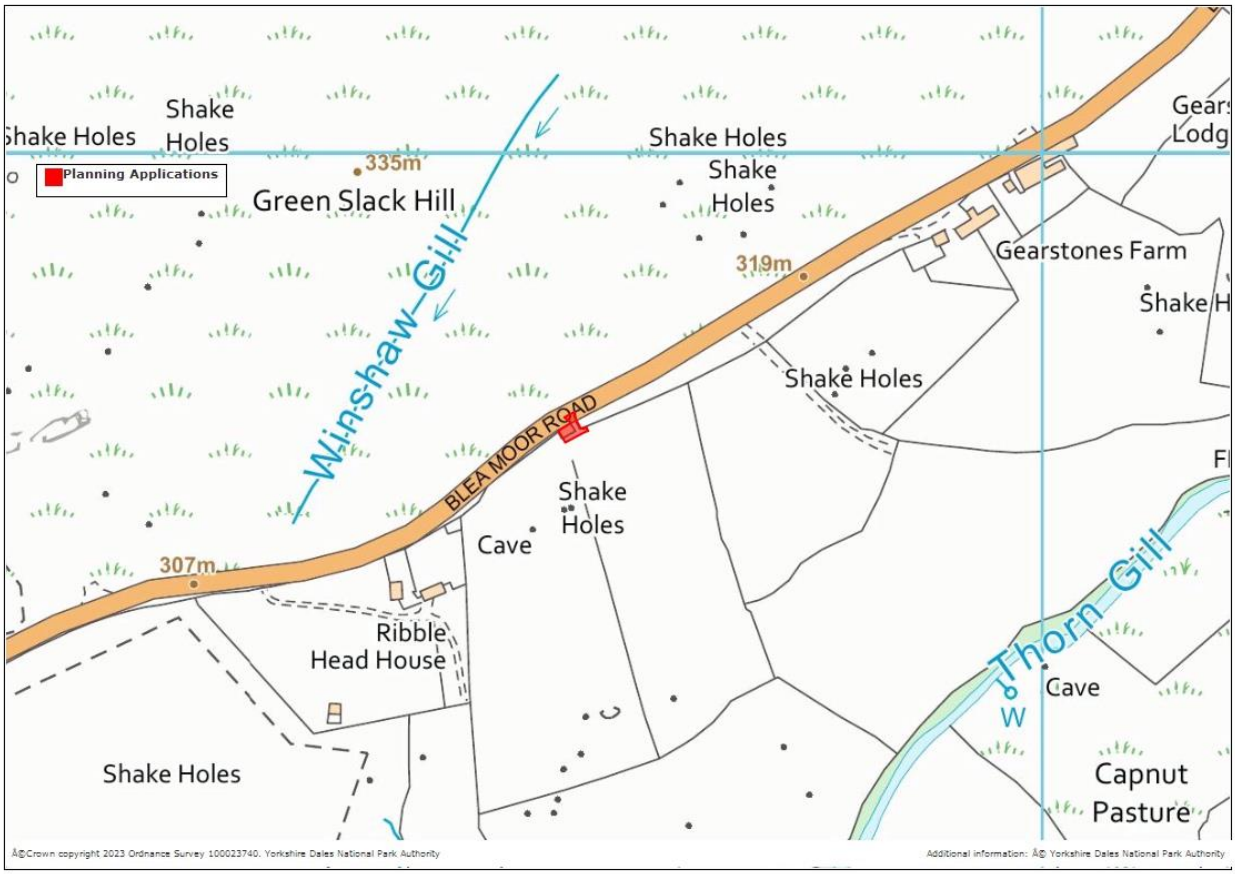
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Ingleton CP
Date:	3 October 2023	**Officer:**	Nicola Dinsdale
Applicant:	Ms D Pickles	**Application No:**	C/45/656
Site Address:	Green Slack Barn, Chapel le Dale, Ingleton, Carnforth, LA6 3AS		
Proposal:	Full planning permission for change of use and alterations of former agricultural building to local occupancy residential use and short-term holiday-let (Amended red site).		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the application has been called to Committee by Mr D Ireton and the public interest reason given is –

   "The access to the barn is currently in use and has been for many years without any danger to road users. There are other applications that have been approved by officers against Highways recommendation. So, in the public interest I believe it should be dealt with by the Planning Committee."

APPLICATION SITE

2. Green Slack Barn is an isolated traditional building set in a prominent location on the perimeter of an agricultural field adjacent to the B6255 between Gearstones Farm to the and Ribblehead Viaduct. The building is in an 'L' shaped form with two doorways facing south into the field, one serving the former shippen with the other door along with an opening at high level serving the hay mew, with a ground floor opening within the west ground floor gable elevation. A former door way adjacent to the highway has been partially walled up and now forms a window with the lower walled section slightly under the existing ground level due to the building up of the highway. A building in this location is detailed on the 1856 maps and as such this building is considered as undesignated heritage asset. A mature Sycamore tree is positioned to the west of the building.

PROPOSAL

3. The application seeks permission for the change of use and alterations to the former agricultural building to form a dwellinghouse for local occupancy and short-term holiday-let along with an associated garden and parking area.

4. The existing openings are to be largely used with a new ground floor opening installed within the east elevation serving the lounge and the partially blocked up opening adjacent to the highway re-established and fitted with a glazed panel. Four new conservation roof lights are to be installed with two on the south and two small roof lights on the north roof slopes. The garden area forming the residential curtilage will be enclosed by a drystone boundary wall and will include a parking and turning area for two cars and a gateway to the field to enable the continued access to the agricultural land. The access to the highway is by the existing field gate, no specific details have been sumitted to detail how the access would be constructed. The property will be served by a Klargester biotec package treatment plant to be installed within the field directly to the southwest.

5. The windows and doors are to be constructed in timber and will be deeply recessed and finished in a dark colour which can be controlled by condition.

RELEVANT PLANNING HISTORY

6. There is no relevant planning history for this site.

CONSULTATIONS

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

Wildlife Conservation Officer – No comment on ecological assessment.

United Utilities Water Ltd - No responses received.

Area Ranger (Lancashire, Ribblesdale & Malhamdale) – No objection, the proposal does not affect any public right of way. Open access land is incorporated into the boundary of the development. The public must be able to freely roam on the area of open access land detailed in the attached document, if any boundary or erected across open access land suitable access point/s must provide so the open access land is not impeded.

Trees & Woodlands - The mature standalone sycamore adjacent to the building has high amenity value - highly visible from the road and surroundings. The root protection area is not clearly mapped out on the plans. The root protection zone should indicate where the protective fencing needs to be and no excavation or soil level changes should occur within this area. A full arboricultural impact assessment and method statement by a qualified arborist should be provided.

Fire Officer - At this stage in the planning process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objections/ observations to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

Chief Environmental Health Officer CEHO - The proposed dwelling will be served by a borehole and as such will require risk assessing and sampling prior to completion for which charges will apply. Going forward the supply will be classified as Reg 9 commercial and will need a 5 yearly risk assessment and sampling in accordance with the Private Water Supplies Regulations 2016. The supply/property must be fitted with a pre-filter and fail safe UV along with any other treatment deemed necessary. Treatment should be at point of entry into the property or sited so as to treat all water being supplied.

Highways - Objection. Having reviewed the documents submitted in support of the application a 7-day speed survey is required at the point of access.

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:
The design standard for the site is DMRB and the required visibility splay is 2.4 metres by 215 metres. The available visibility in an Easterly and Westerly direction is considerably less and is not acceptable.

The turning and parking for 2 vehicles at the site is acceptable and meets NYC standards.
Consequently, the Local Highway Authority recommends that Planning Permission is REFUSED.

Ingleton PC – No Objections to the proposed development.

PUBLIC RESPONSES

8. Neighbour/interested parties' responses received: 0

This planning application has been advertised by site notice dated 3rd March 2023 and again by site notice dated 3rd August 2023 following amended plans.

No comments have been received as a result of these advertisements.

ASSESSMENT

Key Issues:

- Planning policy
- Visual and Landscape Impact
- Highway Safety
- Common Land
- Ecology and Biodiversity Enhancement
- Impact on Trees
- Parish Council comments
- Equality Act

PLANNING POLICY

9. The Yorkshire Dales Local Plan (2015-30) aims to deliver sustainable development in the National Park context. It aims to achieve the conservation and enhancement of traditional buildings (heritage assets) by allowing them to be adapted or converted to new uses, providing the building and its landscape has the capacity to absorb them.

10. Policy L1 considers development affecting heritage assets. Proposals affecting undesignated heritage assets will be permitted where their significance will be conserved. Where harm or loss results, applicants should demonstrate that reasonable efforts have been made to minimise harm and make provision for suitable recording prior to the development taking place. The barn is not listed but is considered to be a non-designated heritage asset under the terms of this policy.

11. Policy L2 allows traditional buildings to be changed to local occupancy residential, short-stay holiday lets and employment uses in certain locations (in existing settlements, building groups, or suitable roadside locations). This barn is located in a roadside location. Under the terms of this policy, the barn is suitable for conversion in accordance with its locational requirements subject to a S106 legal agreement securing the use as local occupancy or short stay holiday let.

12. Policy L3 considers the details of the conversion works. Proposals will not be allowed where they undermine the architectural and historic character of the traditional building and its landscape setting. The building must have the physical capacity to accommodate the new use without significant extension or alteration or requiring new ancillary buildings. The barn benefits from several openings along with a partially blocked opening, which have been fully utilised as part of the conversion proposal. One new opening within the east gable elevation is to be created to form a window serving the lounge, along with the opening of the former door to the north to form a full length glazed opening. Four conservation roof lights are to be installed. The new openings are limited to a relatively modest scale and no extensions are proposed. The curtilage has been reduced in size and relates well to the barn and the existing access to the site.

13. Local Plan Policy SP4 (Development quality) sets out various design criteria for all development. According to this policy, new development should respond positively to the site,

its surrounding context and landscape setting so that the appearance of the building is sympathetic and complementary. Furthermore, SP4 requires that new development does not prejudice highway safety and will have appropriate access and parking provision. The proposed works to the barn and to create an associated garden and parking area are modest in scale and relates well with the surrounding landscape. The Highways Authority has raised an objection to the access on the grounds of highway safety (see below).

VISUAL AND LANDSCAPE IMPACT

14. The proposed conversion of the barn would see the retention of a traditional former agricultural building through its conversion to a dwelling. The proposal has been amended from the original with the reduction of the number of openings and to reduce the scale of the garden and parking area. The parking area has been re-positioned to the east of the building adjacent to the existing field boundary wall and will be enclosed by a drystone wall that will afford additional screening. The amended proposal makes full use of the existing openings with the addition of a ground floor window on the east gable elevation serving the lounge. The garden and parking area are modest in scale and will be enclosed by a dry stone wall. The land at the south side of the barn is set at a lower level than the highway and is partially screened from immediate views along the highway, the open access and common land to the north due to the existing field boundary wall and the mature Sycamore tree positioned to the west of the site and will only be seen in distant views from the south. An appropriate landscapinging scheme can be controlled by condition. The proposed development would not have any undue impact on the character of the barn or the have an adverse landscape impact and is in accordance with policies L1 and L3 of the Local Plan.

COMMON LAND

15. The land forming the access to the site comprises Common Land (Blea Moor, parcel no. CL194). The access to the land is using the existing field gate which is defined as a lightly surfaced area where the land has been previously re-graded to access the land. Section 38 of the 2006 Act restricts works on Common Land which prevent or impede access to common land, or would constitute resurfacing of common land, may not be carried out without the consent of the Secretary of State. Should the Authority grant planning permission for the development, the applicant would be advised by an informative that the consent of the Secretary of State would be required, in order for the work to be lawfully carried out.

HIGHWAYS

16. Paragraph 110 of the National Planning Policy Framework (2021) relates to transport and highways and specifies that In assessing sites that may be allocated for development, or specific applications for development it should be ensured that a safe and suitable access can be achieved for all users and adds further at d) that any significant impacts on the transport network, or impact on highway safety can be cost effectively mitigated to an acceptable degree. In addition at Paragraph 111, ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

17. The Highway Authority has recommended that permission be refused as the required visibility splays cannot be provided in both a westerly direction when viewed towards Ribblehead direction and easterly in the direction of Gearstones Farm.

18. The design standard for the site requires a visibility splay to a minimum of 2.4 metres by 215 metres. The B6265 at this point has a speed limit of 60mph and the visibility at the access is much less that the design standard, estimated to be at approximately 100 metres to the

east, approaching on a bend when leading from the direction of Ribblehead Viaduct. The approximately visibility from the west is about 100-120 metres approaching over the brow of the hill from the direction of Gearstones Farm. No speed survey or details of an improved access to and from the highway has been submitted to justify deviating from the standard visibility splays which are based on stopping distances.

19. The Highway Authority has commented that the intensified use of the existing access, used by vehicles to leave and re-join the highway would not be acceptable and would result in an unacceptable impact in terms of Highway Safety. The proposal is therefore does not accord with Local Plan policy SP4 and the NPPF relating to highway safety.

ECOLOGY

20. This planning application has been supported by an Ecological Assessment by Naturally Wild Consultants Limited. No evidence of bats using the barn or roosting at the site has been recorded at the time of the surveys. The external stonework due to its exposed location is considered to be unsuitable for bats to roost, with a low potential for bats to roost with the roof space of the barn. Evidence of a Barn Owl using the barn was found, although there were no notable signs of any nesting within the site. Mitigation measures and suitable biodiversity enhancement measures have been recommended and include the to insatllation of an owl box. The applicant can be advised by an informative of their requirements should any bats or protected species be present and suitable biodiversity enhancement can be controlled by condition. The proposal therefore is in accordance with Local Plan policies W1 and W2.

PARISH COUNCIL COMMENTS

21. Ingleton Parish Council has been consulted on this planning application and the amended scheme and has commented that they have no objections to the proposal.

EQUALITY ACT

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

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

CONCLUSION

24. The proposed conversion is acceptable in principle and is in accordance with the requirements of policy L2 of the Local Plan (2015-2030). The alterations to the building and the garden are relatively modest and would not harm the character and appearance of the building. The conversion would not have a harmful impact on the adjacent tree or protected species and suitable landscaping and biodiversity enhancements could be secured by condition, consistent with policies L1, L2, L3, W1 and W2 of the Local Plan (2015-2030).

25. The Highway Authority has objected to the proposal due to substandard visibility splays at the proposed access by which vehicles associated with this development would leave and re-join the County Highway (the B6255) is unsatisfactory since the required visibility of 2.4 metres x 215 metres cannot be achieved at the junction with the County Highway in both the easterly and westerly directions. Although the proposed conversion of the building and the associated garden and parking area is acceptable the concerns raised by the Highway Authority cannot be overcome and as such the proposal is contrary to the guidance in the National Planning Policy Framework (2021), and to policy SP4 of the Yorkshire Dales Local Plan 2015-2030**.**

RECOMMENDATION

26. It is recommended that permission be REFUSED for the reason below:

In the opinion of the Local Planning Authority the proposed access by which vehicles would leave and re-join the County Highway (the B6255) is unsatisfactory since the required visibility of 2.4 metres x 215 metres cannot be achieved when looking to the east and west. As such the proposal would harm highway safety and is contrary to the guidance in the National Planning Policy Framework (2021) [para.111], and to policy SP4 of the Yorkshire Dales Local Plan 2015-2030.