Yorkshire Dales National Park Authority

Planning Committee

10 March 2026

Applicant: Diving, Survey and Marine Contracting Limited

Parish: Linton

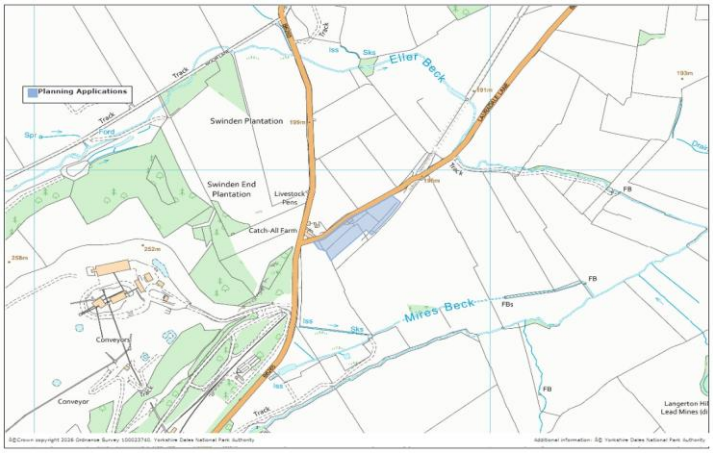
Application No: C/50/58F

Site Address: Catchall Barn, Lauradale Lane, Linton, Skipton, North Yorkshire, BD23 6BE

Proposal: Section 73 application to vary Condition 2 (plans) of C/50/58E to include a new tank for testing equipment in the approved building; the repositioning of a previously approved door in Block A; proposed windows to Block C; and the repositioning of a utilities building (part retrospective)

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. Planning permission was granted in August 2023 for the redevelopment of Catchall Barn and the surrounding site off Lauradale Lane, Linton to create a new business home for DSMC, a local and well-established marine diving company. This involved the erection of four new industrial buildings, the conversion of a modern stone barn and extensive landscaping and remodelling to create parking and ecological enhancement areas. Works have commenced at the site.

Proposal

4. This is an application made under Section 73 of the Town and Country Planning Act 1990 which enables applications to be made to vary or remove conditions associated with an existing planning permission. It is used to make minor material amendments to approved schemes. In this case, the application seeks to vary condition 2 which sets out the plans and documents that were originally approved in order to amend the scheme as follows;
   - include two Air Source Heat Pumps;
   - reposition the utilities building;
   - Increase width of concrete apron;
   - include a new underground tank below an approved building. The tank would be used for testing equipment;
   - minor changes to fenestration including the repositioning of a door in Block A and new windows in block C. Solar tubes were also proposed to block B but these have been omitted and replaced with three windows to the rear of one of the new buildings.

Relevant Planning History

5. The following applications are relevant:

   C/50/58D - Full planning permission for change of use of barn to office accommodation/secure storage; erection of four storage buildings to house further administration, welfare and workshop facilities and covered internal storage of

shipping containers; and associated works to vehicular access, turning and parking areas. Approved subject to conditions - 24/08/2023.

C/50/58E - Section 73 application to vary Condition 2 (plans) of C/50/58D (see above) in respect of amendments to the approved plans to allow for 2 No. Air Source Heat Pumps and a utilities building. Approved subject to conditions - 12/06/2024.

Consultations

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

Fire Officer - Craven – No comments received.

Linton Parish Council – Object to the application and gives the following reasons; "This latest, C/50/58F, retrospective application contains a number of relatively limited changes which in isolation are small. However, in aggregate they increase light pollution and start to represent an additional expansion from the initial approved plan. This said, not all of the changes are minor. We would suggest that the addition of a large, 4M deep basement level tank located within block A is a major change to the original plan. In addition to this, the tank has already been built so this major addition is being requested for retrospective approval.

In this context, we believe that the planning committee should consider that the first planning proposal C/50/58B, that was withdrawn before a decision was made, included a (20mx10m) 6M deep training tank which was described in the application as: "Building B will house a 6m deep pool capable of supporting a variety of business uses. These include ongoing training, testing and maintenance services for DSMC, but will also include a film and TV underwater set location, unique to the north of England." The use of such a facility as a location for film and TV underwater sets will only further exacerbate the increased traffic and intensity of use of the site as well as increase the potential for traffic accidents at the nearby junction with the B6265. Therefore, should the planning committee agree to this material, retrospective change, we ask that a condition be placed on the development to specifically limit its use case to that described by the applican [product and equipment testing and training purposes].

In summary, Linton Parish Council considers the retrospective approval of these changes as a confirmation our initial fear of industrial creep at the site. We also consider the scale of the retrospective addition to the plan as a conscious decision by DSCM to undermining the planning process which is deeply worrying for the future of the site."

North Yorkshire Council Building Control - All work is to be carried out, to ensure compliance with the Building Regulations 2023.

North Yorkshire Council Environmental Health – No objection.

North Yorkshire Police – No comment.

Planning Ecologist – No objection.

7. A site notice was displayed on 19 December 2025 and expired on 09 January 2026. No responses have been received from members of the public.

Assessment

Key Issues:

- Planning Policy
- Visual Impact
- Landscaping and biodiversity
- Parish Council comments
- Equality Act

Planning Policy

8. Section 73 of the Town and Country Planning Act (1990) allows for applications for planning permission to develop land without complying with conditions previously imposed on a planning permission. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. As this is a Section 73 application, only the proposed amendments should be considered and not the principle of the original development (or any previously approved amendments).

9. The policies of the Yorkshire Dales Local Plan (2015-2030) which apply include:

10. Policy BE1 (Business development sites) applies to proposals located on business development sites. The original application at this site was considered as a departure from the adopted Local Plan and subsequently planning permission was granted.. Policy BE1 is therefore relevant to this application for the amendments to the business site.

11. Policy SP4 (Development quality) aims to ensure the design of new development is high quality. This policy applies to all development.

12. Policy CC1 (Renewable and low carbon energy) supports proposals for small scale renewable and low carbon technologies where the contribute to meeting the energy needs of businesses within the National Park. The amendment includes the provision of two additional air source heat pumps; these are small scale renewable heating systems.

13. The Authority is in the process of preparing a new Local Plan (2025–2040) for the whole National Park which will replace the Yorkshire Dales Local Plan (2015-2030) and the old South Lakeland, Eden and Lancaster Local Plans. The Local Plan has reached an advanced stage and weight is given to the plan in decisions on planning applications.

14. The most relevant policies in the draft Local Plan are:

15. CP6 (Design) is similar to SP4 in the adopted Yorkshire Dales Local Plan in requiring that new development is of a standard that conserves and enhances the special qualities of the National Park, contributes to a low carbon future, maintains high amenity standards for users and neighbours and contributes to nature recovery.

16. CP7 (Energy requirements) Development should demonstrate use of decentralised sources of renewable energy, including on site generation, such as air source heat pumps.

17. CP8 (Landscape Character) which requires that new development proposals will need to conserve and enhance the natural beauty and the special character of the landscape of the National Park. In considering proposals for development, the Authority will refer to the area reports that form part of the Yorkshire Dales National Park Landscape Character Assessment 2020. The policy includes a list of criteria that will be considered in assessing proposals including the degree to which landscape characteristics are affected, the design, layout and scale of proposals and how they fit within the landscape character and the visual and perceptual impact of the development on landscape character.

18. CP9 (Biodiversity enhancement) ensures new development delivers suitable biodiversity net gains and enhancement.

19. L6 (Dark Night Skies) aims to ensure development reduces light pollution and conserves and enhances the qualities of the Dark Sky Reserve. Development proposals will be permitted where they maintain and enhance the special quality of the Yorkshire Dales Dark Sky Reserve.

20. In this instance, permission is sought to vary condition 2 (approved plans) in respect of relocating the utilities building at the rear of Block B, addition of windows on Block C, addition of two air source heat pumps, an increase in hardstanding around Block B, two additional air source heat pumps at the site and installing a diving tank into Block A.

21. The key considerations are therefore how these amendments effect the approved development and surrounding area with regard to visual amenity, dark skies and biodiversity.

Visual impact

22. The relevant Landscape Character Assessment for the site is LCA 16 - Wharfedale. The assessment sates that in this area the built development is prominent on the valley slopes at Grassington and Threshfield; buildings, overhead power lines, masts, car parks, lighting and tourist infrastructure are sometimes prominent. The site lies outside the villages of Threshfield and Linton, the use of the site and the proposed development at the site, in terms of building position, size and construction have been considered under the relevant Local Plan Policies and was approved as a business sit. However, the design, finish and landscaping were key to ensuring the development would assimilate into the surrounding landscape.

23. The main changes to the design of the proposal are considered individually as follows;

24. The utilities building has changed position to be 1 metre further away from Block B to allow for maintenance of both buildings. This modest utility building has already been approved and has now been completed, albeit in the newly proposed position. Its amended position, 1 metre away from the main building; does not have a significantly greater impact on the wider landscape view into the site. There is a substantial amount of tree planting approved which has been carried out at the west of the site, which helps to reduce views and break up the line of the buildings at the site when looking from the B6265. The utilities building would therefore be well screened in time.

25. The concrete apron to the front of Block B is proposed to increase from 5 to 7 metres. Whilst this will increase the size of the concrete apron, views of this will not be seen from outside of the site. Within the site, the approved landscaping plan and tree planting which has already been carried out will help to soften the appearance of and balance against the harder landscaped areas of the site.

26. A new tank for testing equipment is proposed to be enclosed in/beneath Block A and a change to the position of the approved door on Block A is proposed. This is an approved building and the only external alteration to Block A is a change to the position of the door into this building. This is a minor change and does not impact or change the overall appearance of the site. The tank will be used for testing equipment and will not increase activity at the site to that already approved (see ‘Parish Council comments’ below).

27. The additional air source heat pump on Block A and Block B, with black timber enclosure will be small and discretely sited close to existing much larger, buildings and not visible outside of the application site.

28. The proposed window on the front of Block C is a minor detail which will not significantly alter the appearance of the building. Originally the proposal was also for the addition of a solatube light tunnel on Block C. This part of the proposal has been omitted, and three windows are now proposed on the rear elevation of Block C. The removal of the solatube light tunnel from the scheme was sought to ensure the grass roof (approved) could be maintained without any gaps or additions to the roof. It was also sought to ensure there was no light spill from the roof of the building. The proposed windows on the rear of the building will face into the boundary of the site and will not be seen from the road.

29. The proposed amendments to the scheme are therefore considered to have a very minimal impact on the appearance of the development as a whole and would not adversely impact on the landscape character of the site in wider views. The proposal is therefore considered to meet the criteria of Policy SP4 of the Yorkshire Dales Local Plan 2015 and Policy CP6 and CP8 of the draft Local Plan.

Landscaping and Biodiversity

30. The site is located on Lauradale Lane, adjacent to Tarmac's Swinden Stone Quarry and surrounded by predominantly agricultural land. The original context of the land was modified grassland, scrub and trees. The majority of the trees at the site have been retained. A comprehensive landscape plan was submitted, which shows the planting of over 190 new native species trees to complement the existing trees, areas of hedging created and mosaic planting including a species rich meadow area and wetland planting. The development will be suitably screened from the roadside with trees and hedging as well as the buildings covered with green roofs of a native grass mix. A SuDs pond has been created to not only provide suitable drainage but also, provides an important habitat to biodiversity. This provides a significantly better and more diverse mosaic of habitat than what was previously on site and would accord with the requirements of policy W2 of the adopted Local Plan and draft policy CP9 of the draft Local Plan.

31. Furthermore, the applicant seems sympathetic to the environment and wildlife, even seeking advice to ensure the enhancement measures have a better likelihood of success. The measures have been above and beyond the requirement of enhancement with the inclusion of grass roofs, log piles for insects, more than required barn owl boxes, more than required bat boxes, bird nesting boxes and a kestrel box.

32. Lighting is environmentally sympathetic and compliant with the Dark Sky Reserve specifications for lighting, with a number of mitigation measures in place, these include shielded, careful aiming and positioning of luminaires to ensure light spill is

at a minimum and the lights are not directed to the wider landscape and on important habitats and the correct limits to ensure the dark-skies of the National Park would remain suitably protected from 'sky-glow' associated with the Approved Development. The site remains compliant with Policy L6 of the emerging Local Plan.

Parish Council Comments

33. Linton Parish Council has objected to the application on the following grounds (in summary);

- Increase in light pollution
- Additional expansion from the initial approved plan.
- The tank located in block A is a major change to the original plan, this tank has already been built.
- A concern that the tank could be used as a facility/location for film and TV underwater sets, which would increase traffic and intensity of use of the site.

34. The Parish Council's concerns are considered individually below.

35. The original submission of the Section 73 application showed solar light tubes on the roof of building C. Officer's agree with the comments of the Parish Council in that these changes could result in increased light pollution and as such negotiated amendments to resolve the matter. These solar tubes have now been omitted from the scheme to reduce possible light pollution from the roof of building C and three windows have been proposed in the back of building C. Whilst this could increase the level of light spill, given the position and orientation of the windows, facing into the banking, it is unlikely to result in significant light pollution.

36. The tank in building A is retrospective as mentioned by the Parish Council. However, the development has been considered on its merits and not on the basis that the work has already been carried out. The tank is contained wholly within and below building A, which was approved under the previous planning application. The external appearance of the building has not changed, the materials, size and height remain as was approved.

37. The concerns of the Parish Council regarding the use of the tank have been put to the applicant. The applicant has stated in a response from the Parish Council objection that the tank will be used for training. They have stated 'The training and testing tank is not the same structure that was included in our initial application withdrawn in 2020. It is not a bespoke underwater film studio, is nowhere near the same scale and we have no plans to use it for anything other than training and testing. It will not increase traffic in the area or impact Linton Parish in any way. It will be contained within the smallest of the approved buildings and will have no visual impact.' The Parish Council has also suggested a condition to restrict the use of the tank to testing and training purposes as set out by the applicant. This suggestion is

considered reasonable to control the future use of the tank and as such a condition is therefore proposed to this effect.

38. In summary, there is no additional lighting proposed at the site, the use or size of the site is not proposed to change, and the tank will be enclosed within an already approved building, with no alteration to its size or material. It is therefore considered that the Parish Council's concerns in these respects have been addressed.

Equality Act

39. 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.

40. The proposal does include amendments to surfaces and pathways. The use of compacted gravel should ensure that the pathways are reasonably accessible whilst balancing against the need for permeability and a natural finish. It is therefore 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

41. The proposed amendments are minor for this scale of development. Visually the changes would not significantly alter the character and appearance of the development or result in any significant change to the site within the wider landscape. It is therefore considered that the proposal would meet the requirements of policies BE1, SP4 and CC1 of the Local Plan (2015-2030) and policies CP6, CP7, CP8, CP9 and L6 of the draft Local Plan.

Recommendation

42. It is recommended that permission is granted subject to the following conditions;

- amended condition 2 (plans) to reflect the amended drawings and documents,
- adherence to all the original conditions attached to C/50/58E to be updated to reflect the amended plans and the details that have since been discharged,
- restriction on the use of the tank to testing and training purposes only.

Report Author: Janet Perry

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