Yorkshire Dales National Park Authority

Committee: Planning

Date: 15th April 2025

Applicant: Natural England

Parish: Horton in Ribblesdale, Ingleton

Officer: Katherine Wood

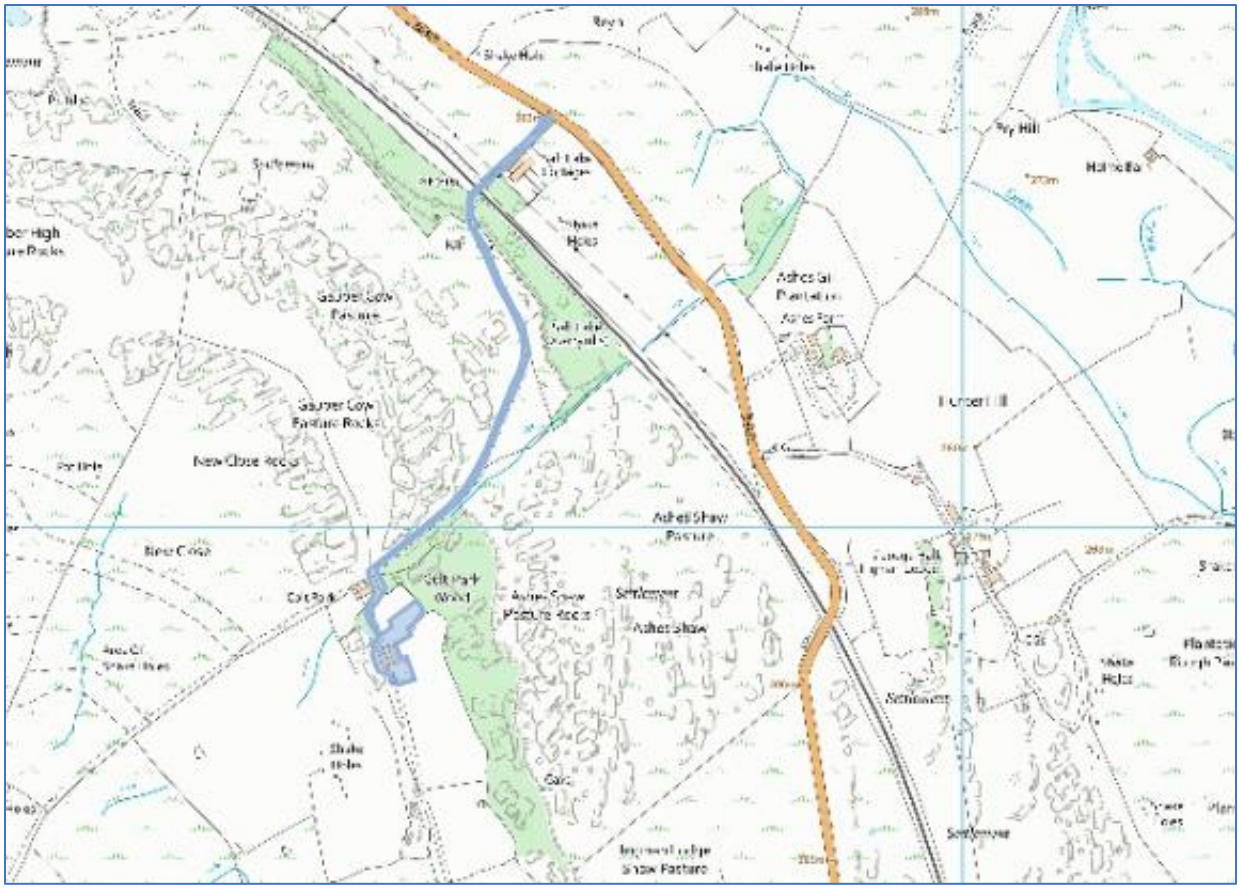
Application No: C/44/181C

Site Address: Colt Park Barn, Chapel Le Dale, CARNFORTH, LA6 3JF

Proposal: Full planning permission for refurbishment of the existing traditional west stone barn including additional windows and the replacement of existing doors and roof replacement as well as improvements and reconfiguration of internal space; external recladding of the modern (east) barn, replacement of door openings and installation of internal mezzanine; installation of ground mounted photovoltaic panels with an associated battery storage structure; erection of a polytunnel; realignment of the access track; installation of service and associated works (amended red site plan)

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 recommendations are contrary to the decision which the Head of Development Management proposes to take.

Application Site

3. Colt Park Barn lies below Park Fell to the west of the B6479 Ribblehead to Horton Road and the Settle to Carlisle railway line. The site is accessed by an unmade track from the B6479 that serves a number of residential properties. The track is also a public footpath that allows access from the road through the site to the west and south around the lower slopes of Park Fell.

Proposal

4. Full planning permission is sought for the refurbishment of the existing traditional stone (west) barn including additional windows and the replacement of existing doors and roof replacement as well as improvements and reconfiguration of internal space; external recladding of the modern (east) barn, replacement of door openings and installation of internal mezzanine; installation of ground mounted photovoltaic

panels with an associated battery storage structure; erection of a polytunnel; realignment of the access track and the installation of service and associated works.

Relevant Planning History

5. The following applications are relevant:

C/44/181A/GPDO - Notification under Part 6 of the Town & Country Planning (General Permitted Development Order) 1995 for erection of agricultural building Approved - No Objection 04/02/2013

C/44/181B/LDC - Lawful development certificate (existing use) in respect of use of the barn as a National Nature Reserve base - Certificate Granted 07/02/2023. The use consists of a base for the management of the Ingleborough National Nature Reserve and Wild Ingleborough project and storage of all terrain vehicles, agricultural equipment and materials, an office, workshop, laboratory and meeting point for educational visits by members of the public to the Reserve. The Certificate is subject to the following limitations:
1. The maximum number of persons using the office laboratory and administrative facilities provided within the barn at any one time is 8 persons (comprising members of staff volunteers and partner organisations).
2. The use of part of the barn as a workshop is for the repair of equipment and production of items used on the Ingleborough Nature Reserve (e.g. bird and seed boxes, fencing).
3. The use of part of the barn as a laboratory is for scientific experiments related to Ingleborough Nature Reserve.
4. The use of part of the barn as a meeting point/base for educational visits by members of the public to the Reserve is:
(i) by invitation only;
(ii) restricted to those parts of the barn shown on the floor plan marked lab room and mess room.
(iii) limited to a maximum of 12 persons.
(iv) limited to 1 event per month (Oct – April incl.) and 1 event per week (May – September incl.).
5. The layout of the barn showing the extent of the mixed uses was shown on a plan.
6. The use of the land outside the barn for vehicular parking is for a maximum of 10 vehicles and only for purposes ancillary to use of the Barn as a Nature Reserve Base.
7. The extent of the land used for parking specified on a plan. .

Consultations

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

United Utilities Water Ltd – None received.

Fire Officer - Craven – None received.

Historic Environment Team - The main concern here is the ground disturbance that will be caused by the re-location of the track and other new infrastructure. Recommends that this aspect of the scheme be mitigated by means of archaeological monitoring of any such works and recommends a condition requiring a Written Scheme of Investigation (WSI) for archaeological work.

Trees & Woodlands – No objections subject to conditions requiring full landscaping details and the track realignment to accord with the drawing in Annex B of the Arboricultural report.

Natural England (National statutory body) – No objection subject to appropriate mitigation being secured. Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Ingleborough Special Area of Conservation (SAC) https://designatedsites.naturalengland.org.uk/.
- damage or destroy the interest features for which Ingleborough Site of Special Scientific Interest (SSSI) has been notified.
- have a significant impact on the purposes of designation of Yorkshire Dales National Park

In order to mitigate these adverse effects and make the development acceptable, the mitigation measures as set out in supporting document Report to inform a Habitat Regulation Assessment dated 26 September 2024 should be secured.

Network Rail – No objection.

Area Ranger - Three Peaks - Proposed development directly affects the PROW.

Yorkshire Wildlife Trust – (In summary - full comments available to view via the Citizens Portal).
Habitat Regulations Assessment - Supportive of a pre-commencement condition requiring a full Construction Environment Management Plan (CEMP).

Outstanding Botanical Survey - We are pleased to see that the outstanding botanical survey work (National Vegetation Classification, Wold Ecology) has now been completed. Recommends that the rare *Carex muricata* ssp. *muricata* which is part of a reintroduction scheme, should be removed and transplanted to a suitable location prior to works commencing, if potentially impacted.

Barn Owl - Supportive of a planning condition relating to barn owl, to include a pre-commencement check and provision of alternative habitat.

Biodiversity Net Gain - Requires clarification prior to determination of the application. The BNG report needs updating to reflect the changes made. Queries made regarding the overall baseline plan and whether this the amended red line boundary. Queries the timing of the data used for the BNG assessment outside of the peak botanical season. As there are very high distinctiveness (upland hay meadow) and irreplaceable habitat (limestone pavement) within the red line boundary, Further explanation is required on how strategic significance has been determined, as the BNG report states that the Local Nature Recovery Strategy or other specified strategies have not been used. Offsite enhancements are proposed within the Ingleborough Complex Special Area of Conservation (SAC) and therefore discussion of whether the proposed enhancements are truly additional to the conservation objectives of this site is required as part of the BNG assessment.

North Yorkshire Council Chief Environmental Health Officer - As the West Barn is likely to have been in agricultural use in the past there is the potential for contamination to be on site. Condition therefore recommended on unexpected contamination. No other Environmental Protection issues.

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

North Yorkshire Council Highways - There are no local highway authority objections to the proposed development. The alterations to the site are all internal and will not have any impact on the access or the volume of traffic using the site consequently there are no Highway objections.

Ingleton Parish Council
(Comments on the original submission received May 2024)
There was consensus on the need to support biodiversity, resilient ecosystems, good public access and involvement in conservation. Natural England - tasked with achieving these aims - needs modern facilities which are sustainable and fit for purpose. However there are serious issues with the use of Colt Park Barn for this purpose. The issues with the current planning application at Colt Park Barn are as follows:

Dangerous road junction between the access track to Colt Park Barn and Gauber Road. The road junction has a blind summit on one side and a blind bend on the other, making it potentially fatal for those unfamiliar to the site. According to the applicants own traffic survey in their transport statement, 15% of vehicles travel past this junction at over 43 mph, several vehicles were clocked at over 60 mph. The traffic survey also states that there has been a collision at the junction in the last 5 years. During the construction phase in particular there will be a large increase in traffic using the junction. These

could be potentially long vehicles taking time to negotiate the junction. There is no indication in the documentation of how this traffic will be managed.

Poor access to Colt Park Barn and potential damage to essential services for residents Access from Gauber Road is via a single farm track, also a designated footpath. Access issues will be particularly acute during the construction phase of the project. Services including water pipes and other services for Salt Lake Cottages cross under the track. These will need to be protected from construction traffic, yet there is no management plan in the documentation for how these services will be protected.

Weak bridge SAC/63 at Salt Lake (Network Rail Tel 0345 711 4141) There is also a weak bridge over a railway and a cattle grid which heavy construction vehicles will need to negotiate. The surface of the track is likely to be degraded by heavy construction traffic. There appears to be no plan in place to repair potential damage to the track. Network Rail do not appear to have been consulted even though they own the bridge over the railway and the access track to the railway bridge.

Limited public access for the site. Ribblehead station is 1.7 km away and the nearest bus stop is 2 km away. The roads nearby are not suitable for cycling. According to the applicants own transport statement, by choosing to use this site, the use of public transport will be limited, walking to the site is impractical, cycling is problematic and most visitors will need to arrive by car or by minibus.

Constraints on public access. Public access to Colt Park Barn is limited by the certificate of lawful use to just one event of 12 participants per week in the Summer, one event per month during the Winter months. Entering the building is via a flight of 5 steps. The design of the building makes it impossible to have an internal lift. This makes the building difficult to access for those with limited mobility. This is not a site that can be readily accessed by members of the public except those specially invited of independent means and who are fit and able enough to climb flights of steps.

Inappropriate development in Open Countryside The construction phase of the development will be an intensification of use of the site, yet Highways have not given a view of how this phase of development should be managed. Nor has there been an impact study on the effect of this phase of development on residents. The ambitious scope of this development is a departure from previous guidelines for the development of field barns in YDNP. Is this a policy change supported by the YDNP? Or has an exception been made in this case? Either way this development could provide a precedent for other developers.

In Summary - The planning application in its current state is ill conceived. There is particular concern around access at the junction, traffic management and protection of essential services for residents and the effects of heavy construction traffic on a weak

historic stone bridge. Other sites close by have good access to public transport, good access for those with poor mobility which would enable Natural England to fulfil its aims. Ingleton Parish Council therefore objects to the planning application.

(Later Addendum to May comments) - The proposal includes substantial alterations to the existing Barn including the creation of new openings which is not currently allowed under the current dales planning policy for Barns . If approved , in its present state , the proposal would effectively undermine National Park policy and would open the flood gates for major alterations to historic barns in the landscape.

(Comments to the amended proposal January 2025)
Strongly object to the amended proposal which appears to fly totally in the face of YDNPA current policies with regard to barn conversions.
It was also felt that none of the previous issues raised by the Council, apart from the bridge and its ability to cope with site traffic, had been addressed.
The implementation of this scheme will increase the safety problems associated with traffic at this location. The Council felt that alternative sites should be investigated.

Horton-in-Ribblesdale Parish Council
(Comments on the original submission received May 2024)
Unable to support the application for the following reasons:

- Concerns were raised about the junction with the B6479 which is already a traffic issue. If the application were agreed the traffic using this already worrying junction would substantially increase.
- The change of windows in the west Stone barn is not in keeping with the existing architecture in the vicinity and the building will lose its 'dales' character.
- The access road to the site is very poor and no mention is made in the application of the road being upgraded to cope with additional traffic etc particularly during construction stages of the application.
- While being sympathetic to the need to retain rare plants the Council were concerned that given the size of the polytunnel it would become a blot on the landscape.

The Parish Council wish to support the work of the applicant but would like to see these concerns are addressed before the application is resubmitted.

(Comments to the amended proposal January 2025)
The Council were pleased that the additional tree planting would slightly camouflage the poly tunnel and the changes to the barn were more in keeping with North Yorkshire architecture and accepted there was a need for additional lighting inside the barn. After discussion the Council agreed to inform Yorkshire Dales National Park that additional use of the facility would have an impact on the entrance to the facility from Gauber Road.

Wildlife Conservation Officer
(Summary of comments on amended proposal)
Habitat Regulations Assessment - Agree with the conclusions of the Wold Ecology Ltd. 'Report to inform a Habitat Regulations Assessment' dated August 2024. Recommends a condition to require a Construction Environmental Management Plan.

Biodiversity Net Gain and Landscaping Enhancements – In summary, the BNG metric needs further review to reflect the change to the red line boundary with the new total baseline area. The proposed landscaping enhancements outside the red line boundary, such as potential tree planting, do not need be included in the metric if they are not required to achieve the 10% BNG uplift. If proposed landscaping enhancements, such as potential tree planting, are within the red line boundary, they do not have to be included in the metric if they are not required to achieve the 10% BNG uplift and do not result in loss of extent or condition of any of the baseline habitats. Landscaping enhancements within the red line boundary can be included in the metric, and contribute to the 10% BNG uplift.

Current guidance from Forestry Commission states that tree-planting should not take place on areas of existing priority habitat, and as such we would not be supportive of the proposed tree-planting on the upland hay meadow in the field east of the barn. This would also have implications for the site's BNG if the tree-planting resulted in a loss of condition in the upland hay meadow.

Notes that the BNG metric shows retention of the northern hay meadow parcel in good condition, which includes the area being used as the plant nursery. Request s a review of the long-term plans for the nursery area, and whether they are expecting to retain that area as good condition hay meadow.

The applicants are proposing some off-site BNG enhancement which will require registering on the national off-site register before submission of the Biodiversity Gain Plan.

Barn Owls - A Barn Owl box is present in Colt Park Barn and that evidence of Barn Owl roosting, but not breeding, was observed. As such a condition is recommended to ensure the confirmation and protection of roosting Owls prior to works.

Bats and other breeding birds - Bat roosts used by small numbers of bats of two species are identified associated with the main barn. These roosts will be lost if the development is carried out, but this should not adversely affect the local conservation status of Daubenton's Bat or Common Pipistrelle (the two species recorded) due to the small numbers of bats involved (not indicative of a significant roost). Therefore, presence of bat roosts is not a constraint on the proposed development provided adequate mitigation is secured by a condition. .

Evidence is provided in the report of other birds nesting in the buildings that would be affected by the proposed development. A condition is recommend requiring a prior check for nesting birds and bird boxes installed.

Senior Listed Building Officer - Originally objected to the harmful impact of alterations to the significance of an undesignated heritage asset, which conflicts with Local Plan Policies L1 and L3. Following the submission of amendments, the Senior Listed Building Officer has no objections subject to a Level 2/3 building survey being required by a condition.

Public Responses

Public responses received at the time of writing: 22

7. The application was originally advertised by site notice dated 15th May 2024 and amendments were readvertised by site notice dated 28th January 2025. Several comments have been received from 22 individuals (both residents living near to the site and within the wider area, and from visitors. 19 individuals have provided objections to the planning application and 3 individuals support the proposal (or aspects of it). Objections have been received from the residents/owners of the 7 properties served by the access and near to the site (1-6 Salt Lake Cottages and Colt Park Farm). All comments can be viewed in full via the Citizen's Portal.

8. In summary, the objections raise the following concerns:

    - the impact of the polytunnel – visual impact, loss of hay meadow and durability during poor weather
    - the visual impact of the solar panels
    - the hazardous junction, intensification in the use of the site will result in highway safety issues
    - use of the access will impact on residential amenity and damage the track
    - impact on the railway bridge from increased use and construction traffic
    - ownership of the access track
    - impact of new trees on residential amenity
    - lack of communication from the applicant to local residents
    - poor use of public money/viability
    - the visual impact of recently installed fencing
    - availability of better alternative sites such as Ribblehead
    - how will the use be monitored?
    - the impact on the SSSI/SAC and wildlife
    - the impact of the alterations on the barn

9. In summary, those in support comment on the following;
    - the need to upgrade the facilities

- sympathetic works to the building
- support for use of solar panels

Assessment

Key Issues:

- Principle of development
- Impact on the character and significance of the non-designated heritage asset
- Landscape impact
- Residential amenity
- Highway considerations
- Trees
- Nature Recovery
- Archaeology
- Protected Open Upland
- Public right of way
- Sustainability
- Parish Council comments
- Equality Act

Planning Policy

10. This application relates to the Ingleborough National Nature Reserve Base which has operated from the site since the early 1990s. Ingleborough National Nature Reserve is managed by Natural England and is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The Reserve covers over 1000 hectares on some of the northern, north-eastern and eastern slopes surrounding Ingleborough. In February 2023 a lawful development certificate was granted for the use of Colt Park Barn as the National Nature Reserve Base for Ingleborough National Nature Reserve which includes the storage of all terrain vehicles agricultural equipment and materials, as an office, workshop, laboratory and as meeting point for educational visits by members of the public to the Reserve. The current planning application is for the refurbishment of the barn and grounds and associated structures and works in connection with the approved lawful use of the site as the Reserve base. The application does not include any change in the use or intensification of the lawful use.

11. Development associated with the established Reserve base is primarily considered under policy BE2 of the Local Plan (Rural land-based enterprises) which permits development if it is necessary to serve the needs of the enterprise in that location where it will help to grow, diversity or improve the viability of farming or other essential rural land management work in the National Park. Policy T4 of the Local Plan (Visitor facilities) also permits development that provides facilities or services

that directly help visitors to enjoy the special qualities of the National Park subject to conformity with other Local Plan policies.

12. In this instance, the proposed development is intended to improve the facilitates already available at the site for staff and visitors. It is acknowledged however, that by improving the facilities here, this could facilitate a more intensive use of the facilities. The lawful use of the site is subject to several limitations (listed above – see planning history) which specify the level of use permitted at the site. However, in order to ensure that the improvements now proposed do not result in any intensification of the site (for reasons set out below) it is considered appropriate to replicate those limitations on use within a planning condition. A planning condition will be more definitive than a limitation. On this basis it is considered that the key considerations are those resulting from the operational development only and not from the use.

Impact on the character and significance of the non-designated heritage asset

13. The proposed development includes the alteration and refurbishment of the large traditional barn at the site. Policy L1 of the Local Plan (2015-2030) states that "proposals affecting undesignated heritage assets will be permitted where their significance will be conserved. Where harm or loss would result from a development proposal, applicants should demonstrate that reasonable efforts have been made to minimise harm and make provision for suitable recording prior to the development taking place."

14. Policy L3 states that proposals for the conversion of traditional buildings to new uses will be permitted where "the building has the physical capacity to accommodate the new use without significant extension or alteration." Although the use is already established, new facilities are proposed internally and as such it is considered that this policy requirement remains applicable.

15. Colt Park Barn is a large bank barn, likely constructed in the second half of the 19th Century and originally a byre at ground-floor level with a large hayloft above. Whilst some original openings remain, several large 20th Century openings have been inserted, particularly to the east elevation. Whilst these new openings have somewhat eroded its historical character and significance, it still has significance as a large, traditionally built barn with a high solid to void ratio, evidence of original doors and openings into the byre, and a lack of openings into most of the former hayloft. As such, it is considered to be an undesignated heritage asset, albeit of low to moderate significance.

16. The proposed alterations as originally submitted, were designed to facilitate the improved use of the building as Reserve staff offices, a lab room and meeting room on the first floor, with storage and a workshop below. Given the high solid to void ratio of the building, the applicants were proposing alterations to bring in significantly greater levels of light and ventilation to the first floor rooms. However, the original

alterations proposed were significant and were highly unsympathetic to the plain agricultural character of the building, contrary to policy L3a) and guidance within the Design Guide. Following extensive discussion with officers, the external alterations have been reduced and amended greatly and now comprise only three small window openings and a bank of fixed patent roof glazing on the western roofslope, facing towards the rising ground behind. These alterations will provide the necessary light and ventilation to the first floor space, whilst maintaining the overall solidity and agricultural character of the building. It is therefore considered that the proposed alterations to the traditional barn would accord with policy L1 and L3 of the Local Plan and guidance contained within the Design Guide.

Landscape impact

17. The site lies to the edge of the landscape character area 'Great Scar Limestone Uplands' (LCA 11, YDNPA Landscape Character Assessment 2020). The area is characterised by a series of areas following the exposed Great Scar Limestone across the southern part of the National Park, separated by the southern dales, containing areas of international and national biological/geological value. There are exposed limestone features including cliffs, screes, gorges, pavements and scattered boulders dominate the landscape, creating a rugged, worn character. These combine with shallow soil cover, shakeholes, potholes and caves to form classic karst landscape. In the western part of the area views are dominated by the Three Peaks landforms of Ingleborough, Whernside and Pen-y-ghent. The Reserve base is positioned on the edge of the limestone scar on the foothills of Park Fell and Ingleborough where the exposed limestone meets the upland hay meadows surrounding the Reserve base.

18. The site is surrounded by (and within) Open Access land and crossed by a public footpath. However, despite the exposed upland environment, the site is reasonably contained and screened in many wider views by the ancient and semi-natural woodland of Colt Park Wood to the east, a smaller woodland to the northwest and the rising slopes of Park Fell to the west. The barn and modern workshop are well contained within the site by traditional dry-stone walled enclosure and trees. The alterations proposed to both buildings would not significantly change the appearance of the buildings within the landscape. Although the fixed roof glazing system would be visible from the lower slopes of Park Fell, they would be viewed in the context of the surrounding site and would not be a prominent feature, although it is considered appropriate to impose a condition to require the glazing to be non-reflective and light spill is mitigated.

19. The proposal also includes a polytunnel and a double bank of solar panels, both outside of the confines of the Colt Park Barn complex. Following discussions the polytunnel has been reduced in size and is to be partly screened by a native hedgerow. The solar panels were originally proposed next to the public footpath in a prominent position. These have been repositioned adjacent to the field boundary and next to the polytunnel. Whilst there will be views of both structures, they will be

viewed within the wider nursery area serving the Reserve base and form a tight knit grouping with the existing buildings here. Proposed native tree and hedge planting will assist in reducing the visual impact of both structures. Whilst polytunnels can draw the eye in the landscape due to their form and the artificial colour of the sheeting, in this case, the modest size, the discreet siting and the use of a clear sheeting will significantly reduce this impact.

20. The proposed track realignment will have a localised visual impact as the public footpath runs along the current line. However, the new section of track is modest and will negate the need for staff and visitors to cross through the yard of the nearby property Colt Park Farm, in separate ownership. The track will be viewed in the context of both Colt Park Farm and the base and as such will not have a significant visual impact. The addition of 3 new large canopy trees along the new route will assist the new track to assimilate into the landscape and reflect the character of other such accessways in the area.

21. It is therefore considered that, individually and cumulatively, the amended proposal would not significantly alter the character and appearance of the site in the landscape and additional landscape planting will help mitigate the impact of the new development, in accordance with Policy SP4 of the Local Plan.

Residential amenity

22. Several objections have been received from local residents regarding the proposed development. Whilst many raise issues with design/landscape impact and other matters (referred to above and addressed elsewhere in this report), a principle area of concern relates to the use of the access road to the site from the B6479 Gauber Road; namely the poor visibility onto the highway, passing the row of houses (Salt Lake Cottages, and Colt Park Farm) and the narrowness/condition of the access track. It is key to note that the proposed development would not result in an intensification in the use of the site long term and it is recommended that the lawful development certificate limitations on the use of the site are reflected in the conditions. However, it is acknowledged that the construction works associated with the proposed development would result in some disruption through the delivery of materials, workers and the nature of vehicles that would be temporarily accessing the site (although note that the limitations on vehicle numbers and workers at the site would equally apply to the construction phase).

23. With regard to the construction phase, the applicant has submitted a draft construction management plan which would form the basis of a planning condition. The draft includes hours of work and deliveries, the provision of 5 temporary passing places, large load deliveries to access the site by tractor and trailer with HGV handovers off site (and not on the highway), designated parking areas and communication with neighbours. This draft has been forwarded to the two relevant Parish Councils and to neighbours to provide an opportunity for their comments to be taken into consideration in the final version. It is acknowledged that the access

has poor visibility onto the highway and the track is narrow and passes close to neighbours. However, it would be unreasonable to refuse planning permission due to a temporary disruption from the building works,. However, it is considered appropriate to control this phase of the development through a condition accordingly. It should be noted that North Yorkshire Council as the local highway authority has no objections to the proposed development. Officers have directly discussed the construction phase with the highway officer, who has offered advice that temporary signage could be requested to warn drivers on the highway. However, as this would require separate consent from North Yorkshire Council, the Construction Management Plan could only require that best endeavours to request such signage be pursued.

Highway considerations

24. Colt Park Barn is accessed via an unmade track leading from the B6479 Gauber Road near Ribblehead. Access at the entrance from the highway has poor visibility so that vehicles turning off the highway are vulnerable to vehicles travelling at speed over the brow of the hill and around a bend. Vehicles leaving the site have limited visibility, particularly to oncoming vehicles travelling from the southeast. However, North Yorkshire Council has no objections to the proposed development as there is no intensification in the use. The lawful use of the site is controlled by limitations on the lawful development certificate, which can be replicated within the conditions if planning permission is granted. As mentioned above, whilst the local highway authority has no objections to the proposal, including the construction phrase, it is considered appropriate that a construction management plan be agreed by condition and includes best endeavours to ensure there are warnings of the works are sign posted on the highway and vehicle sizes are restricted. Subject to such a condition, it is considered that the proposed development would accord with policy SP4 g) and k) of the Local Plan.

Trees

25. The key impact on trees will be from the realignment of the track through a grouping of 4 mature trees including two Ash and two Horse Chestnuts. These trees add considerably to the amenity of the area and Ash tree T20 is classed as a Veteran tree, which is defined as ‘A veteran tree may not be very old, but it has significant decay features, such as branch death and hollowing. These features contribute to its exceptional biodiversity, cultural and heritage value’ (Gov.uk). The proposal includes a ‘no-dig’ low invasive track construction with a root protection system to avoid impacting on the roots of the trees. However, the track may still impact on the overall longevity of the trees, despite these precautions and as such, succession planting is proposed with three new larger canopy species planted alongside the new route (a mix of Horse Chestnut, Sycamore, Oak or Small-leaved Lime). Subject to a condition to ensure that the track construction follows the recommendations in the Arboricultutral report, the Authority’s Trees and Woodlands Officer has no

objections to the proposal and the works would accord with policy W3 of the Local Plan.

26. Further native tree and hedgerow planting is proposed elsewhere to screen and enhance other parts of the development. The Authority's Trees and Woodlands Officer has also provided advice on the position and species mix in formulating this landscaping scheme.

Nature Recovery

SSSI/SAC

27. Policy W1 of the Local Plan aims to protect the most important habitats and species that are found in the National Park, halt the overall decline in biodiversity and establish more resilient ecological networks. The site lies within the lies within Ingleborough Site of Special Scientific Interest, which, in turn, is a component of the Ingleborough Complex Special Area of Conservation (SAC). and within Ingleborough National Nature Reserve. As such, the development needs to be screened for any adverse effects to ensure that the Authority complies with the Conservation of Habitats and Species (Amendment) (EU Exit) regulations 2019 and in accordance with policy W1 of the Local Plan. The applicant has provided a shadow Habitat Regulations Assessment (HRA) which the Authority can adopt to discharge this duty. The shadow HRA report concludes that there will be no adverse effect on the SAC. This conclusion is reached in the light of a number of mitigating factors:
    - Although the access track to the barns is to be slightly re-routed, the small section of new track to the barns avoids all limestone outcrops and thus does not affect the limestone pavement feature of the SAC;
    - A relatively small amount of grassland will be lost permanently due to the proposed polytunnel and solar panel array, but this has been surveyed and identified as neutral hay meadow and, as such, this is not habitat which is identified in the SAC citation;
    - A hydrological study is quoted that demonstrates that the proposed boreholes will not significantly affect SAC hydrology;
    - Replacement of the existing (leaking) septic tank will remove a source of nutrient enrichment that is negatively impacting on the conservation value of some of the existing grassland in the SAC.

28. The report also concludes that there are unlikely to be any in-combination effects arising (i.e, in combination with other development permitted within the SAC). The Authority's Ecologist concurs with the findings of the report and has confirmed that as the 'appropriate authority' the shadow HRA can be adopted and there are unlikely to be any adverse impacts on the SAC. The Ecologist has also concluded that, whilst there is some a loss of grassland habitat that is identifiable with upland hay meadow, this habitat is not mentioned in the SSSI citation, therefore, no harm is being caused to SSSI qualifying features due to the proposed development (the

potential loss of habitat can separately be addressed through the requirements of Biodiversity Net Gain – see below).

Bats

29. This application is accompanied by a bat survey which concludes that Bat roosts used by small numbers of bats of two species were identified within the (traditional) barn. Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2017. Regulation 9 of the Regulations provides that the local planning authority in the exercise of their functions, shall have regard to the requirements of the Habitats Directive. Damage or destruction of the bat roost and/or disturbance of bats must only proceed under a European Protected Species Mitigation (EPSM) license from Natural England. The Planning Authority is obliged to consider whether said license is likely to be obtained and this requires consideration of the three tests identified in Section 55 (part 2 and 9) of the Conservation of Habitats and Species Regulations 2017:
    Test 1 – The development has to be for overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment.
    It is considered that the refurbishment of the barn would improve the facilities for the Reserve base and would ensure the long term use of the barn, a non-designated heritage asset. Therefore there are significant public benefits to the proposed works to the building.
    Test 2 – There is no satisfactory alternative to achieve the same overriding public interest/benefit.
    It is unlikely that the barn would function adequately in its current use or that there are long term alternative viable uses of the building which would have less impact on roosting bats.
    Test 3 – The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
    These roosts will be lost if the development is carried out, however, this should not adversely affect the local conservation status of Daubenton's Bat or Common Pipistrelle (the two species recorded) due to the small numbers of bats involved which are not indicative of a significant roost, provided adequate mitigation is secured. The Authority's Wildlife Conservation Officer has no objection provided that the mitigation measures proposed in the bat report which includes the installation of two 'bat tubes' in specific locations, are secured by condition.

30. Considering the above, it is considered unlikely that the favourable conservation status of any bats would be adversely affected if the proposed development were permitted (subject to conditions) and the development would therefore accord with policy W1 of the adopted Local Plan (2015-2030).

Birds

31. The Preliminary Ecological Appraisal submitted with the application indicates that a Barn Owl box is present in Colt Park Barn and that evidence of Barn Owl roosting, but not breeding, was observed. As such it is recommended that there a prior check to confirm the continued absence of breeding Barn Owl, prior to commencement of works, and an alternative permanent and accessible nesting and roosting site for Barn Owl be installed (location to be agreed).

32. There is also evidence of other nesting birds within the building, notably 2 active Swallow nests. A condition is therefore recommended requiring a prior check for nesting birds if works are scheduled to commence during the main bird nesting season and securing bird boxes (Swift and Swallow), as mitigation/compensation.

Biodiversity Net Gain (BNG)

33. 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. The habitats affected by this development include neutral grassland (rye grass and crested dog's tail grassland) and other grassland, scattered trees (broadleaved) and Limestone Pavement. The BNG includes on-site and off-site habitat creation, including overplanting species poor modified grassland habitat adjacent to existing woodland. This planting will create scalloped woodland edges, provide varying levels of light and shade, increase the woodland edge and enhance the structural diversity of the woodland edge through species choice. 15 trees are to be planted alongside woodland creation at Alum Pot Field to create structurally graded edges with lower tree growing species. As the submitted BNG metric indicates a 10% BNG uplift, in part be provided outside of the application site, this would need to be secured by way of a Section 106 legal agreement. The legal agreement would ensure registration of the site, secure the site's use for BNG, and set out who will do the BNG creation, enhancement and management work for 30 years. Following an increase in the site area to re-site the solar panels and queries regarding the habitat status of the plant/tree nursery enclosure, and the baseline survey information (including queries raised by Yorkshire Wildlife Trust) a revised BNG metric has been submitted which is currently under consideration by the Authority's Wildlife Conservation Team. Subject to these amendments/queries being provided and clarified, it is considered that the requirements for BNG are satisfied.

Archaeology

34. The applicant commissioned an archaeological survey of this area in 2021 which involved walk-over survey, an assessment of historic environment record information and a review of available LIDAR imagery of the area. The resulting report highlighted the archaeologically rich nature of land between the Gauber road and the Colt Park buildings to the west. This includes two Scheduled Monuments which encompass areas of surviving prehistoric settlement and agrarian remains

(Settlement at Ashes Shaw Pasture Monument Number: 1004140 and Monument Number 1004146 Settlement at Gauber Cow Pasture Iron Age/Romano British field system and possible settlement). Taking in to account the close proximity of known, nationally important, archaeological sites to the site there is a possibility that archaeological remains will be exposed by these works, in particular from the track realignment and other new infrastructure. The Authority's Senior Historic Environment Officer has therefore recommended that there is archaeological monitoring of any such works and a condition is recommended requiring the submission of an archaeological written scheme of investigation prior to commencement of development. Subject to a condition to this effect, the development would meet the requirements of policy L1 of the Local Plan in this regard.

Protected Open Upland

35. Part of the track leading to the site lies within the protected Open Upland. Policy L10 of the Local Plan states that development will only be permitted where it can be demonstrated that it will not conflict with policy W1 (Wildlife Sites, species and networks) and it will have neutral impact on the special qualities of the open upland, or is otherwise essential for the management of these special qualities and, there is no alternative solution that would lessen the impact, together with appropriate mitigation measures to reduce harm. No direct works are proposed that would impact on the Open Upland, however, the draft construction management plan includes reference to five temporary passing places during the construction works, which would potentially fall within the designation. It is considered that a condition to require the submission of the construction management plan (including detail of any such temporary passing places) would ensure that the principle of and impact of these passing places can be assessed to ensure that any impacts and any mitigation required can be considered at that stage, in consultation with the Authority's Wildlife Conservation Team.

Public Right of Way

36. Public footpaths (05.26/13/1 and 05.65/8/1) run along the access track and through the site. There are no plans to close or divert the footpaths, however, as the track will be realigned away from a short section of the public footpath as it passes through Colt Park Farm, and will re-join the existing track (and footpath) further south, it is considered appropriate to add a condition to ensure the new section of track is not fenced off and the track is not gated at the point they merge. This will ensure that there will be no obstruction of the public right of way as required by policy SP4j) of the Local Plan.

Sustainability

37. Policy CC1 of the Local Plan supports proposals for small-scale renewable and low-carbon technologies where they contribute to the energy needs of local communities

and businesses in the National Park. The proposal includes two banks of solar panels, to be sited in a relatively discreet position next to the Colt Park Barn complex. This will enable the Reserve base to have a greater self-sufficiency in meeting its energy needs.

38. The polytunnel is proposed to be used as a nursery for trees to be planted elsewhere on the Reserve and so enabling the trees to be grown on site will improve the sustainability of the nature reserve.

Parish Council Comments

39. Colt Park Barn lies within Horton in Ribblesdale Parish and the access track within Ingleton Parish. As such both parish councils have been consulted and have made comment.

40. Horton in Ribblesdale Parish Council has withdrawn their original objections regarding the proposed works to the barn, however, have reiterated their concerns that additional use of the facility would have an impact on the entrance to the facility from Gauber Road.

41. Ingleton Parish Council remains objecting to the proposal on the grounds that the access from/to the highway is poor, the access road may impact on local residents, the inaccessibility of the site by public transport, the constraints on public access to the facility, the intensification in use of the site during the construction phase and the conversion works to the barn.

42. As discussed above, it is acknowledged that the access to the site has poor visibility onto the highway and is a narrow single track passing several residential properties. However, it is key to note that the proposed development would not result in any intensification in the use of this access, other than a change in the types of vehicles using the access during the construction phase. Through discussion with North Yorkshire Council as the local highway authority, it is clear that they have no objections to the proposed development on this basis. It is considered that the construction phase can be adequately managed through securing a construction management plan, which can involve liaison with the Parish Councils, local residents and the highway authority. A draft construction management plan has already been submitted and forwarded to the Parish Council's and local residents for comment and any comments can be considered in advance of discharging the relevant condition.

43. Ingleton Parish Council also remain concerned regarding the proposed alteration of the traditional barn. However, it is considered that the proposed alterations are now sensitive to the character and significance of the barn, whilst enabling better use of the building through improvements to natural light and ventilation.

44. Ingleton Parish Council do raise a broader concern that they consider the site is inappropriate for the use, given the constraints of the site, limited accessibility and the limitations imposed by the lawful development certificate. However, the use is already in existence and cannot be reconsidered. The proposed development before the Authority only relates to operational works to improve the existing use.

Equality Act

45. 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.

46. The proposal relates to improvements to the building which will better facilitate accessibility by both staff and the visiting public. These improvements will then enhance opportunities for the public with accessibility requirements to visit the site and benefit from the facilities there. It is considered that there are no other 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

47. The proposed development solely relates to the operational development proposed in order to improve the existing use of the site as a Reserve base for Natural England in fulfilling their role as managing the Ingleborough National Nature Reserve. The site lies within a highly sensitive landscape with potential impacts on several designated and protected habitats and species and historic environment considerations. The applicant has been responsive to recommendations made by officers and has amended the proposal to one which is considered to be low impact and sensitive to the surrounding environment. It is acknowledged that the access to the site is poor and that local residents and the Parish Councils have justifiable concerns should the use intensify. However, it is considered this can be appropriately controlled through conditions relating to the construction works and the ongoing use of the site.

48. It is also considered that the proposed works will significantly enhance the facilities here enabling the applicant to better manage the National Nature Reserve in a more sustainable way and improve the ability of visitors to enjoy and understand the special qualities of the National Park.

49. It is therefore considered that the proposed development accords with policies SP1, SP2, SP3, SP4, BE3, L1, L3, L10, T4, W1, W2, W3 and CC1 of the Local Plan (2015-2030), the adopted Design Guide (2017) and guidance contained in the National Planning Policy Framework (2024).

Recommendation

50. It is recommended that permission is GRANTED subject to a section 106 agreement to ensure registration of the off-site BNG area and delivery, management and monitoring of the off-site BNG for 30 years,

    and conditions based on the following:

    - Standard time limit
    - Accordance with approved plans
    - Limitations on use (to reflect the lawful development certificate)
    - Construction Management Plan
    - Landscaping details
    - Track construction (to reflect amended Arboricultural report)
    - Tree protection
    - Design details for conversion and external works to the workshop and structures
    - Surfacing, finishes and boundary treatments
    - External lighting and mitigation of internal light spill
    - Submission of level 2/3 building survey
    - Restriction on external lighting
    - Mitigation in accordance with ecological survey reports/HRA
    - Barn Owl and other birds – prior check and mitigation
    - Biodiversity enhancement (nest boxes)
    - Removal of permitted development rights
    - Contamination of land
    - Archaeological WSI for monitoring/recording
    - No fencing/gates to obstruct PROW
    - Removal of solar panels and polytunnel when no longer required

    Informatives:
    - Advising that the PROW must remain free of obstruction
    - Bats and Birds
    - BNG

: