Yorkshire Dales National Park Authority
Planning Committee

Item 2

Minutes of the meeting held at the Yorkshire Dales National Park Authority offices, Yoredale, Bainbridge, Leyburn DL8 3EL on Tuesday 23 April 2024.

Committee Members Present:

Liz Appleton Hall, Lizzie Bushby, Mark Corner, Richard Foster, Neil Heseltine, Robert Heseltine, David Ireton, Allen Kirkbride, Ian Mitchell, Jim Munday, Andrew Murday, David Noland, Yvonne Peacock, Jenny Purcell, Steve Shaw Wright, Graham Simpkins, Neil Swain (In the Chair)

13/24 Apologies and Notices of Substitution

Apologies had been received from Libby Bateman.

Notice had been received from Libby Bateman substituting Neil Heseltine.

14/24 Minutes

Resolved– That the minutes of the meeting held on 12 March 2024, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

15/24 Public Questions and Statements

No notifications of public questions or the intention to make a statement had been received

16/24 Declarations of Lobbying

Members made the following declarations of lobbying:

Member	Agenda item(s) on which lobbied	For or Against
Liz Appleton Hall	5.7	Against
Allen Kirkbride	5.7	Against
Yvonne Peacock	5.7	For and Against

17/24 Applications For Planning Permission

The following members of the public addressed the meeting on the Plans List item indicated:

List No	Parish	Application No	Location	Speaker

1	Linton	C/50/46M	Formerly Linton School and Campsite, Linton, Skipton, North Yorkshire, BD23 5HQ	**Martin English**
6	Sedbergh	S/03/759	Cross Keys Footbridge and Layby, A683, LA10 5NE	**Chris Notlingk Elliott Lorimer**
7	Hawes	R/56/154F	The Moorcock Inn, Garsdale, LA10 5PU	**David Metcalfe**

CONSIDERED – the report of the Head of Development Management, listing applications for planning permission and the recommendations thereon, together with late consultations and update reports circulated after the despatch of the agenda but prior to the meeting

Application Plans List No – Application No - Proposal and Decision

Note: These decisions are recorded in the order in which they appeared in the Schedule of Planning Applications NOT necessarily the order in which they were considered by the Committee.

Application: List No 1: C/50/46M - Full planning permission for demolition of existing buildings and redevelopment of the site for tourist accommodation (amendment to previously consented application C/50/46L) at Formerly Linton School and Campsite, Linton, Skipton, North Yorkshire, BD23 5HQ.

Decision: That permission be GRANTED subject to conditions based on the following:

- time limit
- accordance with approved plans
- drainage and flood risk requirements
- design details (including grass roof design and management)
- tree protection, landscaping and biodiversity enhancement (to include further investigation and consideration of the impact of planting on the water pipelines and the design and any access to the bat/bird house)
- lighting strategy (to accord with adopted Lighting Management Plan)
- adherence to ecological appraisal (to include up to date bat emergence survey work and a prior check for bats and birds before demolition)
- construction management conditions
- archaeological evaluation and recording
- reporting unexpected contamination
- highway requirements including, bus stop, access and parking requirements
- approval of route and detail of footpaths
- noise mitigation measures to buildings/site
- management plan (including opening hours, operation of parking/public using the site facilities and, restriction of the holiday units to managed short term accommodation)
- restrict permitted development rights/use
- restriction of temporary structures, outside use and storage
- implementation of a sustainable travel plan
- detail of flues

And informatives;

Application Plans List No – Application No - Proposal and Decision
• ethylene pipeline requirements • protection of/importing of topsoil • bats and birds
Application: List No 2: E/01/59– Outline planning permission with some matters reserved in respect of erection of a single storey dwelling, together with installation of a package sewage treatment plant, Stackyard Field, Adjacent Sunny Garth, Little Asby, Cumbria, CA16 6QE. **Decision**: That permission be GRANTED subject to a section 106 planning agreement securing local occupancy of the dwelling: and conditions including the following: • Time limit • Submission of reserved matters • Plans • Landscape planting scheme • Removal of permitted development • Control of lighting • Biodiversity enhancement • Highway access • Nutrient neutrality mitigation • Drainage details • Archaeological recording
Application: List No 3: S/01/354 – Full planning permission for conversion of barn to 1 no. dwelling for local occupancy or short term holiday let, with associated parking and curtilage at Parkers Barn, Parkers Cottage, Deepdale, Dent, Sedbergh, LA10 5QY **Decision**: It is recommended that permission is GRANTED subject to a section 106 agreement securing use of the barn for local occupancy, in accordance with the requirements of appendix 5 of the adopted Yorkshire Dales Local Plan, and/or short term holiday letting, and conditions including the following: - Development to commence within 3 years. - Approved plans and documents list. - Permitted development rights removed. - Materials as specified. - Window frames to be recessed.

Application Plans List No – Application No - Proposal and Decision
- Conservation rooflights specified. - Control of external lighting. - Roofing materials retained and reused. - Submission of window and door details. - External pointing details. - Ecology mitigation measures implemented. - Unexpected contamination to be reported. - Approved landscape planting scheme to be implemented. .
Application: List No 4: S/03/530B - Full planning permission for change of use of the commercial element of the building from Class E to Class C3 (dwellinghouse) in association with the remainder of the property at 9, Finkle Street, Sedbergh, LA10 5BZ **Decision**: That permission be GRANTED subject to a S106 agreement to secure local occupancy and conditions including the following: • Time limit • Approved plans • Room to be occupied only in conjunction with adjacent dwelling and not as an independent dwelling • Removal of permitted development rights for alterations/extensions to a dwelling house
Application: List No 5: E/12/45- Full planning permission for alterations to the window and door details originally approved under Planning Application reference 16/0453 and Prior Approval 14/0721 (Change of use of agricultural building to residential use), associated operational development to form steps and hardstanding for use in association with the residential use and, for the installation of 5 No. rooflights and flue, and oil tank together with change of use of the curtilage including the outbuildings to ancillary domestic use (part retrospective) at Old Dairy Barn, Rigg End, Newbiggin on Lune, Kirkby Stephen, CA17 4NB The Agent confirmed the application is withdrawn the decision relates to the pursuit of Enforcement action **Decision:** That the following action is agreed by the Committee: a) That the Authority's solicitor be authorised to serve an enforcement notice to secure: I. Cessation of the use of the area comprising the raised patio for ancillary residential purposes; II. Removal of the hot tub and fencing;

Application Plans List No – Application No - Proposal and Decision
III. Removal of the patio and reinstatement of ground levels to those existing before the unauthorised works; IV. A period of compliance of 1 month be specified to cease the use, and 3 months to remove fencing, hot tub and ground levelling works. b) In the event if non-compliance with the requirements of the enforcement notice the Authority's Solicitor be authorised to commence prosecution proceedings.
Application: List No 6 – S/03/759- Full planning permission for replacement of an existing footbridge and steps, with a road level full accessible bridleway bridge with multi user access capabilities, works to layby parking area and provision of a safer walkway from the road to the bridge at Cross Keys Footbridge and Layby, A683, LA10 5NE **Decision:** That permission be GRANTED subject to conditions including the following: • Three year time limit for implementation • To be constructed in accordance with the approved plans and documents • Construction Environment Management Plan (incorporating footbridge demolition) • Colour of steel work (RAL 7009: green Grey) • Biodiversity enhancements to be installed • Landscaping details and implementation • No lighting or gates unless details first agreed • Tree protection measures • Details to be submitted: stone facing, bollards, surfacing • In accordance with any FRA measures relating to flood warning during demolition and construction • Details of any mitigation measures (e.g. signage or waiting area), relating to conflict between users of the bridge to be submitted and approved.
Application: List No 7 – R/56/154F - Full planning permission for change of use of public house to 1no. dwelling and 2no. B&B letting rooms, and change of use of Manager's accommodation to licensed tearoom and 1no. self-contained holiday let including alterations to windows and doors (retrospective) at The Moorcock Inn, Garsdale, LA10 5PU **Decision:** That permission be REFUSED based on the following: • In the opinion of the Local Planning Authority the Inn is considered to be a valuable community facility with potential for a sustainable business to continue in the future. There have been no independent assessments carried out to demonstrate that there is no option other than to permanently close it and change its use to a dwelling. Furthermore, the proposed tearoom and letting

room use is not considered to be of equivalent benefit to the community or the local economy. As such the proposal is considered to be harmful to the social vitality of the community and the rural economy. The proposal does not accord with policies SP2, SP4, C9 and BE7 of the Yorkshire Dales Local Plan (2015-2030), paragraphs 88 and 97 of the National Planning Policy Framework, National Park purposes and the Statutory Duty to foster the economic and social well-being of communities within the National Park.

In the opinion of the Local Planning Authority the manager's accommodation is required in order to support the viability of the employment use of the premises by allowing more rooms within the main building to be used as letting rooms directly linked to the public house business. The use of the space as a tearoom and short-stay holiday let results in the loss of accommodation for a manager and without evidence to the contrary, is considered to be harmful to the viability of the main business and the local economy.
This is contrary to policy BE7 of the Yorkshire Dales Local Plan (2015-2030) and paragraph 88 of the National Planning Policy Framework.

- In the opinion of the Local Planning Authority the self-contained holiday let amounts to a new dwelling in a remote rural location and it has not been demonstrated that it is required for a rural worker. Furthermore, it does not amount to the subdivision of an existing residential building. It therefore amounts to unsustainable development, contrary to policies SP3 and C3 of the Yorkshire Dales Local Plan (2015-2030), and paragraph 84 of the National Planning Policy Framework.

- In the opinion of the Local Planning Authority the fenced enclosures introduce poorly designed, domestic visual clutter, and the removal of the signage detracts from the character and cultural significance of the building as a public house, contrary to policy SP4 of the Yorkshire Dales Local Plan (2015-2030)

- Given the harm outlined in the refusal reasons, it is advised that it is expedient to take enforcement action, and that the following action is agreed by the Committee:

a) That the Authority's solicitor be authorised to serve an enforcement notice to secure:

I. Cessation of the use of the Manager's accommodation as a tearoom and holiday let.
II. Cessation of use of the main Moorcock Inn as a dwelling house.
III. Removal of tearoom and holiday let fixtures and fittings, including from external land, fenced enclosures and window and door alterations.
IV. Remove all fixtures and fittings associated with use as a dwelling house from the bar and public areas in the main Moorcock Inn, and also removal of partition walls and new staircase.
V. A period of compliance of 6 months be specified.

b) In the event of non-compliance with the requirements of the enforcement notice the Authority's solicitor may commence prosecution proceedings.

17/24 Planning Enforcement Closures Report

Considered and **Noted** the report of the Head of Development Management

There being no other business the meeting closed at 15:16 p.m.

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