Yorkshire Dales National Park Authority **Item 5**

Planning Committee

14 April 2026

List of Applications for Permission to Develop

Attached to this report are details of applications for permission to develop, together with Officers' recommendations.

For Members' information:

1. The plans and information submitted with each application, together with consultee and neighbour/interested party responses are available to Members and the public on the Authority's website.

2. Late representations will be available on the Authority's website after 5.30pm on the Friday before the Committee meeting.

3. The time period for responses to consultations/publicity carried out on individual applications may not have expired before the date of the Committee meeting. Any responses received after the meeting will be taken into account in drafting conditions/reasons for refusal. If such responses received within the specified period are contrary to the Committee's resolution and raise new matters, the application will be presented for reconsideration by the Planning Committee at a future meeting.

4. All applications that are recommended for approval will have the appropriate time limit conditions attached, to comply with Sections 91-94 of the Town and Country Planning Act 1990.

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Katherine Wood
Head of Development Management

Background documents:
Some or all of the following comprise the list of background papers unless they contain Exempt Information:

- Application forms, plans, covering letter, and certificates.
- Other material submitted with the application.
- Further correspondence with the applicant/agent.
- Details of consultation and neighbour notification.
- Consultation replies.
- Other representations received.
- Site notes.

Yorkshire Dales National Park Authority **Item 5**

Planning Committee

14 April 2026

List of Applications for Permission to Develop

Index of Applications

LIST NO	PARISH	APPLICATION NO	APPLICANT(S)	LOCATION
1	Grassington	C/33/184R	Mr M Oversby	Town Head Farm, Highcroft, Grassington, Skipton, BD23 5BL
2	Long Preston	C/52/747/PIP	Ms E Graham	Land at West End, Long Preston (GR:382857,458548)
3	Aysgarth	R/51/60G	Aysgarth Camping	Town Ends, Aysgarth, Leyburn, DL8 3AQ
4	Firbank	S/06/10A	Mr E Lord & Ms C Thompson	Moss Foot, Firbank, Sedbergh, LA10 5EL

Yorkshire Dales National Park Authority

Planning Committee

14 April 2026

Applicant: Mr M Oversby

Parish: Grassington

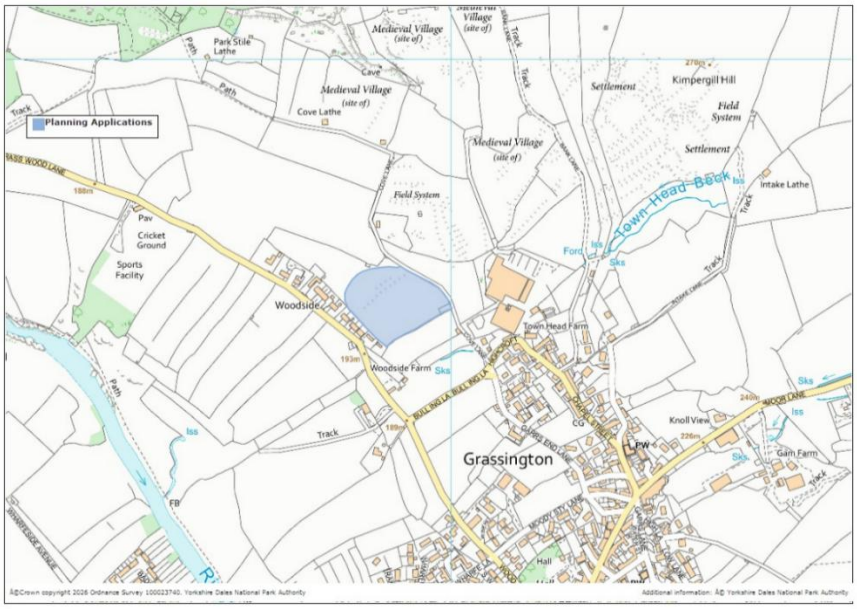
Application No: C/33/184R

Site Address: Town Head Farm, Highcroft, Grassington, Skipton, BD23 5BL

Proposal: Full planning permission for installation of geotextile slurry storage bag

Purpose of Report

1. That Members refuse 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 application has been called to Committee by Mr Foster for the following reason: “There has long been concern within the community about the risk to waterways from the business of the farm. Whilst I understand the responsibility is with the farmer the perception that we just said no to measures that could have prevented a incident without debate does not sit well with me.”

Application Site

3. The application site is on land approximately 120m to the west of Town Head Farm, a large dairy farm on the northern edge of Grassington. The site is an agricultural field used for cattle grazing on the south/western side of Cove Road and to the rear (north east) of a row of dwellings on Grass Wood Lane. The field is bound by dry stone walls; it is undulating and slopes gently down towards the west and a ‘pond’ has formed in the lowest part.

4. The landscape in the surrounding area is a pastoral one, gently sloping, with open grazed fields divided by dry stone walls. There is very little tree cover with only occasional trees along Cove Road and Grass Wood Lane, which further contributes to the open pastoral character of the landscape. To the east, the elevated landscape is rougher and more exposed with rocky outcrops protruding through the short, cropped grass on the steeper land.

5. There is an extensive public right of way (PRoW) network in the surrounding area, including the Dales Way long distance footpath, which provides views across the site from the higher ground to the north and east.

6. The eastern boundary of the site follows the line of Cove Road, a walled farm access used by the public as a footpath, although it is not a designated right of way.

7. Other than the National Park designation there are no other specific planning constraints to the site which is located in Flood Zone 1. Nonetheless, the site is within a highly archaeologically sensitive area. It is located on the edge of an extensive area of archaeological earthwork remains representing a range of periods from prehistoric to medieval. These remains are non-designated heritage assets.

8. The site is within Landscape Character Area 16 (LCA16) as defined in the Yorkshire Dales National Park Landscape Character Assessment.

Proposal

9. This application seeks full planning permission for the installation of a dark green geotextile slurry storage bag within a grassed, bunded area that would have an overall size of 41m x 75m. The proposed development would see the remodelling and excavation of an area of land 3,075m2, with the storage bag itself measuring 2,310m2. The storage bag would be excavated and lined with sand, sloping to a maximum depth of around 4.0m deep. The bund will be a U shape and of a varied height, up to a maximum of 3.0m high. The storage bag itself would measure 35m x 66m.. An additional 27 trees are proposed surrounding the bund.

10. A new access and pumping station are proposed to the east of the storage bag, outside of the bund, parallel to Cove Road. The access would be surfaced with crushed stone and would be approximately 5m wide and 75m long leading to a surfaced, turning area of approx. 17m diameter to the north of the storage bag and bund.

11. The Applicant advises that they have carried out detailed research and preparatory work before submitting this application which considered a range of other sites within the farm holding. A number of constraints were identified, including the relationship of land with neighbouring properties, topography, heritage earthworks and rented land. The Applicant advises that the selected site remains is the best performing of the sites tested both from an operational and visual/residential amenity perspective.

12. Within the supporting Planning Statement, the applicant advises that the application has been submitted as a result of the introduction of The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 and that the farm needs to provide both covered and additional slurry storage.

13. The Applicant advises that they require the slurry bag to comply with recent Environment Agency regulations requiring slurry storage systems to have a 6-month spare capacity for storage. The applicant is supported by the Environment Agency who are urging the applicant to show some progress with the scheme. The applicant has applied for the Slurry Infrastructure scheme to the Rural Payments Agency, as the application site falls within a high priority area as highlighted by DEFRA and the Environment Agency who are in line to provide grant funding for part of the development.

14. The existing slurry system is an open roofed concrete tank just to the east of the existing farm buildings. This has a capacity of 600m3. It is fed by a gravity system from the farm buildings, whereby the slurry is scraped into underground pipes which into the existing tank. The slurry is then piped into fields either by using a tanker or by using dribble pipes directly from the tank. This tank does not have a large enough capacity to hold the additional 6 months capacity that the Environment Agency now requires.

Relevant Planning History

15. There is a lengthy planning history related to the main farm complex and dwellings associated with it, however these are not directly relevant to the current proposal. The following application is relevant:

    C/33/184P - Full Planning permission for erection of a concrete panel slurry store with a geotextile cover to serve the farming activities and to provide 6 months slurry Storage - Refused 20/06/2022

Consultations

16. The comments of statutory and non-statutory consultees are summarized below:

    Historic Environment - The proposed development is within a highly archaeologically sensitive area. It is located on the edge of an extensive area of archaeological earthwork remains representing a range of periods from prehistoric to medieval. These remains are non-designated heritage assets and are a material consideration in the planning process.

    The applicants commissioned an archaeological geophysical survey of the land in the vicinity of the location of the proposed slurry lagoon which revealed evidence of below ground remains. On the basis that the extensive planting proposal submitted previously (plan no. TS473-2B) has been dropped, a condition requiring archaeological monitoring could be applied should the proposal be approved. Fieldwork should be undertaken by a suitably accredited archaeological consultancy to a Written Scheme of Investigation approved by the Authority.

    Wildlife Conservation Officer – No objection – given the scale and nature of the proposed development, it would not be likely to have a significant effect on the SAC.

    Trees & Woodlands – No formal comments received.

    Environmental Health Officer – Having considered the above application and with regard for the residential properties located within 200 meters of the proposed slurry tank an odour management plan will be required, outlining the control system or method to be used for abating the odour released from the slurry store. Additionally, the slurry store will require adequate maintenance to ensure the integrity of the store.

    Natural England **–** Not able to provide advice on this application.

    Environment Agency – No objection but suggests the development must comply with a range of regulations relating to pollution prevention measures.

Grassington Parish Council – The Parish Council has been reconsulted on the amended plans and resopnded to say “Members could not collectively agree on this application and have no further comments to submit”

The original comments of the Parish Council did not provide a recommendation but noted that it’s members voted 4 against and 3 in favour. Summarised, the comments are as follows:

For
- The site chosen is the best as it would not need much digging out
- Will not be in direct views of the properties on Woodside

Against
- Even though it is a working landscape and new development cannot always be mitigated against, this will still result in an enormous geotextile footprint.
- Whilst it may be the best location within the farms existing land ownerships, that cannot be a material consideration for planning decisions
- There must be alternative solutions or locations for this proposal

17. A site notice was displayed on 02 June 2023 and expired on 23 June 2023. Public responses received at the time of writing: 4

18. Four letters of objection have been received, raising the following issues:

- It will be visually intrusive and highly prominent regular, geometric shape that will be visible form the Dales Way, public footpaths and view points in the area and in long distance views from further afield.
- There is already a noisy diesel pump which pumps slurry into tankers and its not fed by gravity. There will be an increase in the noise generated from the pumps. They should use a silenced modern pumping system.
- There will be an increase in the number of tractors and trailers that will move around the farm, and this may be dangerous for walkers.
- Any leaks and spills could have serious environmental implications.
- There is no requirement under the EA regulations to provide this 6-month storage.
- No visual assessment of the landscape impact has been made.
- The proposal is unnecessary.
- They could have a new, smaller tank and use the existing tank.
- It will bring air pollution closer to local residents and they will have their human rights infringed.
- There are other sites within the farm that can be used.
- The area of wetland which has evolved, is well used by wild fowl and birds and will be lost. Where will this water drain to, and where will any additional surface water collected drain to?

Assessment

Key Issues:

- Principle of Development
- Impact on the Landscape
- Archaeology
- Impact on Residential Amenity
- Biodiversity
- Parish Council comments

Principle of development

19. The National Park Authority (NPA) has two statutory purposes set out in Section 11A of the National Parks and Access to the Countryside Act 1949, as amended by the Environment Act 1995:
    i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and
    ii) to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

20. In pursuing its statutory purposes, the Authority also has a duty to foster the social and economic well-being of local communities.

21. The Development Plan is the adopted Yorkshire Dales Local Plan 2015-2030 however the emerging Local Plan 2025-2040 has reached a very advanced stage (the examination into the Plan took place in December 2025 and final modifications have been made). The following policies in the draft plan are considered relevant in this case:

    - CP1 Sustainable Development
    - CP2 National Park Purposes
    - CP6 Design
    - CP8 Landscape Character
    - CP9 Biodiversity Net Gain
    - E2 Rural Land-based Enterprises

22. These policies are considered to be consistent with the National Planning Policy Framework and, in so far as they relate to this application, there are no outstanding objections to them which would affect the weight to be given to them. On that basis, the policies of the emerging Plan should be given significant weight in the determination of this application.

23. Policy SP1 of the current Local Plan makes clear that the Authority will presume in favour of development which is found to be sustainable. Sustainable development is

development which, amongst other things, makes the National Park a high quality place to live and work, contributes positively to the built environment by having regard to the site context and conforms to the National Park Design Guide. This is reflected in Policy CP1 of the emerging Local Plan.

24. Policy SP2 mirrors the statutory purposes and duty and is repeated in emerging Policy CP2.

25. Policy SP4 outlines, amongst other things, that design must be informed by and respond positively to the site, its surrounding context and landscape setting. Design must also be of high quality, have visual interest and reinforce local distinctiveness. Development should not, inter alia, give rise to unacceptable, adverse impacts in terms of important local views. The requirement for high quality design is reflected in Policy CP6 of the draft Local Plan.

26. Local Plan Policy BE2 and Policy E2 of the draft Local Plan allow new development for rural land-based enterprises if it is necessary to serve the needs of the enterprise in that location. Development will be required to be dismantled and removed from the site when no longer required, and the site restored to its former condition, unless permission is given for an alternative use. Policy E2 also requires consideration of impact on the landscape and the quality of the environment.

27. Policy E2 also sets out that proposals for large new buildings, major infrastructure or facilities needed to support significant increases in stocking levels that might otherwise risk harm to the landscape or other special qualities of the Park, will not be permitted, unless they are justified by a business case that provides evidence of the need for the proposal. Mitigating measures will also be required.

28. Large new buildings and structures will, among other things, only be permitted if they are carefully sited within existing building groups or are screened by landscape planting. All proposals should take the opportunity to enhance the existing situation, through nature friendly design, reduced lighting impacts, biodiversity net gain or remodelling of a site to improve its landscape impact and environmental performance. Paragraph 9.29 of the justification for Policy E2 notes that, over time, new uses can sometimes outgrow a rural location.

29. In this case, the provision of a slurry store as proposed draws support from Policy BE2 and E2 in that it is accepted that it is necessary to meet the needs of the farm enterprise based at Town Head Farm. The key issue in respect of the Development Plan as a whole is whether the proposals constitute sustainable development having regard in particular to the requirements of Policy E2, including landscape impact, archaeology and impact on neighbouring property. These matters are addressed below.

Impact on the Landscape

30. Due to its location within the National Park, the impact of the development on the natural beauty and intrinsic character of the landscape is a key consideration, given the statutory duty set out above and paragraph 189 of the NPPF which sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. Policy CP8 of the draft Local Plan requires new development proposals to conserve and enhance the natural beauty and the special character of the landscape of the National Park. This is a high bar, considering the first statutory purpose.

31. Policy SP4 specifies that design should be informed by, and respond positively to the site, its surrounding context and landscape setting, so that the scale, height, proportions, massing, form, materials and appearance of buildings and structures are sympathetic and complementary. Policies CP6 and E2 of the draft Local Plan also require good design which reflects the character and appearance of the area (the requirements of emerging Policy E2 are set out above). The NPPF, at paragraph 135, requires development to a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) be sympathetic to local character and history, including the surrounding built environment and landscape setting; and d) establish or maintain a strong sense of place.

32. The site is located in the Wharfedale Landscape Character Area (LCA 16) in the Yorkshire Dales National Park Landscape Character Assessment. The area within which the site is located is a landscape characterised by relatively small fields bounded with dry stone walls and containing earthworks of historic or geological interest.

33. The application has been supported by a Planning Statement and Section 6 deals with ‘Appearance and Landscaping’. It states that the excavated pit would have a layer of fine sand to support the geotextile fabric bag. The bag itself would be dark green and would cover the entire expanse of the pit. Initially it was proposed that a soft grass bund and mixed native hedge would be provided around the perimeter of the slurry bag and a small gravel yard required to park slurry tankers. A basic landscaping plan was also submitted.

34. The application has been further supported by a Landscape and Visual Assessment report (LVA) which explains that its purpose is to identify and describe the potential landscape and visual effects arising from the development. At paragraph 4.3 the LVA sets out the proposed mitigation as follows:

    • Siting within an existing agricultural field adjoining the farm
    • Low profile form, contained below drystone wall boundaries
    • Earth bunds designed with naturalised slopes

• Agricultural context where such infrastructure is expected

35. Paragraph 4.4 confirms that the previously proposed hedge would no longer be provided as it says that no additional mitigation planting is proposed, as this would be uncharacteristic of the open pastoral landscape and drystone-walled field pattern that defines the Wharfedale and Craven Fault Area character. The grassed earth bunds, together with the existing landform, are considered by the report author to provide appropriate and sufficient integration, allowing the development to read as part of the agricultural landform rather than as a screened or enclosed feature.

36. The LVA concludes that the proposal would be located within an existing enclosed pastoral field, directly adjoining the established farmstead, and positioned within a shallow basin landform that provides a high degree of natural containment. It is indicated that because of the height and siting of the proposals, and the use of engineered earth bunds aligned with existing contours, the development would result in minor, localised adverse effects limited to the immediate site and its setting. There would be no loss of landscape features, no disruption to historic field patterns or drystone walls, and no effects on key characteristics of the Yorkshire Dales National Park, Wharfedale Landscape Character Area, or the Craven Fault Area sub-area. The LVA says that the integrity, character and special qualities of the designated landscape would be preserved.

37. Furthermore, the LVA recognises that the most noticeable visual change would occur for a small number of nearby residential receptors on Grass Wood Lane, where the proximity of the site and partial open views result in a moderate magnitude of change. the overall level of visual effect for these receptors is assessed as moderate and adverse. Users of nearby public rights of way would experience intermittent and filtered views of the development, resulting in slight and adverse effects at closest locations, reducing to negligible with distance. Visual effects for road users and distant viewpoints would be negligible.

38. The LVA concludes that there would be no direct or indirect effects on designated ecological sites, heritage assets, or key panoramic views, and there would be no adverse effects on the wider appreciation of the National Park landscape. Overall there would be minor and slight adverse landscape and visual effects only, which are proportionate, contained, and consistent with the working agricultural character of the area.

39. There have been various discussions throughout the application process between officers and the applicant/agent, including suggestions of a mitigation plan for the farm complex as a whole to mitigate the overall effects of the holding on this sensitive landscape. Most recently a site visit took place between officers (including the Senior Trees and Woodland Officer and the Senior Historic Environment Officer). During that visit officers made clear that they had reservations about the acceptability of the scheme on landscape grounds. The site was viewed from various vantage points along the Dales Way footpath from which it is clearly visible.

Potential options for additional planting in strategic locations outside the application site, both in the fields to the north of the site and at Town Head Farm itself were discussed however no revised landscaping proposals have been put forward. The applicant/agent was also asked to consider alternative sites which officers considered may have a lesser impact on the landscape however nothing has been presented in this respect.

40. Despite what is said in the LVA the site is clearly visible from various vantage points including public footpaths on the higher ground to the north, including the Dales Way. The LVA indicates that the surface of the slurry bag itself would not be visible from viewpoints it tested however, because of its scale and geometric shape, and because it would be isolated from the main farm complex (contrary to the assertion in the LVA that it would be 'adjacent') and set within a network of small fields bounded by stone walls, the proposal would be an incongruous and alien feature in the landscape. Contrary to the requirements of Policy E2 the development would not be sited within existing building groups or screened by landscape planting and would be a significant detractor of landscape appearance and character rather than enhancing the existing situation.

41. It is not agreed as asserted in the LVA that 'The grassed earth bunds, together with the existing landform, provide appropriate and sufficient integration, allowing the development to read as part of the agricultural landform rather than as a screened or enclosed feature'. Whilst the bunding would provide some screening at lower levels, this in itself would be an incongruous feature in the landscape, and the development as a whole would remain visible from the public footpath network on the higher ground to the north. Whilst there are some mounds in the immediate area, suspected to be formed from glacial deposits, the bunding would have an overtly engineered appearance. It is possible that some off-site strategic planting could help to filter views and screen the development from certain viewpoints, however no proposals have been put forward in that respect and it is unclear whether the applicant has long term control over the relevant land.

42. The Yorkshire Dales Design Guide advises that slurry stores should ideally be sited next to existing buildings within a farm complex; should be sunk into the land to reduce their prominence; and should be screened either by earth bunding, drystone walling, a native hedge or tree planting, so as to minimise their impact. Whilst attempts have been made to minimise its impact through the design, including the provision of bunding, the proposal is not well related to the existing farm complex - it would be well over 100m distant from the nearest farm buildings and does not visually relate to them. Whilst the farm complex is constrained due to its extent and the surrounding landform, there do appear to be alternative solutions which would have a lesser effect on the landscape.

43. The proposal also includes the construction of the vehicular access track and turning circle for tankers. It is noted that this part of the proposal is not assessed in the LVA. This would be surfaced with crushed rock, and would not be visible from closer

views, but its large circular shape and lighter coloured materials (which it is accepted would weather down to a degree) would look anomalous in the landscape from longer distance viewpoints including from the Dales Way to the North.

44. To meet National Park purposes, development must conserve or enhance the landscape character of the National Park through use of high-quality design and appropriate landscaping. It is not considered that the proposed development would either conserve or enhance the landscape. Rather, the introduction of a slurry bag, bund and access/turning circle, along with the excavation works and engineering operations required to achieve it, would be harmful to the landscape by introducing an alien and incongruous feature that cannot be suitably mitigated or assimilated into the established, open landscape character. The proposals would therefore be contrary to Policies SP1, SP2 and SP4 of the Local Plan, Policies CP6, CP8 and E2 of the draft Local Plan, the requirements of the Yorkshire Dales Design Guide and the design guidance at sections 12 and 16 of the NPPF.

Archaeology

45. The application site lies within a highly archaeologically sensitive area owing to the pre-historic to medieval earthworks that are in the area, and these are non-designated heritage assets. Policy L1 of the Local Plan refers to Heritage Assets and requires that any development proposal that affect a heritage asset will need to be accompanied by a proportionate assessment of the significance of those parts of the assets that would be directly or indirectly affected by the proposal, together with an assessment of the impact of the proposal on that significance. Policy SP4 also requires development to conserve or enhance the archaeological, architectural and historical character and appearance of the site and its setting. This is reflected in section 16 of the NPPF.

46. The applicant commissioned an archaeological geophysical survey of the land in the vicinity of the location of the proposed slurry lagoon as recommended by the Senior Historic Environment Officer (SHEO). This survey revealed evidence of below ground remains of lynchets and ridge and furrow cultivation of possible medieval date across the site. In addition, there are a number of dipolar magnetic anomalies shown on the survey plan.

47. Whilst initially the SHEO requested on site trial-trenching, this was as a result of the off-site landscaping previously proposed. On the basis of the current scheme (minus landscape planting) the SHEO is satisfied that any archaeology on the site could be suitably controlled by planning conditions.

Impact on Residential Amenity

48. Policy SP4(n) sets out that development will be permitted where it respects the amenity of neighbours and the adequate level of amenity for its future occupants in relation to nearby uses. Policy CP6 of the draft Local Plan requires proposals to

have regard to surrounding amenity and Policy E2 requires consideration to be given to the quality of the environment. This is reflected in the NPPF at paragraph 135(f) which requires proposals to promote health and well-being, with a high standard of amenity for existing and future users.

49. Concerns have been raised by occupiers of nearby dwellings on Grass Wood Lane in respect of noise and air pollution arising from the proposals, and the potential harm of any leaks and spills on the environment. The Environmental Health Officer (EHO) has been consulted and advises that with regard for the residential properties located within 200 meters of the proposed slurry tank an odour management plan will be required, outlining the control system or method to be used for abating the odour released from the slurry store. Additionally, the slurry store will require adequate maintenance to ensure the integrity of the store.

50. The application has not been accompanied by any odour management or maintenance plans which would give comfort that any potential harms arising from the proposals could be adequately addressed. The application does not provide any commentary on the relationship with nearby properties however it is explained that the slurry bag would be a sealed receptacle fitted with suction and fill lines and valves. Slurry would be stored within the vessel all year round and applied onto the farmland when the grass is growing and can make full utilisation of the available nutrients and reduce any potential for run-off.

51. The slurry would be applied using an umbilical system and dribble bar which it is advised is good for soil health as it reduces compaction and would reduce ammonia emissions by adopting low trajectory spreading technology. It is further said that the sealed system would not allow ammonia escape during the storage process and that the bag would be fitted with internal mixing equipment which would stir the liquid prior to pumping into the slurry spreader and not allow ammonia escape. This will in turn reduce the level of unpleasant odours.

52. Whilst the EHO refers to properties with a 200m radius, the properties on Grass Wood Lane are within 70m of the site, as is the property Stone Barn which is currently being converted to residential use (a temporary residential unit is currently being occupied by the owners whilst conversion works are ongoing – this use is immediately south of the application site boundary). These properties are not shown on any of the application plans.

53. Whilst the application indicates that the level of unpleasant odours would be reduced, they would not be eliminated. Smells arising from farms are clearly part of living in a rural area however there is no evidence submitted with the application which demonstrates that the odours would be at an acceptable level and, as per the EHO comments, no odour management plan or maintenance plan have been submitted.

54. However, it should not be assumed that the submission of odour management and maintenance plans would necessarily address these concerns. Human experience is inherently subjective and can't be fully quantified. Technical data often focuses on isolated aspects rather than how they interact to create a complete, lived experience. As well as odour issues there would be an effect on the outlook from these properties which would need to be considered in the round. Similarly, human health should not be limited to the physical; it also extends to mental health and the well-being of communities (see NPPF paragraph 135(f)).

55. At this stage therefore it has not been demonstrated that the proposed development, given its siting, general nature and potential odours arising from it, would not give rise to unacceptable impacts on the living conditions of the residents of nearby properties, contrary to Policy SP4 of the adopted Local Plan, Policy CP6 of the draft Local Plan and guidance at paragraph 135 of the NPPF.

Biodiversity

56. The application was submitted prior to Schedule 7A of the Town and Country Planning Act 1990 coming in to force, therefore statutory biodiversity net gain doesn't apply. Nevertheless, Policy W2 of the Local Plan requires new development that would have an impact on biodiversity to make a proportionate on-site contribution to wildlife enhancement. Policy CP9 of the draft Local Plan sets out that development proposals should contribute towards nature recovery and enhance wildlife. The NPPF also requires net gains for biodiversity (paragraph 187d refers).

57. No information has been submitted in respect of net gains so it is impossible to define the baseline biodiversity on the site. It is clear some biodiversity would be lost on this green field which also includes a wetland habitat. The original application included hedging which could have provided some enhancement however it is unlikely that this would have fully compensated for the losses (and as indicated in the LVA would not be appropriate in this landscape). At this stage therefore it has not been demonstrated that the proposals would provide adequate net gains in biodiversity contrary to the adopted and emerging development plans and the requirements of the NPPF.

Parish Council Comments

58. The concerns raised by the Parish Council are assessed above, including in respect of potential alternative sites.

Equality Act

59. 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.

60. 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

61. It is agreed that there is a need for the farm enterprise to increase its capacity for slurry storage to meet the needs of the existing operations at Town Head Farm which appear to have increased significantly in recent years. The provision of the slurry bag would therefore result in clear environmental benefits and some minor economic benefits relating to the construction period and the contribution of the development to the overall business. These benefits are given moderate weight.

62. As set out above, the proposals would also lead to environmental harm in that the development would cause significant harm to the characteristic landscape within which the site is located. The site is visible from public vantage points on the public right of way network and from the residential properties on Grass Wood Lane. This harm is given substantial weight. In this context, it is considered that there are more appropriate solutions in respect of solving the capacity problems at the Farm.

63. The proposal, given its proximity to residential properties on Grass Wood Lane and Cove Lane, and in the absence of any information on odour management, would give rise to negative impacts on the living conditions of the residents of nearby properties, which harm attracts substantial weight against the proposals.

64. Furthermore, it has not been demonstrated that the proposals would provide adequate net gains in biodiversity contrary to the adopted and emerging development plans and the requirements of the NPPF. This weighs against the proposals.

65. Overall therefore, whilst the need for the development is understood, it is not considered that this need outweighs the clear environmental harms identified above.

Recommendation

66. It is recommended that permission be refused based on the following:

    1. In the opinion of the Local Planning Authority, the introduction of a slurry bag, bund and access/turning circle, along with the excavation works and engineering operations required, would be harmful to the landscape by introducing an alien and incongruous feature that cannot be suitably mitigated or assimilated into the established, open pastoral landscape character. Consequently, the proposals

would neither conserve nor enhance the natural beauty of the Yorkshire Dales National Park and would be contrary to Policies SP1, SP2 and SP4 of the Yorkshire Dales Local Plan (2015-2030), Policies CP6, CP8 and E2 of the draft Yorkshire Dales Local Plan (2025-2040), the requirements of the Yorkshire Dales Design Guide, guidance at sections 12 and 15 of the National Planning Policy Framework and the First Statutory Purpose of the National Park (S.5 of the National Parks and Access to Countryside Act 1949 [as amended]).

2. In the opinion of the Local Planning Authority, it has not been demonstrated that the proposed development, given its siting and general nature and the potential for odours arising from it, would not give rise to unacceptable impacts on the living conditions of the residents of nearby residential properties. For this reason, the proposed development would be contrary to Policy SP4 of the of the Yorkshire Dales Local Plan (2015-2030), policies CP6 and E2 of the draft Yorkshire Dales Local Plan (2025-2040) and guidance at paragraph 135 of the National Planning Policy Framework.

3. In the opinion of the Local Planning Authority it has not been demonstrated that the proposed development would provide appropriate net gains for biodiversity, contrary to the requirements of Policy W2 of the Yorkshire Dales Local Plan (2015-2030), Policy CP9 of the draft Yorkshire Dales Local Plan (2025-2040), guidance in section 15 of the National Planning Policy Framework and the First Statutory Purpose of the National Park (S.5 of the National Parks and Access to Countryside Act 1949 [as amended]).

Report Author: Joanne Wood

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Yorkshire Dales National Park Authority

Planning Committee

14 April 2026

Applicant: Elizabeth Graham

Parish: Long Preston

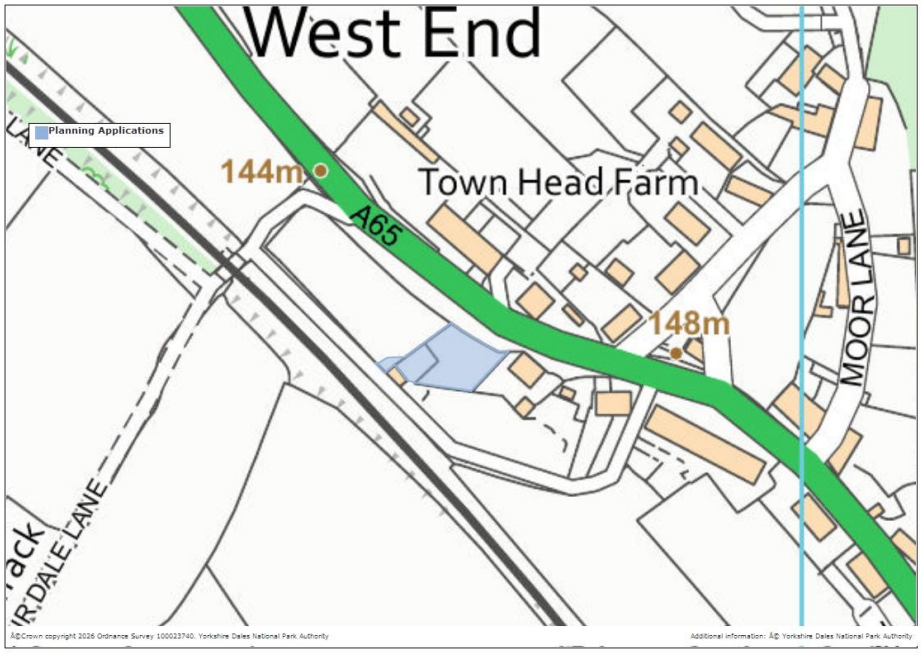
Application No: C/52/747/PIP

Site Address: Land at West End, Long Preston (GR:382857,458548)

Proposal: Permission in principle for erection of a new house, together with landscaping

Purpose of Report

1. That Members approve/refuse 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 relates to an area of land located to the south of the A65, at the western end of Long Preston. The application site is accessed via a single lane track from the A65. The ground level falls from north to south within the site, resulting in a sloping site.

4. The site is bounded by a residential dwelling to the east, the A65 to the north, a field to the north west, and an access track to the south west with a railway line beyond.

Proposal

5. Permission in principle is sought for the erection of a dwelling, together with landscaping.

6. The permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing development which separates the consideration of matters of principle for a proposed development from the technical details of the development. The permission in principle consent route has two stages – the first stage (permission in principle stage) establishes whether a site in suitable in principle, and the second stage (technical details consent) is when the detailed development proposals are assessed.

7. The scope of this permission in principle application is limited to location, land use and amount of development. Only issues relevant to these ‘in principle’ matters should be considered at this stage. Other matters can only be considered at the technical details consent stage. It is not possible for conditions to be attached to a grant of permission in principle, and its terms may only include the site location, the type of development and amount of development.

8. Planning Authorities have only 5 weeks to determine PIP applications unless an extension is agreed by the applicant and cannot list the information they require for assessing the application. In this instance, the following information has been provided for consideration:

    - Location Plan
    - Design Documents
    - Covering Letter

9. Whilst detailed plans have been submitted as part of the application as they are not required at this stage, however the supporting information indicates that the dwelling would take the form of a two storey dwelling constructed using traditional materials.

Relevant Planning History

10. There is no relevant planning history for the site.

Consultations

11. The comments of statutory and non-statutory consultees are summarized below:

United Utilities Water Ltd – No response received

North Yorkshire Council Environmental Health – This service has considered the potential impact on amenity and likelihood of the development to cause, and/or be affected by a nuisance. If permission is granted conditions for construction hours, dust suppression, vibration and steps to be taken if contamination is found are recommeded.

Fire Officer **-** No objection/observations. The YNYCA will make further comment on the Building Regulations consultation.

North Yorkshire Council Building Control **-** All work is to be carried out, to ensure compliance with the Building Regulations 2023. As the Planning Authority for the project, you should ensure the required consultations are carried out, with particular reference to: Drainage Schemes, Structural Engineers Reports and Fire Officer Requirements.

North Yorkshire Council Highways - As this application seeks Permission in Principle only, the LHA's assessment considers whether the proposed development can be accommodated in highway terms in principle. This includes consideration of whether the site can be safely and suitably accessed, constructed, serviced, and operated without giving rise to unacceptable impacts on the public highway. Detailed matters relating to access design, construction methodology and vehicle movements would be expected to be addressed at the next stage.

Vehicle access is proposed via an existing adopted access route which connects to the A65 and currently serves several existing properties. The proposal does not introduce a new access point onto the public highway network; however, it would result in a modest increase in vehicular movements associated with a single additional dwelling.
Having regard to the scale of the development proposed and the established use of the access, the LHA is satisfied that the site is capable of being served by a safe and suitable means of access in principle. Subject to further detailed assessment at the next

stage of application, the proposal does not give rise to any severe highway safety concerns.

Notwithstanding the above, the LHA considers that at the next stage in the application, appropriate visibility at the junction with the A65 will need to be demonstrated, having regard to the prevailing speed environment and applicable highway guidance, in order to ensure that vehicles can safely enter and leave the site. The submitted information indicates that the existing access route will continue to be used to serve the site, with no alterations proposed to the physical form of the junction with the A65, other than carriageway lining. The LHA notes that such lining would assist in highlighting the access location, improving driver awareness and enabling a two-way junction, considers it an appropriate measure in support of the proposal. Any works within the public highway would need to be undertaken with appropriate consent from the Local Highway Authority.

The access road serving the site is relatively constrained in places and is known to serve a number of existing properties. Whilst the introduction of a single dwelling would result in only a modest increase in vehicular movements, the LHA considers that, in the interests of the safe and convenient passing of vehicles, the provision of a localised passing opportunity along the route would be beneficial. This reflects a professional judgement by the LHA having regard to the existing use and character of the road and is a mater the applicant in encouraged to explore further at the next stage of the application.

In addition, matters relating to construction access, servicing arrangements refuse collection and emergency vehicles have not been assessed in detail at this stage, given the nature of the application for Permission in Principle. The LHA would expect these matters to be addressed at the next stage to demonstrate that development can be constructed, serviced and operated without detriment to the safety or operation of the surrounding network. On this basis, the LHA raises no objection to the Permission in Principle.

Long Preston Parish Council – “Long Preston Parish Council has concerns about the access onto and from the A65. The access onto the A65 is a narrow gap between houses, very near the bungalows for the elderly, and we believe that the visibility will be poor.”

12. A site notice was displayed on 01 February 2026 and expired on 15th February 2026. Public responses received at the time of writing: 3

13. Three letters of objection have been received on the following grounds:

- The single track access between Moor Fields and Greystones is not suitable for the amount of traffic required to access the proposed property.
- Impact on public safety in respect of elderly residents wanting to come and go from their carpark and people walking along the access track

- There are no passing places along the access track
- Potential impact for emergency vehicle's, deliveries, domestic refuse collection.
- This area needs to be accessed by British Rail
- Impact on trees and wildlife
- Loss of a view

Assessment

14. The only issues that can be considered for a planning in principle application in accordance with the national Planning Practice Guidance (paragraph: 012 Reference ID: 58-012-20180615) are as follows:

    - Location
    - Land Use
    - Amount

    Location and Land Use

15. The Yorkshire Dales Local Plan (2015-2030) Policy SP3 states that new build housing will be permitted inside the housing development boundaries of local service centres and service villages listed within Table 1 of that policy and requires on sites of up to five dwellings that new housing be restricted to local occupancy (as defined in Appendix 5 of the Local Plan). Policy C1 also directs new housing development to allocated sites or within the defined boundaries of local service centres and service villages.

16. The application site is located outside of the housing development boundary of Long Preston, which is identified as a service village by Policy SP3 of the Local Plan. The proposal therefore does not meet the locational requirements set out within Policy C1 of the Local Plan.

17. However, the Authority is in the process of producing a new Local Plan (2025-2040) for the whole National Park that will replace the Yorkshire Dales Local Plan (2015-2030). The draft Local Plan has now reached an advanced stage (final modifications and consultations are taking place prior to adoption) and therefore significant weight can be given to the draft Local Plan in decisions on planning applications.

18. Policy C1 of the draft Local Plan allows for new development on suitable infill sites within the housing development boundaries of the small settlements identified on the Proposals Map. The housing development limit of Long Preston has been amended and the site now falls within the boundary as defined within the draft Local Plan. As such, the proposal for one new dwelling, which the applicant has agreed would be restricted to local occupancy, would accord with Policies C1 and CP3 (which identifies Long Preston as being a service village) of the emerging Local Plan.

19. Therefore, whilst the proposals would be contrary to the provisions of the current Local Plan in respect of its location outside of any defined housing development boundary, it would accord with the relevant policies contained within the draft Local Plan, which includes the application site within the housing development boundary.

20. Paragraph 49 of the NPPF states that weight can be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF, and the extent of unresolved objections to the emerging Plan. In this instance, the emerging Local Plan is at an advanced stage of preparation. Questions have been raised by the Inspector in relation to the housing development boundaries, however these questions only relate to allocated sites and the housing development boundary specifically in Casterton. The questions do not call the whole policy into question or refer specifically to the housing development boundary proposed for Long Preston. Therefore, weight can be given to Policy C1 of the emerging Local Plan and the proposed housing development boundary for Long Preston.

21. It is acknowledged that the proposal conflicts with the current Plan but any harm arising from the proposal (in respect of the application of the spatial strategy and the need to restrict development outside of identified settlements) is considered to be extremely limited given the locational characteristics of the site being within an established group of dwellings, and due to the modest nature of the proposal for 1no. dwelling. It is considered that this consideration is outweighed by the compliance with the more up to date emerging Local Plan as preparation of the plan (including public consultation exercises) has involved a re-assessment of the housing development boundary and the suitability of the site as an appropriate location for infill housing development.

22. As set out above, the proposal meets the locational requirements set out within Policies CP3 and C1 of the emerging Local Plan, and the applicant has confirmed their agreement to enter into the required occupancy restriction. The principle of the proposed development is therefore considered to be acceptable.

Amount of Development

23. In respect of housing density, Policy C1 of both the adopted Local Plan and the draft Local Plan requires a minimum density of 35 dwellings per hectare. However a lower density below 35 dwellings per hectare may be supported if the Authority considers that a lower density is necessary to:

a) Provide a safe access or,
b) Conform with highway capacity or
c) Fit into the landscape or,
d) Conserve the character of the settlement or,
e) Fit the physical characteristics of the site.

24. In this instance, the application site measures 0.055 hectares. The proposal for one dwelling on the site would result in a density of 18 dwellings per hectare, which falls below the required densities set out in Policy C1 of the adopted Local Plan and Policy C1 of the draft Local Plan.

25. Following a site visit, it would appear that the site has the physical capacity to accommodate more than one dwelling taking account of the surrounding context, landscape setting and proximity of neighbouring properties. Therefore, the key issue is whether the access from the A65 has the capacity to serve 2no. dwellings rather than just 1no. dwelling as proposed.

26. Following consultation, the Highways Authority has confirmed that the proposed access is considered acceptable for the application proposal for 1no. dwelling on the site. Further clarification on this matter in respect of the potential development of the site for 2no. dwellings has been provided by the Highways Authority, which has provided the following advice:

> "The access is already used by properties/bungalows plus it can be used by the landowners further afield, …… and there is planning on the property further down Littler Lane which would also use this access. To keep adding properties down here using an access that is very tight in terms of road width would continue to give rise to vehicles waiting in the Highway on the very busy A65 which would be detrimental to highway safety."

27. Therefore in this instance, whilst the density of the proposed development is lower than that in both the adopted and emerging policy, the reasoned justification set out above aligns with the reasoning as to circumstance where a lower density is necessary, in accordance with Policy C1 of the adopted Local Plan and Policy C1 of the emerging Local Plan.

Other matters

28. There are neighbouring dwellings to the north of the application site. It is considered that a dwelling could be accommodated on the site and designed to ensure there isn't an adverse impact upon the residential amenity currently enjoyed by any surrounding properties. However, this is not a matter for consideration under this application, and would be fully assessed under a subsequent application for technical details consent.

29. Conditions have been recommended by Environmental Health in respect of dust and noise management, and reporting of any unexpected contamination on the site. However, conditions cannot be attached to a permission in principle and these matters would be considered as part of any subsequent Technical Details Consent application.

Parish Council Comments

30. Long Preston Parish Council has raised concerns in respect of the access onto and from the A65 which are addressed by the Highway Authority above.

Equality Act

31. 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.

32. 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

33. It is considered that the proposal for 1no. dwelling would meet the locational requirements of Policy C1 of the adopted Local Plan and Policy C1 of the draft Local Plan, subject to the applicants entering into a legal agreement to ensure the occupancy is restricted to local occupancy as set out in Appendix 5 of the Local Plan as part of any subsequent application for Technical Details Consent.

34. Therefore, the proposal for the 1no. dwelling is considered, on balance, to be acceptable in respect of location, land use and amount, in accordance with Policies SP1 and C1 of the Yorkshire Dales Local Plan (2015-2030) and Policies CP1 and C1 of the emerging Local Plan (2025-2040).

Recommendation

35. It is recommended that permission in principle is granted.

Report Author: Joanne Wood

Yorkshire Dales National Park Authority

Planning Committee

14 April 2026

Applicant: Aysgarth Camping

Parish: Aysgarth

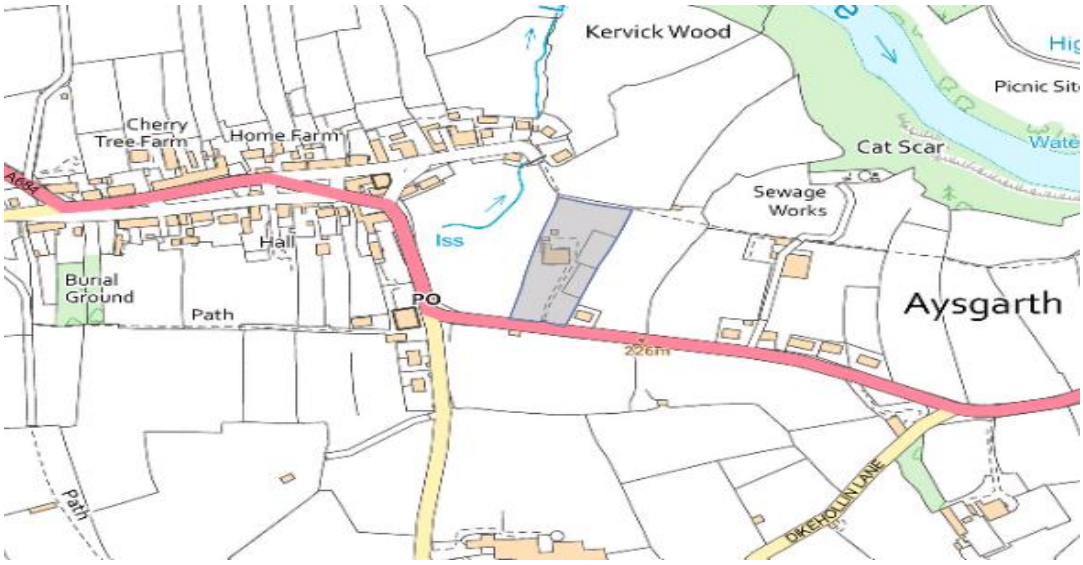
Application No: R/51/60G

Site Address: Town Ends, Aysgarth, Leyburn, DL8 3AQ

Proposal: Full planning permission for erection of timber workshop on area of land currently used as a playground in connection with the existing campsite

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. The site is an established camping and caravaning site called Aysgarth Camping. Close to the centre of the site is a dwelling with paying guest accommodation.

4. Planning permission was granted in 2024 (R/51/60F) to allow for more flexibility in the mix and layout of camping and caravan pitches. The maximum number of pitches permitted remained at 15, and there is now an allowance for up to 10 pitches for tourer caravans, motorhomes and campervans, and up to 10 pitches for tents and trailer tents. The north (rear) part of the site is laid out for caravaning, and areas on the east side of the site are for flexible camping/caravaning and, towards the south (front) of the site, just camping.

5. The south end of the site fronts onto the A684 road, and is bisected by the access drive into the site. On either side are established trees, bushes and mowed grass, and on the right hand side, near the southeast corner of the site, is a play area. The access onto the highway was granted permission in 2016 (R/51/60C), and the frontage to the highway is bound by low stone walls. Along the north boundary of the site runs a public footpath (20.80/6/1), which connects with the main nucleus of Aysgarth to the west and Aysgarth Falls to the east.

6. The play area comprises a rectangular surface of compacted materials and two play structures constructed mainly from timber, approx. 2 - 2.5m tall. The area is bound by grass to the north and south, and by hedges to the east and west sides. The structures had been constructed by 2021.

7. The dwelling / bed & breakfast building near the centre of the site includes a single-storey extension with a washroom facility for the site. Further to the north, in the caravaning area, is a detached timber cabin with several windows and decking, that serves as a reception and small shop for visitors. In the main camping area of the site there is a smaller timber building that serves as a shelter with basic kitchen facilities for visitors.

8. Thompsons Land is a detached dwelling in separate ownership that is adjacent to the east boundary of the site. The curtilage of Thompsons Land forms part of the development boundary of Aysgarth, whilst the application site is outside the boundary. Otherwise, the site is surrounded by agricultural land with Aysgarth Garage approx. 90m to the west.

Proposal

9. Planning permission is sought for the erection of a detached single-storey building to replace the play area. The building would be used in connection with the existing camping and caravaning use of the site, for storage and workshop purposes.

10. The footprint of the building would be 9m by 7m (63 sq m), orientated with the length east – west, and would be positioned partially further north than the existing play area, with 22 sq m of the proposed footprint on the existing area of grass.

11. The building would be of timber construction, with vertical timber cladding, and have a dual-pitched roof of plastisol-coated steel sheets. The eaves height would be 2m and the ridge height 3m. Double doors are proposed on the north elevation, and a wide single door on the west (side) elevation, using timber panels. No windows or other openings are proposed. The exterior surfaces of the walls and doors are proposed to be stained dark brown, and the roof sheets are proposed to be black. The building would be constructed on a new concrete pad.

12. Bird boxes are proposed to be installed on the proposed building, with one each on the east and west elevations. The applicant has stated that no external lighting is being proposed. Hedgerow-style mix of native species planting, such as hawthorn, is proposed to the south of the proposed building, between it and the existing trees by the road.

13. Rainwater goods are proposed, to include guttering on along the eaves and downpipes connecting with a water butt of 200-300L capacity on each length. The rainwater goods would be uPVC in grey colour. Surface water drainage would not be to a mains connection or existing system. No foul water discharge is proposed.

14. Since originally submitted, additional information and revised details have been submitted by the applicant, further to consultee responses and advice from the case officer. Revisions have included the staining of timber exteriors dark brown, insertion of a side door closer to the drive than the double doors, the bird boxes and the water butts. Additional information has included tree plan, parking provision, a list of items intended to be stored in the proposed building, and explanations of how existing buildings and other locations within the site are not suitable for accommodating such storage.

15. The applicant has provided clarification that there would be no additional employees as a result of this proposal, and that a campsite manager had been newly employed following the change in management of the site.

Relevant Planning History

16. The following applications are relevant:

R/51/60F – Full planning permission for an operational change to the mixture of unit types allowed on the site, from the current mix of 5 caravan, motorhome or campervan pitches and 10 tent or trailer tent pitches to the proposed mix of up to 10 caravan, motorhome and campervan pitches in addition to up to 10 tent or trailer tent pitches. The number of pitches available for use at any one time would remain at a maximum of 15, the change would allow the combination of pitches to flex between a mix of accommodation types on those pitches
Approved - Conditional 26/02/2024

Consultations

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

Aysgarth & District Parish Council – Original:

> "The Parish Council discussed Planning Application R/51/60G at the Parish Council meeting held on Thursday 08.01.26. The Parish Council resolved to object to this application as members considered that the proposed building is in an inappropriate location, is larger than necessary for its stated purpose, would have an unacceptably intrusive impact on the appearance of the area, raises unresolved concerns about drainage and flood risk, and appears to represent a further intensification of use that has not been clearly explained or justified."

Aysgarth & District Parish Council – Revised:

> "The Parish Council has reviewed the additional information submitted in response to its previously agreed objection.
>
> The Parish Council remains supportive of local businesses and the wider community; however, members must balance that support with consideration of character, amenity and environmental impact.
>
> Having considered the further submission, the Parish Council concluded that it does not materially overcome the original concerns. In summary:
> - The need for a building of the proposed scale remains insufficiently demonstrated
> - Alternative siting options appear to have been discounted primarily on operational or commercial grounds rather than clear planning constraints
> - Details regarding power supply, servicing arrangements and drainage remain under-specified
> - The proposal would introduce a noticeable visual presence within what is currently an open part of the campsite

- The information provided indicates expanded staffing, equipment and facilities, which members consider amount to intensification of use

In light of the above, at the EGM held on 03.03.26 the Parish Council resolved to uphold its original objection."

Highways Authority (North Yorkshire Council) – Original: requested confirmation of the location of the existing parking associated with the site and the location of the parking for the proposed additional employee that had been indicated in the application form.

Highways Authority (North Yorkshire Council) – Revised: "No changes are proposed to the public highway and it has been confirmed on the 9th March 2026 by the applicant that there is no increase in vehicle movements as a result of the proposals. Sufficient onsite parking has also been confirmed. There are no highway concerns with regard to this proposal and therefore the Local Highway Authority have no objections to the application."

Planning Ecologist – The area of grass appears to be poor modified grassland habitat. Expected access over such habitat, including use of matting over the top, should not decrease its condition or change habitat type, in terms of the statutory BNG metric. A planning condition controlling laying of hard surfacing including permanent placing of mats, would mean we can be satisfied that the 'de minimis' exemption to BNG applies.

Trees & Woodlands Officer – Original: some concerns over the instalment of the concrete pad required for the timber shed, specifically its impact on the root protection area of the two adjacent mature and prominent sycamore trees that offer high amenity value to the site and local area.

Trees & Woodlands Officer – Revised: provided the Tree Protection Plan is amended to show placing of protective fencing as more completely and accurately around the root areas, no further issues; a condition should require that the protection measures are put in place prior to commencement.

18. A site notice was displayed on 24 November 2025 and expired on 15 December 2025. One public response has been received at the time of writing, from a resident at Hazel House, Aysgarth, which is summarised below.

Support (1)
- one of the few remaining locally owned businesses providing facilities for visitors to the village
- visitors contribute to the local economy and businesses need to remain attractive to continue to bring visitors into the area
- proposal will enable the owners to store required equipment securely, to service the grounds and so be able to keep site attractive

- one of the very few neighbours that would be able to see the proposed structure from their land
- proposed structure would not look out of character
- in comparison to other recently approved structures in the village, it would blend in very well, as its location would be within trees and behind dry stone walls.

Assessment

Key Issues:

- Planning Policy
- Principle of development
- Landscape and design
- Residential amenity
- Access and parking
- Drainage
- Nature Recovery
- Parish Council comments

Planning Policy

19. The relevant Policies of the adopted Yorkshire Dales Local Plan (2015–2030) are:

20. SP3 – Spatial strategy, which sets out that new development will be located within or adjacent to the settlements listed in Table 1, unless there are justifiable reasons why another location is more sustainable, and that proposals for development within or on the edge of such settlements should be at a scale that is appropriate to the character and function of the settlement. Aysgarth is listed as a service village by this policy.

21. BE1 – Business development sites, which states that the expansion or redevelopment of existing business uses will be permitted, subject to satisfying the requirements of Policy SP4.

22. T1 – Camping, which provides that the development of associated buildings or facilities will be permitted provided that requirements are met, including that the site is not isolated in the landscape; and the development and use of the site, including the provision of site services, external lighting and access provisions, do not harm the landscape character. Policy T2 – Touring caravan sites, similarly can permit associated on-site facilities, requiring for instance that would not harm the economic vitality or viability of nearby settlements.

23. Further relevant policies relating to matters of layout, design, landscape protection, neighbouring amenity, and environmental safeguarding, are: SP4 – Development quality; CC2 – Flood risk; W2 – Biodiversity enhancement; and W3 – Protecting trees, hedgerows and walls.

24. The Authority is in the process of preparing a new Yorkshire Dales Local Plan (2025–2040) that will replace the adopted Local Plan. The emerging Local Plan has reached an advanced stage, and significant weight is given to the plan in decision making for planning applications. Relevant Policies of the emerging Local Plan are:

25. CP3 – Spatial Strategy and Housing Target, which sets out that new development will be focused on allocated sites and suitable unallocated land within or adjacent to the settlements listed in Table 1. Development will be limited to a scale that is appropriate to settlement character and function. The site is located adjacent to the development boundary of Aysgarth, which is listed as a large village by Policy CP3.

26. Policy CP3 additionally states that “To help grow the local economy, existing employment and business uses will be permitted to expand and new business will be allowed to develop on the edge of local service centres, large villages and on opportunity sites identified on the Policies Map, subject to the requirements of Policy E1.”

27. E1 – Business Development Sites, can permit proposals that support existing jobs, in locations that constitute brownfield sites or other suitable small sites on the edge of local service centres and large villages. Requirements listed by the policy include appropriate mitigation in terms of materials and landscape planting, avoiding adverse impacts on the landscape, flood risk, biodiversity and dark skies, safe access from the existing road network, and no unacceptable harm to amenities of the immediate neighbourhood including cumulatively with other development.

28. Policies E9 – Campsites and E10 – Touring Caravan Sites can permit development of associated buildings or facilities, provided requirements it sets out are met, which include that it will enhance an existing campsite in terms of screening, reduced density and the improved amenity of staying visitors. The policies require that proposals will need to demonstrate that they will deliver environmental benefits, such as energy saving measures, the use of renewable energy, the provision of recycling facilities and improved biodiversity.

29. Further relevant policies relating to matters of layout, design, protection of landscape and other special qualities of the Park, neighbouring amenity, and environmental safeguarding, are: CP5 – Sustainable Drainage (Foul and Surface Water); CP6 – Design; CP8 – Landscape Character; CP9 – Biodiversity Net Gain; L6 – Dark Night Skies; and NE2 – Protecting irreplaceable habitat, trees, hedgerows and walls.

Principle of development

30. Spatial strategy policies of both adopted and emerging plans restrict new development in locations outside of development boundaries to where specific policies possibly can permit it. The proposal represents development connected with

an established camping and caravaning site, and it would be within the site's boundary.

31. The applicant has provided a list of items expected to be kept in the proposed building. In summary, this includes equipment for grounds and infrastructure maintenance, the largest item being a ride-on lawnmower, some recreational items for use by guests elsewhere, health & safety related equipment and materials, and other items required by the HSE and insurers to have secure/separate storage, such as fuels, chemicals and machinery.

32. The applicant states also that these items are currently being stored in places around the site, including outdoors, and at a storage facility. Additionally, the applicant is intending to acquire two electric bikes and an electric wheelchair to expand accessibility in the area for guests.

33. Officers are satisfied that existing buildings on the site cannot offer secure storage of the scale and type required, for instance due to their construction or that they are being used for activities that are not compatible with storage and workshop purposes. Alternative sites for a new building have also been considered by the applicant and officers, and it is recognised that there are site management benefits of separating the storage and workshop activities from the areas used by guests. The provision of play structures is not necessary for a site of this size, and this is not a feature that would likely require replacement development in due course. There are further recognised benefits material to planning, of consolidating storage and workshop activity to such a single indoor location, including reducing visual impact, ensuring amenity of site residents and guests, and likely extra longevity of items which could mean better viability of this employment site.

34. Therefore, it is considered that justification for a new ancillary storage and workshop building, as well as the size and location of the specific proposal, has been satisfactorily demonstrated. The proposal would not result in intensification of the use of the site and would support an existing employment use that provides accommodation for visitors to the Park. As such the principle of development is in accordance with policies BE1, T1 and T2 of the adopted Local Plan, and policies E1, E9 and E10 of the emerging Local Plan.

Landscape and design

35. The proposed building would replace an existing structure that is visible from the highway, though it is acknowledged that the proposed building would present a significantly greater mass compared to the play structure.

36. Due to the proposed form, height, style, lack of fenestration, external materials and colours, together with the setting back from the highway, position to the side of the dwelling at Thompsons Land, and the screening provided by existing and proposed trees within the site, including during winter months, it is considered that the building

would be visible only from few public viewpoints, including a fleeting view from the road in front. Furthermore, the building would have the characteristics and appearance that are associated with a camping/caravaning site in a rural location, including use of muted colours and a simple style, and so would not be prominent when appreciated in this context.

37. Services to the new building such as electricity supply can reasonably be expected to be connected beneath the surface, and so without visual impact.

38. Accordingly, with planning conditions requiring the carrying out of proposed details, controlling future alterations, and implementation of a detailed landscaping plan, there would be no significant adverse impact on the appearance and character of the street scene or the wider landscape. The proposal complies with policies SP4, T1 and T2 of the adopted Local Plan, and policies CP6, CP8, E1, E9 and E10 of the emerging Local Plan.

Residential amenity

39. The proposed building would be approx. 4m to the curtilage boundary and 6m to the side of the neighbouring dwelling, Thompsons Land. Regard has been given to several factors including the layout at Thompsons Land, the existing activities and traffic in this location, the building proposed to be used for ancillary storage and workshop purposes, with these taking place indoors, and the position of doors and lack of windows on the proposed building. Subject to appropriate conditions the amenities of neighbours would be safeguarded, and as such the proposal accords with policies SP4 of the adopted Local Plan, and CP6, E1, E9 and E10 of the emerging Local Plan.

Access and parking

40. The existing access, parking and turning arrangements for the site would not be affected by the proposed development. No additional employees or guest numbers are to be generated, and there is no requirement therefore for additional parking to be provided. Parking spaces for residents, guests and staff exist within the site, located by the guest house, at the individual pitches, and alongside the drive further to the north than the vicinity of the proposed development. The proposal therefore accords with policy SP4 of the adopted Local Plan, and policies CP6, E1, E9 and E10 of the emerging Local Plan.

Drainage

41. No part of the site is shown on mapping provided by the Environment Agency as being in either flood zones 2 or 3, or in an area at risk of surface water flooding.

42. The proposal would have a greater area of hard surfaces compared to the existing play area and structure. The proposed method of collecting surface water discharge

arising from the proposed development (water butts) is adequate and can be secured by condition including discharge as required to soakaway. The proposal is compliant with policies SP4 and CC2 of the adopted Local Plan, and policies CP5 and CP6 of the emerging Local Plan.

Nature Recovery

43. The three Sycamore trees alongside the road frontage, to the south of the proposed building, and other mature trees nearby within the site including a further Sycamore to the northeast, contribute positively to the street scene, appearance of the site, and the character and appearance of the wider landscape. With planning conditions requiring the carrying out of a detailed tree protection plan during demolition and construction, and preventing laying of new hard surfaces, the root areas can be adequately protected.

44. The development can be carried out without works being required to any tree, and furthermore the future relationship with the trees would be satisfactory, due to the remaining space between it and the trees. Services to the new building can reasonably be expected to be connected from the direction of the drive and existing buildings on the site, and able to avoid any root protection area.

45. There would be no foreseeable impact on protected species as a result of carrying out or subsequent use of the proposed development, including having regard to demolishing the existing structures and accessing the new building. The two bird boxes proposed, together with the contribution of native species planting, would provide adequate wildlife enhancement duly required by policies W2 and CP9 of the adopted and emerging local plans respectively.

46. A condition controlling any installation of external lighting has been accepted by the applicant. In addition, conditions can control against installation of any windows, rooflights and non-opaque roof sheets, and so further safeguard against light spill and ensure the dark skies quality of this area of the Park.

47. The proposal is exempt from statutory Biodiversity Net Gain, as less than 25 square metres of habitat would be impacted by the proposal, having regard to the re-use of the play area, which is not natural habitat, and the habitat status of the surrounding grassed area and the retention of this status with accessing the building for the stated purposes.

48. The proposal therefore complies with policies SP4, W2 and W3 of the adopted Local Plan, and policies NE2, L6 and CP9 of the emerging Local Plan.

Parish Council Comments

49. Following receipt of the original comments of the Parish Council, the case officer requested additional detail from the applicant to address the issues the Parish Council raised. Substantial information was submitted in reply, including in regard to justification for the size and location of the building, surface water drainage, colour of the walls, and intended use of the building.

50. The Parish Council was reconsulted and responded largely raising the same concerns as in their initial response – these are listed in the Consultations section of this report. Each of the matters raised by the Parish Council have been addressed in the above sections of this report..

Equality Act

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

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

Conclusion

53. The proposal is a specific and justified storage and workshop facility that is located within, and is in association with the existing use of, this established camping and caravaning site. The proposal is acceptable in regard to all relevant considerations, including design, access, landscape impact, residential amenity, protection of trees, protection and enhancement of wildlife and habitat, and drainage.

54. The proposal is in accordance with the relevant policies of the adopted Local Plan and the emerging Local Plan; and material considerations do not indicate otherwise. Planning conditions would be able to secure the acceptable use of the building, provide adequate landscape, wildlife and tree mitigation, and ensure the development is carried out and thereafter remains satisfactorily.

Recommendation

55. It is recommended that permission is granted subject to conditions including the following:

- Use solely in connection with the existing uses of the site
- Use solely for storage and workshop purposes, and not open to guests
- Removal of the building when no longer required for approved purposes
- No hard surfacing or permanent placing of mesh mats to access building
- No external lighting without subsequent planning permission
- Installation of rainwater goods, collection and soakaway
- Staining of walls and doors in dark brown; and boarding to be vertical
- Roof covering to be entirely black opaque sheets
- Removal of permitted development rights relating to altering or extending the new building, including for any doors, windows, openings or rooflights
- Tree protection details to be approved, to include no laying of services in root protection areas, and then implemented
- Landscaping (planting) plan to be submitted and implemented
- Installation of bird boxes

Report Author: David Jones

Yorkshire Dales National Park Authority

Planning Committee

14 April 2026

Applicant: Edward Lord and Clare Thompson

Parish: Firbank

Application No: S/06/10A

Site Address: Moss Foot, Firbank, Sedbergh, LA10 5EL

Proposal: Full planning permission for continued use of the site for short term holiday letting, together with associated landscaping; and siting of ground mounted solar panels, (retrospective)

Purpose of Report

1. That Members refuse 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: in the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by the Committee.

Application Site

3. The application site is located within the open countryside in a relative isolated location, approximately 3.3 km west of Sedbergh. The site is accessed via Shacklabank Lane, a single lane carriageway, and is located approximately 0.5km to the north of the A684. The site is located at an elevated position compared with the A684.

4. The application site comprises Moss Foot House itself, two stone outbuildings (Outbuilding 1 and 2 for the purpose of this planning application) which are former barns, and an existing stone barn used for storage which remains as existing.

5. The site includes a lawn area to the south, a gravel driveway with parking to the rear of Outbuilding 2, and ground-mounted solar panels located north of the parking area, all of which are currently unauthorised.

6. The site surroundings primarily consist of agricultural fields and dispersed farmsteads. As such, the surrounding landscape is largely agricultural in character.

Proposal

7. Full planning permission for continued use of the site for short term holiday letting, together with associated landscaping; and siting of ground mounted solar panels, (retrospective)

8. The supporting information submitted as part of the application states that the applicant's holiday letting business at Moss Foot provides self-catering holiday accommodation for a single group of up to 20 guests, accommodated in Moss Foot itself and an ancillary outbuilding. The site has been in use for short term holiday letting in this way since December 2023. This current planning application seeks permission for the continued use of the site for this purpose.

9. Alterations have taken place to existing buildings within the site to bring them into associated holiday let use. These are as follows:

Moss Foot House

10. The supporting information states that Moss Foot House is the primary holiday let accommodation and has 6-bedrooms providing for up to 17 guests (with an additional bedroom provided within Outbuilding 1, as set out below).

11. The majority of the building alteration and rebuilding works undertaken benefit from planning permission ref: S/06/10, which is detailed further in the Planning History section below. However, the following internal and external alterations have taken place which differ from the approved plans. These include:
    - the enlargement of an existing window on the south elevation,
    - three small ground floor windows on the east elevation,
    - a double door to the north elevation,
    - the removal of the roof mounted solar panels and the addition of 3 roof lights.
    - Creation of a stone patio/ seating area to the rear (north) of Moss Foot House

Outbuilding 1

12. Outbuilding no.1 (as identified on the submitted drawings) is a conversion of a former barn, located opposite the principal elevation of Moss Foot House, close to the site entrance. The supporting information states that it is used as ancillary accommodation to the main building, providing an additional bedroom for 3 guests together with ensuite bathroom, and a games room which is accessed separately from the bedroom.

13. The external alterations which have been undertaken to convert the building have mostly taken place on its north elevation, which includes the insertion of a glazed screen door for access to the games room and a single width timber door to access the bedroom. An oak framed timber sheltered has been constructed adjoining the west elevation to provide a covered outdoor amenity space.

Outbuilding 2

14. Outbuilding no.2 is located toward the west of the site, south of the parking area. The building contains a steam room and sauna for guests and is located on the footprint of the former stone barn in this location. The internal facilities are concentrated to the northern (rear) half of the building, which externally comprises stone walls and a natural slate roof. The southern (front) half of the building is made up of a low-level stone wall with attached oak frame timber beams creating a covered outdoor seating area.

Parking and Access

15. A gravel stone surface has been laid to create an access track and large parking area located to the rear of Outbuilding 2. The area provides parking and turning

space to cater for the capacity of the site. Access to the site continues to be taken from Shacklabank Lane.

Associated Landscaping

16. Landscaping works have been undertaken with the creation of a terraced lawn which provides level outdoor space. The outdoor area associated with Moss Foot House is arranged into three tiers, bound by stone walls with black pole railing and stone paving. The lawn area consists of well-maintained lawn.

17. Yew hedge planting has been implemented along the full extent of the southern boundary of the lawn area. Additional native shrub planting is proposed to the south of the lawn area. This is not sought in retrospect and is being proposed as additional landscape planting for consideration as part of the current application The planting would be located on the slight banking between the lawn area and the southern site boundary, currently informal scrub. The proposed planting is shown as indicative at this stage, with further details on the precise species mix, number and height controllable by way of planning condition.

Solar Panels

18. Four rows of ground mounted solar panels, each measuring approximately 15 metres in length, have been sited within a field to the north west of Moss Foot House.

Relevant Planning History

19. The following application is relevant:

S/06/10 - Householder planning permission for rebuilding of portion of external walls that are unstable; recoating of existing render facades; insertion of new and altered windows and doors; internal layout alterations including conversion of attic space into bedroom and basement into multi-purpose/games room; reroofing (including insulating) to match existing slate roofing, with minor modifications and relocation; and insertion of new conservation roof lights and solar panels (part retrospective). Approved 20/06/2022.

20. The property subject of this application formerly comprised a farmhouse and attached barn. At the time of the submission of the above application, ref: S/06/10, the original dwelling was still in situ, and the attached barn had been largely demolished. The only remaining section of the barn was the south/principal elevation, including the attached lean-to. Since the historic barn had been largely demolished, the proposed development amounted to the construction of a new extension to the farmhouse. The extension was constructed on the footprint of the former barn and the external walls finished with stone reclaimed from the building.

Whilst the extension is larger than what would normally be acceptable for a traditional farmhouse, the scale and proportions were considered to be consistent with the remaining south elevation of the building, and the development largely amounted to re-building what previously existed.

Consultations

21. The comments of statutory and non-statutory consultees are summarized below:

Trees & Woodlands – More detail is required on the landscaping plans. This should include numbers of plants, species, protection and future management. It looks like a few trees have been lost as a result of the development.

Fire Officer – No response received

Head of Visitor Services – No response received

Highways – No response received

Firbank Parish Council – “The application has been circulated to parish residents in the vicinity of the property, and the general view is that the actions and stipulations within to ensure other neighbours are not disturbed by guests are welcome. There are no objections to this application.”

Environmental Helath – No comments.

Planning Ecologist - No objections to the proposed development, subject to conditions to ensure a Landscape and Ecological Management Plan (LEMP), a lighting plan and biodiversity enhancement measures are implemented and agreed by the Authority.

Given the scale and nature of the development which has already taken place, it is considered unlikely that the works would further negatively impact protected or priority species or habitats and so, should not be seen as a potential constraint preventing approval of the application.

The landscape plans propose hedgerow and scrub planting. It is recommended that the yew hedge that has been planted has other native species introduced for diversity which helps provide vital resources for a range of animal species such as mammals, birds, and insects. It is recommended that these are a mix of yew, holly, hornbeam and beech. The area designated for scrub planting should also be of native mixed species and is recommended that the management, numbers and mix are secured by a Landscape and Ecological Management (LEMP) planning condition.

All developments have a duty to deliver measurable net gains for biodiversity and will need to clearly identify enhancement measures. Currently the proposal includes a soft landscaping planting scheme, however there are many other ways to also provide biodiversity enhancement measures.

In order to be in compliance with the current Policy W2 and CP9 of the emerging local plan, I recommend conditioning enhancement measures such as bird and bat boxes or integrated features, hibernaculum for mammals and reptiles, insect houses and log piles. The locations of these need to be submitted to the Authority, to ensure the enhancement measures are viable and can be submitted as part of the LEMP.

22. A site notice was displayed on 17 December 2025 and expired on 07 January 2026. Public responses received at the time of writing: 19

23. 18 letters (a number of which did not provide addresses) have been received offering support for the following reasons:
    - Moss Foot offers a high standard of accessible accommodation in an area where accessibility is lacking, particularly for larger groups;
    - Provides a source of local employment and helps contribute to the local economy in Sedbergh by promoting local businesses and various attractions locally;
    - Guests staying at Moss Foot regularly dine at local restaurants. Large bookings are a welcome source of income;
    - Facilities at Moss Foot are used by local people of sports teams for welfare reasons (team building and health facilities);
    - Property is located in a desirable position with ease for members to attend as its situated close to the M6 motorway;
    - The holiday let attracts visitors to Sedbergh, making a significant contribution to the local economy. Tourism plays a vital role in sustaining many local businesses, from shops and cafes to restaurants, pubs, and activity providers. By attracting visitors, particularly those seeking premium or extended stays, Moss Foot helps to generate income that supports employment, encourages investment, and keeps the area vibrant and welcoming for visitors and locals;
    - Nearby occupiers who reside approximately 400 and 800 metres from the site advise that they have not experienced any noise issues from the holiday let

24. One letter has been recevied from the nearest neighbouring property objecting to the application for the following reasons:
    - The holiday let has beome a large party house and a venue for stag and hen parties and weddings.
    - Affects the peace and tranquility of the countryside in this area
    - Particualrly on weekends there can be loud music and noise from the property
    - The holiday let has affected the objectors business, which is a small farm visit experinece as clients have had to be refunded or bookings cancelled due to the noise affecting the farm experience

Assessment

Key Issues:

- Planning Policy
- Principle of the Development
- Landscape and Visual Impact
- Impact on Residential Amenity
- Highway Issues
- Ecological Impact
- Biodiversity
- Enforcement/Unauthorised Works
- Parish Council comments

Planning Policy

South Lakeland Local Plan (2006):
Policy S2 – South Lakeland Design Code
Policy C30 – Solar Power

South Lakeland Core Strategy (2010):
Policy CS8.10 – Design
Policy CS8.4 – Biodiversity and geodiversity
Policy CS8.7 – Sustainable Construction, energy efficiency and renewable energy

25. The Authority is in the process of preparing a new Local Plan (2025 – 2040) for the whole National Park which will replace the largely out of date South Lakeland plans. The Local Plan has reached an advanced stage and significant weight is given to the plan in decisions on planning applications.

    Relevant Policies of the emerging Local Plan are:

    CP6 – Design. Design proposals must accord with the principles of sustainability (Policy CP1) and not conflict with the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the National Park (Policy CP2)

    CP7 – Energy Requirements. The Authority will support renewable and low carbon energy proposals where they provide permanently for the needs of communities, businesses and households inside the National Park.

    CP8 – Landscape Character. New development proposals need to conserve and enhance the natural beauty of the landscape of the National Park.

    CP9 – Biodiversity Net Gain. Development proposals will be required to contribute towards nature recovery and enhance wildlife.

L6 – Dark Night Skies. Development will only be permitted where they maintain or enhance the special quality of the Yorkshire Dales Dark Skies Reserve.

Principle of the Development

26. Permission is sought for the use of the property as a holiday let, which has been operating as for some time without the benefit of planning permission. Whilst a 'holiday let' is normally considered to fall within planning use class C3 (use as a dwellinghouse for occupation by a single household), a holiday let ceases to be a C3 use and becomes sui generis when a material change of use has occurred, which may be triggered by high-frequency letting, excessive guest numbers, or significant disruption to neighbours. A property accommodating large groups, makes it more akin to a commercial holiday let than a single family home, giving it a use class of its own (sui generis).

27. Advice on what constitutes a material change of use can be taken from case law. *Moore v SSCLG (2012)* involved a case where an eight bedroom property was rented out entirely to large groups of guests. Suffolk Coastal District Council issued an enforcement notice alleging a breach of planning control. This breach was stated to be a change of use without planning permission from a C3 dwellinghouse to commercial leisure accommodation, which was considered to be 'sui generis'. Moore appealed the enforcement notice, and the case was eventually heard at the Court of Appeal.

28. The Court of Appeal established that a material change of use depends on the character of the use, ie. who is staying at the property, and how they are using the property. The issues put forward included:
    - Patterns of arrivals and departures, with associated traffic movements
    - The unlikelihood of occupation by family or household groups
    - The numbers of people constituting the visiting groups on many occasions;
    - Frequency of "party type activities": if parties are occurring on a more frequent basis than might be expected at a residential property, this may constitute a material change of use
    - Potential lack of consideration for neighbours

29. In this instance, the property features 7 bedrooms and can accommodate up to 20 guests. The property is not occupied as a residential dwelling, and rather clearly operates as a business with a frequent turnover of guests. The website for the use of the property as a holiday let advises that large groups, stag do's and hen do's are allowed, and that events can be arranged at the property. Therefore, it is considered that the use of the property as part of the applicants holiday letting business results in a use of the property that is quite different in character to that of a private family home. Therefore, the acceptability of the change of use of a residential dwelling to a commercial holiday/event use, which in this instance is a sui generis use, in this location needs to be considered.

30. The change of use of the property has resulted in an a highly intensive use of the property through the frequent turnover of a large number of guests and associated vehicles movements and noise. The creation of numerous formal outdoor amenity/seating areas, through the installation of a timber covered area, the patio area to the rear, and seating area with hot tubs to the front encourages the use of the outdoor spaces by guests, particularly in summer months, and introduces the potential for noise disturbance within a tranquil environment. Furthermore, the property can be hired to host events, including weddings, with space at the southern part of the outdoor garden for a small marquee to be sited. This undoubtedly changes the character of this former agricultural site.

31. The use of the property as a holiday let accommodating up to 20 guests is not considered to be appropriate in this tranquil rural location, and has had a significant detrimental impact upon the character of the site and surrounding area and on the amenity of the neighbour. The principle of the change of use of the property is therefore considered to conflict with provisions of Policy CP1 of the draft Yorkshire Dales Local Plan.

Landscape and Visual Impact

32. Policy CP8 of the draft Yorkshire Dales Local Plan requires new development to conserve and enhance the natural beauty and the special character of the landscape of the National Park. In assessing proposals regard must be had to the design, layout and scale of proposals and their fit with the distinctive physical and natural character of the landscape in which they would be located.

33. There have been a number of unauthorised works carried out at the property, which will be discussed in turn below:

Moss Foot House

34. The alterations which have been carried out to Moss Foot House itself are the enlargement of an existing window on the south elevation, installation of three small ground floor windows on the east elevation, a double door to the north elevation, the addition of 3 roof lights, and the creation of a stone patio/ seating area to the rear (north) of Moss Foot House.

35. The creation of a raised patio/seating area to the rear of the property has resulted in significant engineering operations and alterations to the landform, involving the steps leading up to the seating area, and enclosure with a stone wall and railings. This, combined with the installation of double doors to access this seating area, the installation of three windows to the east elevation and the insertion of rooflights, , has resulted in some harm to the character of this traditional building.

36. However, the north elevation and small windows to the east elevation of the building are well screened by the surrounding topography and are not widely visible within the landscape. In addition, the installation a 3 rooflights and the enlargement of the ground floor window are considered to be relatively minor changes to the property. As such, it is considered that the physical works to Moss Foot House itself would not be significant detrimental to the character or appearance of the property, or application site as a whole.

Outbuilding 1

37. The conversion of this outbuilding to form a games room and additional bedroom which includes the insertion of a glazed screen door and a single width timber door without the benefit of planning permission is unfortunate as a detailed assessment of the impact of the works on the original character of the building cannot be carried out. However, the construction of an oak timber shelter to the west elevation of the building adversely affects the traditional character of this building.

Outbuilding 2

38. Outbuilding no.2 is located toward the west of the site, and has been constructed without the benefit of planning permission on the footprint of a now demolished stone barn to house a steam room and sauna. No details have been provided of the former barn which has now been demolished. However, photo's taken of the site in 2021 show the former building to be substantial and in an adequate state of repair, and as such the removal of this traditional building without justification conflicts with National Park purposes.

39. Irrespective of the previous existence of a building on the site, there is no justification for the construction of an amenity building, which lies outside of the residential curtilage of Moss Foot House, and constitutes agricultural land. This outbuilding, with its timber framed beams to the southern elevation to create an additional seating area, appears as a domestic and alien feature, which is harmful to the established agricultural character of the site and the surrounding area.

Parking and Access

40. A gravel stone surface has been laid to create an access track and large parking area of a scale to provide sufficient parking for up to 20 guests. The submitted plans indicated that up to 9 vehicles could be accommodated within this parking area. The parking area has resulted in significant encroachment into the open countryside. The introduction of parked vehicles in the newly created gravel yard area has added further prominence to the intensified business holiday let use of the site in this rural location.

Associated Landscaping

41. Landscaping works have been undertaken with the creation of a terraced lawn which provides level outdoor space. The outdoor area associated with Moss Foot House is arranged into three tiers, bound by stone walls with black pole railing and stone paving, and a newly created track which leads to the bottom of the lawned area. It is understood that this is to facilitate vehicles which deliver marquees and other such equipment.

42. The insensitive alterations to the landform have resulted in the site appearing manicured and domestic in nature, as would be expected with a formal garden. The introduction of hard landscaping and the associated unauthorised change of use of this land from agricultural land to domestic use has significantly changed the relationship the former farm house and associated agricultural buildings had with the farmed landscape. The introduction of a designed and engineered feature into the landscape, which seemingly does not relate to any nearby development, has caused significant harm to the agricultural character of the site and the surrounding area.

43. Furthermore, the external works and the use of extensive grounds in association with this property has resulted in harm to the setting of the farmstead group, which constitutes a non-designated heritage asset.

44. Extensive outdoor lighting has been installed to the outdoor seating areas and hot tub area, within the car parking area, and has been exacerbated by the additional and unnecessary unauthorised openings created within Moss Foot House itself. Whilst Dark Sky compliant lighting may be available, the visual impact of even low-level lighting in this elevated location, would be harmful to the dark and tranquil nature of this setting.

45. The Applicant contends that existing hedge planting marks a clear boundary of the visitor accommodation site, and provides an element of screening and protection from the surroundings. Additional native shrub planting is proposed as part of the application to the south of the lawn area. The planting would be located on the slight banking between the lawn area and the southern site boundary, currently informal scrub. However, it is not considered that the existing and proposed planting would mitigate the significant harm to the landscape caused by the change of use of the agricultural land, the extensive changes to the landform and creation of hard landscaped areas, the external lighting which has been installed, and the alterations to the existing buildings at the site.

Solar Panels

46. The supporting information advises that the solar panels, which consist of 4 rows of ground mounted panels which each measure approximately 15 metres in length,

would generate approximately 18,000kW per annum. Whilst Policy CS8.7 of the South Lakeland Core Strategy and Policy CP7 of the draft Local Plan support renewable and low carbon energy proposals where they provide permanently for the needs of communities, businesses and households inside the National Park, this far exceeds the energy requirements of a normal residential dwelling. It is clear that only a proportion of the panels are necessary to serve the operations of a residential dwelling, and there is no evidence that the remaining power would support local communities or businesses.

47. The ground mounted solar panels are located in an elevated position,and are visually detached from Moss Foot House. Whilst they may be screened from some view points by the existing development on site, the solar panels would be visible within the landscape when viewed from the south and west. The scale of the solar array, which is not considered to be justified in this instance, when combined with the high landscape position would be harmful to the character and appearance of the area, appearing as an alien feature within the landscape. Whilst the relevant policies would support the provision of renewable energy sources, this is only where there would be no adverse impact upon the National Park's special qualities. In this instance, the benefits of the provision of renewable energy would not outweigh the harm caused to the landscape as a result of the siting of the solar panels. It is considered that a smaller solar array to serve only the use of the property as a residential dwelling elsewhere within the site – namely closer to Moss Foot House in a more discreet location – may be considered acceptable. However, the solar panels in their current form and location are not considered to be acceptable.

48. In conclusion, the associated parking and access area proposed would change the pastoral setting of the building group, (this being Moss Foot House, Outbuildings 1 and 2, and the additional stone barn which used for storage). The terraced garden area and access track, parking and access area (and cars parked within it) sit in the foreground of the buildings in wide views and appear as prominent and discordant features, particularly when viewed from the south and west.

49. It is therefore considered that the cumulative impact of alterations to the buildings within the site, the siting of ground mounted solar panels, and the creation of a large parking area and change of use of agricultural land to form a terraced garden area and associated outdoor lighting would fail to conserve the landscape setting of Moss Foot farmstead and the wider landscape character, contrary to the aims of Policy S2 of the South Lakeland Local Plan, Policy CS8.10 of the South Lakeland Core Strategy, Policies CP1, CP6, CP8 and L6 of the draft Yorkshire Dales Local Plan, and the provisions of the NPPF, to the determinant of both the immediate or wider landscape setting of the building.

Impact on Residential Amenity

50. The nearest residential property is located approximately 200 metres to the south of the application site. Despite the separation distance, the intensive holiday let use of the site (which can involve events being held and the use of the outdoor area) has resulted in noise disturbance for the neighbour as detailed in the objection above.

51. The supporting information submitted by the Applicant acknowledges that guests will make use of the outdoor amenities during their stay, particularly in the summer months, which may generate some noise. However, the Applicant contends that this is effectively managed through the Applicant's visitor management strategy, detailed in the supporting Planning Statement. The strategy strictly prohibits outdoor music and requires guests to keep noise to a minimum in consideration of the countryside setting. Guests must sign this agreement prior to their stay, and alert the Applicant if noise levels increase, enabling prompt communication with guests to remind them of the site rules. However, it has not been clarified how this would be enforced, and what steps would be taken if there was loud music being played at the site, or simply excessive noise being made by guests at the property and in the event that any warnings to guests went ignored.

52. Given the number of guests that can be accommodated at the site, the focus on events, the continual occupation of the property by a succession of large parties of guests, and the otherwise tranquil and quiet nature of the area it is considered that the proposal is highly likely to have a significant effect on the amenity of the neighbour and on the tranquil character of the area. It is not considered that a holiday let use of this intensity could be adequately mitigated or controlled by the applicant's visitor management strategy.

Impact on Highway Safety

53. The access to the site has not been altered, and there is sufficient parking within the site for the size of the property. Whilst there are concerns with the impact upon this parking area upon the landscape and also the impact of the number of the frequent vehicular movements upon the character of the site, the proposals are considered acceptable in terms of impact on highway safety.

Biodiversity

54. As of the 2nd April 2024, under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain to make sure that habitats for wildlife are left in a measurably better state than they were before the development. As the proposal is retrospective, the proposal is exempt from the statutory Biodiversity Net Gain requirements.

55. However, in accordance with Policy W2 of the Local Plan and CP9 of the emerging Local Plan, all developments have a duty to deliver measurable net gains for biodiversity and will need to clearly identify enhancement measures. Currently the proposal includes a soft landscaping planting scheme, however there are many other ways to also provide biodiversity enhancement measures.

56. Therefore, the Planning Ecologist has advised that in order to comply with Policy CS8.4 of the South Lakeland Core Strategy and Policy CP9 of the draft Yorkshire Dales Local Plan, a condition should be attached to any grant of permission to secure enhancement measures such as bird and bat boxes or integrated features, hibernaculum for mammals and reptiles, insect houses and log piles. The locations of these would need to be submitted to the Authority, to ensure the enhancement measures are viable and can be submitted as part of the LEMP.

Enforcement/Unauthorised Works

57. The unauthorised works which have been carried out and for which retrospective permission is sought under this current application can be summarised as follows:

- Use of the property as an intensive holiday let accommodating up to 20 guests
- Works to Moss Foot House, including enlargement of an existing window on the south elevation, installation of three small ground floor windows on the east elevation, addition of 3 rooflights, and a double door to the north elevation,
- Creation of a stone patio/ seating area to the rear (north) of Moss Foot House
- Change of the use of Outbuilding 1 to ancillary bedroom and games room
- Construction of Outbuilding 2 as an ancillary building to the holiday let (sauna and steam room) with outdoor seating area
- Change of use of agricultural land to the south of Moss Foot House to ancillary outdoor space, including operational development (creation of a terraced area, steps, hot tubs, lighting, patio areas, and gravelled access track to lower garden area)
- Creation of a large gravelled parking area to the west of Moss Foot House
- The installation of ground mounted solar panels

58. It is considered that the works to Moss Foot House itself – these being the construction of a patio area to the rear/north, enlargement of a window to the front elevation and installation of a door to the north elevation, 3 small windows to the east elevation, and 3 rooflights – would not be significantly harmful to warrant enforcement action.

59. However, for the reasons set out above, the change of use of the site from a residential dwelling and surrounding agricultural land and buildings to form a large intensive holiday let use (with associated operational development) is considered to be significantly harmful to the amenity of the neighbour, the character and appearance of the site, and the intrinsic undeveloped, pastoral character and visual quality of the landscape, including its dark sky environment. As such, it is

recommended that enforcement action is taken to address these breaches of planning control.

Parish Council Comments

60. Firbank Parish Council has raised no objection to the proposals noting that the proposed mitigation measures are adequate.

Equality Act

61. 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.

62. 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

63. It is considered that the change of use of the single residential dwelling to form a large intensive holiday let use and cumulative effect of alterations to the buildings within the site, the creation of a large parking area and the change of use of agricultural land to form a terraced garden area with associated outdoor lighting has had a significant adverse impact upon the agricultural nature of the site and tranquil pastoral character of the surrounding area. The proposal would fail to conserve the visual quality and character of the National Park landscape and undermine the purpose of the Dark Skies Reserve.

64. Furthermore the proposed intensive use of the property for a large number of guests with the added facility for large events would cause noisy and disturbing activity that would detract from the residential amenity of the nearest neighbour.

65. It is acknowledged that visitor accommodation can have a positive effect on the local economy and increase opportunities for the public to enjoy the National Park. However, in this instance it is considered that whilst the holiday let could have a limited beneficial effect upon the local economy, this would not outweigh the significant adverse impact of the development upon the amenity of the neighbouring occupier and the harm caused to the character, appearance and tranquillity of the site and its surroundings.

66. The application is therefore contrary to the aims of Policy S2 of the South Lakeland Local Plan, Policy CS8.10 of the South Lakeland Core Strategy, Policies CP1, CP6, CP8 and L6 of the draft Yorkshire Dales Local Plan, and the provisions of the NPPF, to the detriment of both the immediate and wider landscape setting of Moss Foot.

Recommendation

67. It is recommended that permission be refused based on the following:

1. In the opinion of the Local Planning Authority the proposed intensive holiday let use and development including the change of use of agricultural land to garden/outdoor space, the creation of large areas of hard and soft landscaping, the creation of a large parking area, installation of substantial outdoor lighting and a large ground mounted solar array; and the activity associated with the creation of such a use, would harm the scenic beauty and intrinsic pastoral, tranquil and dark skies character of the National Park landscape. As such the proposal is not sustainable development and is contrary to policies CS8.7 and CS8.10 of the South Lakeland Local Plan, Policies CP1, CP6, CP7, CP8 and L6 of the draft Yorkshire Dales Local Plan (2025 - 2040), the statutory purposes of the National Park (Section 5 of the National Parks and Access to the Countryside Act 1949), the purposes of the International Dark Skies Reserve and the guidance within the National Planning Policy Framework (2024) [para. 189].

2. In the opinion of the Local Planning Authority the proposed intensive holiday let use would have a significant harmful effect on the residential amenity of the nearest neighbour by virtue of noisy and disturbing activity associated with the use, including organised events, within an otherwise quiet and tranquil environment. As such the proposal is contrary to Policies CP1 and E3 of the draft Yorkshire Dales Local Plan (2025 - 2040).

68. Furthermore it is recommended that Members authorise enforcement action in respect of the following breaches of planning control:

- Cessation of the use of Moss Foot House as commercial short term holiday letting accommodation
- Cessation of the use of Outbuilding 1 for purposes ancillary to the use of Moss Foot as commercial short term holiday letting accommodation, and the removal of domestic items including the bar, pool table, and bedroom, and the removal of attached timber structure;
- The removal of Outbuilding 2 and the site to be grassed over and returned to agricultural use;
- Cessation of the use of the land to the south of Moss Foot House for ancillary use and removal of associated operational development, including terracing, steps, hot tubs, lighting, patio areas, and gravelled access track to lower garden

area, and reinstatement of the land to its former agricultural use and condition (including ground levels);

- The cessation of the use of the gravelled area to the west of the main house as a parking area and reinstatement of the land to its former condition;
- The removal of the ground mounted solar panels;

A period of 12 months be allowed for compliance with such requirements.

69. In the event of non-compliance with the requirements of the Notice, the Authority's Solicitor be authorised to commence prosecution action.

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