payable before development commences and would therefore ensure that the affordable housing is provided for. As the development is for less than 11 units, the provision of a commuted sum in lieu of the delivery of the equivalent on-site provision would be compliant with policy C1 in principle and would ensure that affordable housing is adequately provided for.

PARISH COUNCIL COMMENTS

11. No additional comments received to the current amendment.

EQUALITY ACT

12. 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.

13. 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

14. It is considered that the inclusion of a fall-back position to ensure that, if the provision of on-site affordable housing is not forthcoming, a commuted sum is payable in lieu of that provision, the proposed development would continue to comply with policy C1 of the Local Plan (2015-2030).

RECOMMENDATION

15. The original Committee resolution was specifically for the site to come forward with an identified Registered Provider (Craven District Council) and as such Members are now requested to grant planning permission subject to an amended section 106 agreement to cover the following matters;

    - affordable housing provision, secured by the involvement of a Registered Provider or a commuted sum in lieu of on-site affordable housing provision

    - the affordable housing would be made available on a 'cascade' basis [to the Horton in Ribblesdale parish first, then to adjoining parishes within the National Park (including split parishes), to the entire National Park, and finally the whole District Housing Authority area.]

    - local occupancy restriction to the barn conversion

    - landscaping scheme for areas outside of housing plots (including remaining field), to include long term management,

    and conditions as listed in the officer's report (November 2019 and minutes).

PREVIOUS REPORT

Schedule No:2

Application No:	C/44/277A		
District:	Craven		
Parish:	Horton in Ribblesdale		
Applicant's Name:	Mr Barrow & Craven District Council		
Grid Ref:	SD80357283		
Received by YDNP:	28/01/2019	**Officer:**	Katherine Wood

PROPOSAL: **full planning permission for housing scheme to provide 5 No. open market dwellings (self build) and 4 No. affordable dwellings and, the conversion of barn to one local occupancy dwelling and creation of new access (AMENDED PROPOSAL)**

LOCATION: **Land at Rowe Garth, Horton-in-Ribblesdale**

CONSULTEES

Horton-in-Ribblesdale PC

Council resolved to object to the planning application for the following reason.
'The egress of vehicles from the development would in the Council's opinion present a hazard to vehicles travelling on the B6479 at this location. The absence of an adjoining footway to the B6479 would also present a hazard to pedestrians making access & egress at this development.' Council would like to see the development access road widened, and the walling curved more to allow a better sight line of approaching vehicles, also the consideration of a pedestrian footway at the location.

The Parish Council would also like to express concern relative to:
1) The height of the proposed Affordable Housing plot. Mr Peter Stockton, Strategic Planning Officer, Yorkshire Dales National Park, stated in his Development Brief (2011)
Developable Area. 'The southern part of the site adjacent to Hill Croft Barn is not suitable for development because it rises up above the road where development would be unsuitably elevated and overbearing in the context of the highway and nearby dwellings. It should be left as an undeveloped walled croft '(see attached letter & plan).
Council would like to see the height of the land at this location reduced to road level height.
2) The car parking area for the affordable houses has not been moved away from neighbouring existing

	properties on the South side, to match the houses. Council believes moving the car parking area to align with the properties would reduce any vehicular noise to the adjoining properties.
Affordable Housing Development Officer	Craven District Council have confirmed they will be the Registered Provider.
Wildlife Conservation Officer	The development will lead to the permanent loss of an area of species-poor grassland but this will be compensated for, in part, by landscape planting on the boundaries provided locally-appropriate native species are used. A bat survey has been prepared in relation to the barn. This survey is negative for bats and signs of bats in the building but does show that bat flight paths do go close to it. Although no mitigation might be required for loss/damage to roosts or disturbance to roosting bats it would be advisable to try to control external lighting so as to minimise the risk of bats being discouraged in following their usual commuting/feeding routes.
Harrogate Police Station	The overall design and layout of the proposed scheme is considered acceptable.
Highways North Yorkshire	The Highway Authority has not expressed any concerns with the development other than requesting a turning head to serve the affordable houses.
CEHO Craven	There are no known contaminated land implications regarding the proposed development. Conditions are recommended; - acoustic glazing and mechanical ventilation fitted to bedrooms overlooking the railway line to attenuate noise further. - restrictions to operating times for construction, - minimising dust during construction, - use of clean topsoil
Chief Technical Officer	All work is to be carried out, to ensure compliance with the Building Regulations 2010.
United Utilities Water Ltd	Drainage conditions recommended.
Network Rail	The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. To be added as an informative. Network Rail has also provided advice on construction adjacent to a railway line.
Health & Safety Executive	None received.

North Yorkshire County Council	No objections subject to further details regarding the Exceedance flow route plan, updated calculations to provide an allowance of 10% for Urban Creep and confirmation of the Maintenance arrangements for the site. Clarification has been sought regarding whether these can be required as a condition.
Trees & Woodlands	No objections, although there could be more room for planting.

PUBLIC RESPONSES

six letters of objection have been received on the original proposal. Following reconsultation on the amended proposal, three letters of objection have been received which are summarised as follows (note that the reconsultation period had not expired at the date this report was written);

- the affordable housing should be secured in perpetuity,
- highway safety concerns
- no pedestrian footway/pedestrian safety
- impact on the residential amenity of neighbours through loss of light, outlook and overlooking,
- the affordable houses will be elevated above the road
- the car parking for the affordable houses will be next to Croft Barn,
- the design of the open market houses will be out of character with the area,
- the loss of lean-to on the barn
- the use of the access road for agricultural vehicles is not compatible with the proposed houses
- the remaining field will be landlocked.

RELEVANT PLANNING POLICIES

C1(15) - Housing in settlements

L1(15) - Heritage assets

L2(15) - Conversion of traditional building - acceptable uses

L3(15) - Conversion of traditional buildings - building treatment

W1(15) - Wildlife sites, species and networks

W2(15) - Biodiversity enhancement

W3(15) - Protecting trees, hedgerows and walls

SP1(15) - Presumption in favour of Sustainable Development

SP2(15) - National Park Purposes

SP3(15) - Spatial Strategy

SP4(15) - Development Quality

OFFICER OBSERVATIONS

REASON FOR COMMITTEE CONSIDERATION
This application is reported to Committee because the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

APPLICATION SITE

The application relates to a field to the north of Horton in Ribblesdale known as Rowe Garth. The site includes a traditional roadside barn, positioned on the eastern boundary. The field is bound to the west by the Settle to Carlisle Railway. To the south there are two properties; Hill Croft Cottage and Hill Croft Barn. The land slopes up towards the south-western corner.

PROPOSAL
This application seeks full planning permission for the erection of nine dwellings including four affordable houses and five open market houses. The four affordable houses would be designed in a single terrace to the south-eastern corner of the site. The five open market houses would be positioned to the northern half of the site.

The application also includes the conversion of a traditional stone roadside barn to form a local occupancy dwelling.

All ten dwellings would be accessed via a new central access road.

RELEVANT PLANNING HISTORY
None relevant

KEY ISSUES:
- principle of development
- impact on character and appearance of area
- impact on neighbours
- highway considerations
- ecology
- parish council comments

PRINCIPLE OF DEVELOPMENT

New build housing
The site 'Land north of Hill Crest Barn' (site reference 71) is listed in Appendix 4 of the Yorkshire Dales Local Plan (2015-2030) as an allocated site for new housing development. Policy C1 states that on sites of between 6 and 10 dwellings, a commuted sum would be required in lieu of the delivery of on site affordable housing. Whilst policy C1 would indicate that on a site of nine houses there is a commuted sum requirement, the provision of the equivalent on-site affordable housing would equally meet the purpose of the policy to deliver affordable housing in the National Park. The proposal would be for four shared ownership affordable homes, the freehold of which will be held by Craven District Council as the Registered Provider. Shares would range from 25% to 75% subject to the income levels of prospective purchasers and ownership is capped at 80%. This means that the property will not be sold outright as a minimum of 20% will remain with the Registered Provider.

The applicant and Craven District Council have confirmed that they will enter into a Section 106 legal agreement to provide the mechanism for securing the affordable housing in perpetuity to ensure they remain available to eligible people with a local connection at an affordable cost, in accordance with Appendix 6 of the Local Plan.

Barn conversion
Policy L1 considers development affecting heritage assets. Traditional buildings may be designated as Listed Buildings or are considered to be 'heritage assets' despite not being

designated. Proposals affecting undesignated heritage assets that are demonstrably of equivalent significance to designated heritage assets will be treated as though they were designated for the purposes of the policy.

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 only allowed in isolated buildings where there would be no material alteration to the exterior of the building or its surroundings.

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. Alterations to the building and the creation of any new curtilage and highway access should be the minimum necessary and should be sensitive to the traditional character and appearance of buildings and not adversely affect the immediate or wider landscape setting of the building or any parts of the building with recognised significance.

As the building in question was constructed prior to the early-to mid 20th century and has historical and architectural merit, it is considered to be a traditional building for the purposes of policies L1 and L2.

A Heritage Statement has been submitted which concludes that the barn is locally significant as an example of a typical combination barn and as a part of the dispersed farmstead of Rowe Farm (opposite the site), although the significance of the barn has become degraded by the insertion of two large double doors and the removal of the shippon and hay loft. The barn is likely to date from the early 19th century. The building physically adjoins the sealed metalled road (B6479). The proposal therefore satisfies the locational requirements of Policy L2.

IMPACT ON CHARACTER AND APPEARANCE OF AREA
New build housing
The proposal has been amended significantly from the originally submitted design and layout. The four affordable houses were raised up on a plinth approximately 1.4 metres above the existing ground level and positioned very close to the southern boundary. The amended proposal repositions the four affordable houses a further 10 metres to the north of the site, increasing the distance between the corner of the site and providing for more space around the buildings. The design has been amended so that the houses are set into the slope of the land rather than sat on a plinth. The four houses are of a relatively simple stone and slate terrace cottage design with small porches. The design of the buildings could be made simpler still through the omission of full window surrounds and corbels. However, these are features commonly found in Horton in Ribblesdale. Parking would be to the rear of the row of houses, separate to the gardens. The applicant has been advised to reposition the parking to the rear of the houses.

The five open market houses originally comprised four large barn-shaped buildings together with a single farmhouse style dwelling. The current scheme is significantly amended to a more cohesive group of buildings on a loose farmstead layout. The group includes a new-build farmhouse style dwelling to form the principle roadside building, the original traditional barn and four lower buildings which would reference modern agricultural

buildings in their form and use of materials (timber cladding and metal roofing sheets) with contemporary design features.

The density proposed is low at 13 houses per hectare, compared to the recommended 35 dwellings per hectare. However, the south-western part of the site is considered to be unsuitable for development due to the topography and will remain as undeveloped land to be landscaped. This means the density is nearer 18 dwellings per hectare. Given the edge of the village rural location, it is considered appropriate to have a lower density in this instance.

With regard to the parking layout, the roadway and parking has been redesigned to form a narrower lane, which runs through the site and maintains the farm access under the railway line. The access will be partly adopted highway and partly a private drive. The use of different surfacing materials on the private drive can further reduce the formality of the access.

Overall the amended proposal is considered to be a creative design which would reflect the traditional terraces in the adjacent village and create a contemporary farmstead style development loosely reflecting the form of the farms on the edge of the village. The proposal requires the submission of a comprehensive landscaping scheme to naturalise the undeveloped areas of the site and add interest and definition to the developed areas so that the development integrates visually with the surrounding landscape. For example, this should include additional native tree planting across the site, such as the land to the south of the barn and the sloping land to remain undeveloped. In particular it is important to ensure that the remaining field is not encroached on by the surrounding uses and provides a wooded backdrop to the development. A condition can be added to require a comprehensive hard and soft landscaping scheme across the site.

It is therefore considered that the design of the scheme overall will respect the wider character of the area in accordance with policy SP4 of the Local Plan.

The site lies adjacent to the Settle-Carlisle Conservation Area, a designated heritage asset. 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 the Conservation Areas. Whilst the development of the field would change the setting of the railway line in this location it would be a very minor incursion in the setting of the 78 mile long Conservation Area.

Barn conversion
The proposed works to the barn include the removal of the front lean-to. Although a later addition to the building, the lean-to dates to pre-1865 and has some heritage interest, containing a fireplace and evidence of its original use as a slaughter house. The loss of the lean-to is regrettable, however, in order to create a safe access to the allocated housing site the lean-to needs to be removed to enable visibility from the access onto the highway. The other option of positioning the access further south would limit the area of the site that could be developed for housing. The loss of this lean-to was foreseen when the site was originally allocated for housing. The Authority's development brief for the site stated 'To gain adequate visibility along the highway to the south may require the removal of the lean-to on the roadside barn'.

The proposal also includes a new lean-to to the rear of the building. Whilst this will be visible from the road, it will be a modest addition to this barn. It would be of a simple lean-

to form and clad in lightweight timber and a stone slate roof, reminiscent of typical modern agricultural extensions. It will be contained within the site between the barn and the access road. It is therefore considered that, in this context, such an extension would not harm the character and appearance of the barn and would not be incongruous in the wider landscape. Other alterations to the barn are minimal and would ensure that the character and appearance of this traditional barn is retained, in accordance with policy L3 of the Local Plan.

The barn appears to be in good structural condition although the proposal would include the removal of the lean-to and new openings. As such ,it is considered appropriate to add a condition prior to any works to the barn to require the submission of a structural method statement and detailed plans to show how any structural works will be undertaken and ensure they have a minimal impact on the historic fabric of the barn.

IMPACT ON NEIGHBOURS

The site is bordered to the south by Hill Croft Cottage and Hill Croft Barn. The amended proposal repositions the terrace of affordable houses 10 metres further north in the site. There will therefore be a distance of 28 metres between the side of Hill Croft Cottage and the nearest house. The houses will be 32 metres from Hill Croft Barn, which is also elevated above the site. The car parking serving the affordable houses is to be positioned closer to Hill Croft Barn (approximately 15 metres distance) but will be excavated into the hill side which will help to screen views of the car park and contain noise from cars. There is also space for landscape planting around the car park and between the houses and Hill Croft Cottage.

Rowe House is positioned to the east of the site, across the main road. Rowe House has a direct outlook over the site from the side windows serving that property. The nearest dwelling would be approximately 26 metres way which would mean there is sufficient distance to avoid an overbearing impact or loss of privacy through over looking. Rowe Farm is approximately 36 metres distance from the proposed barn conversion and positioned across the main road from the site. As such there is sufficient distance to avoid any loss of amenity to this property.

The site is allocated for housing and the proposed development is relatively low density and positioned at a sufficient distance from neighbouring properties to avoid any loss of amenity to residential amenity, in accordance with policy SP4 n) of the Local Plan.

HIGHWAY CONSIDERATIONS

The proposed access would serve all ten dwellings including the converted barn. The access would have visibility splays of 2m x 43m, which requires the removal of the front lean-to of the barn as referred to earlier in this report. There would be minor alterations to the position of the roadside walls adjacent to the access to improve visibility.

North Yorkshire County Council as the local highway authority has no objections to the proposal, although they have requested that there is a turning head to serve the affordable housing development. The applicant has been advised of the need for such a turning head and Members will be updated before the Committee meeting. This is a relatively minor technical specification, which can be conditioned if necessary. It is considered that the proposed access will provide adequate visibility onto the B6479.

The Parish Council has commented on the lack of a footway leading from the site to the village. However, it should be noted that there is no footway for most of the road into the

centre of the village and the development will reflect the existing character of the area. The highway is also a 30mph zone to the front of the site. The Highway Authority has not raised this as a concern, although they previously raised concerns regarding a footway proposed to the northern end of the site; this has now been omitted.

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.

ECOLOGY

The application is accompanied by an ecological appraisal which indicates that the land has no significant value from a nature conservation perspective in terms of either habitats or species present. There are national and international designations in the vicinity but none close by or likely to be affected by the development. The Authority's Senior Wildlife Conservation Officer has commented that, whilst the development will lead to the permanent loss of an area of species-poor grassland this will be compensated for, in part, by landscape planting on the boundaries provided locally-appropriate native species are used.

A European Protected Species Bat Survey has been prepared for the proposed barn conversion. This concludes that there was no evidence of the barn being used by bats although bat flight paths do go close to it. The Authority's Senior Wildlife Conservation Officer has commented that, although no mitigation is required it would be advisable to control external lighting with downward directed low intensity lighting so as to minimise the risk of bats being discouraged in following their usual commuting/feeding routes.

Policy W2 of the adopted Local Plan (2015 - 2030) requires all new development that would have an impact on biodiversity to provide a proportionate on - site contribution to wildlife enhancement. Given the scale of the development it is considered that a scheme which achieves the level of biodiversity enhancement set out in table 7 of the Local Plan is required by a condition. Such a scheme should include multiple durable nest boxes added or designed into each building and a comprehensive landscaping including woodland planting to the undeveloped south-western area of the site.

PARISH COUNCIL COMMENTS

Horton in Ribblesdale Parish Council has objected to the application on three grounds; highway and pedestrian safety, the position of the affordable houses and the position of the parking area for the affordable houses. The highway concerns have been addressed in the relevant section above. The Parish Council are concerned that the southern section of the site is to be developed. Whilst the development brief for the site anticipated that the southern section adjacent to Hill Croft Barn would not be developed, this was due to the topography, meaning any development on the hillside would be unsuitably elevated and overbearing. The proposal is for a roadside terrace which would not be unduly elevated above the road or neighbouring properties. The parking associated with the affordable houses will be relatively close to Hill Croft Barn, however, it is unlikely to cause significant noise given the parking will be set into the slope of the hill and surrounded by a high retaining wall. The applicant has been advised, however, to reposition the parking to the land immediately to the rear of the houses.

ANALYSIS OF MATERIAL CONSIDERATIONS

The proposal would involve the development of an allocated site for four affordable sale houses and five open market houses in accordance with policy C1 of the Local Plan. The

four affordable houses will be constructed and managed by Craven District Council as the Registered Provider, to ensure that they remain affordable in perpetuity to meet the need identified.

The design and layout of the proposed development has been amended with the affordable houses reflecting the simple traditional terrace properties in the village and the open market houses referencing a farmstead layout and design. It is therefore considered that the proposed development would be low density and of a design distinctive to the local area. The proposed houses would be sufficiently distanced from neighbouring properties to avoid any adverse impact on residential amenity. The proposed access road would have adequate visibility onto the highway and as such would not impact on highway safety.

The proposal also includes the conversion of the traditional roadside barn to a local occupancy dwelling in accordance with policy L2 of the Local Plan. The proposed conversion works would retain the overall historic significance of the building and the proposed alterations would retain the traditional character and appearance of the building and its setting.

It is it is therefore considered that the proposal is acceptable and would accord with policies SP1, SP2, SP3, SP4, C1, L1, L2, L3, W1, W2 and W3 of the Local Plan and the guidance contained in the National Planning Policy Framework and National Planning Policy Framework.

RECOMMENDATION

The recommendation is to grant planning permission subject to a section 106 agreement to cover the following matters;

- affordable housing provision, secured by the involvement of a Registered Provider
- the affordable housing would be made available on a 'cascade' basis [to the Horton in Ribblesdale parish first, then to adjoining parishes within the National Park (including split parishes), to the entire National Park, and finally the whole District Housing Authority area.]
- local occupancy restriction to the barn conversion
- landcaping scheme for areas outside of housing plots (including remaining field), to include long term management.

And conditions to be based on:
-time limit
-topographical survey and cross-sections, including approval of position and levels of affordable housing access and car park
-approval of design details (including materials, doors and windows, etc)
-hard and soft landscaping (including boundary walls and other means of enclosure, surfacing, planting, biodiversity enhancement),
-highway conditions
-drainage and surface water attenuation
-provision of bird/bat boxes
-provision of bin storage areas including waste/recycling storage
-control of external lighting (to include bat mitigation requirement)
-construction conditions
-window specification to protect against railway noise
-removal of permitted development rights

Schedule No:2

specific barn conversion conditions
-structural method statement and no rebuilding
-recording of lean-to to be removed
-no sandblasting
-approval of windows, doors, rooflights, vents etc
-approval of roofing and timber cladding to lean-to
-repointing

INFORMATIVES
Network Rail advice
Bats and Birds
Section 106

Extract from the Minutes of the Meeting of the Planning Committee held on 12 November 2019

(Part of Minute 66/19)

Application: List No 2: C/44/277A; Full planning permission for housing scheme to provide 5 No. open market dwellings (self build) and 4 No. affordable dwellings and, the conversion of barn to one local occupancy dwelling and creation of new access (AMENDED PROPOSAL), Land at Rowe Garth, Horton-in-Ribblesdale.

[Richard Foster, Robert Heseltine, David Ireton and Richard Welch all declared a personal interest in the application, as Craven District Council members. Mr Ireton and Mr Welch stated that they would join in with the debate but would not vote on the application.
Julie Martin declared a personal interest in the application as a trustee of Friends of the Dales.]

Decision: That, subject to approval of detailed highway layout being delegated to Officers and discussing options for improved pedestrian access, permission be granted subject to a section 106 agreement to cover the following matters;

- affordable housing provision, secured by the involvement of a Registered Provider
- the affordable housing would be made available on a 'cascade' basis [to the Horton in Ribblesdale parish first, then to adjoining parishes within the National Park (including split parishes), to the entire National Park, and finally the whole District Housing Authority area.]
- local occupancy restriction to the barn conversion
- landscaping scheme for areas outside of housing plots (including remaining field), to include long term management.

And conditions to be based on:

-time limit
-topographical survey and cross-sections, including approval of position and levels of affordable housing access and car park
-approval of design details (including materials, doors and windows, etc.)
-hard and soft landscaping (including boundary walls and other means of enclosure, surfacing, planting, biodiversity enhancement),
-highway conditions
-drainage and surface water attenuation
-provision of bird/bat boxes
-provision of bin storage areas including waste/recycling storage
-control of external lighting (to include bat mitigation requirement)
-construction conditions
-window specification to protect against railway noise
-removal of permitted development rights

specific barn conversion conditions

-structural method statement and no rebuilding
-recording of lean-to to be removed
-no sandblasting
-approval of windows, doors, rooflights, vents etc.
-approval of roofing and timber cladding to lean-to
-repointing.

Robert Heseltine, David Ireton and Richard Welch all requested that their abstention from voting be recorded.