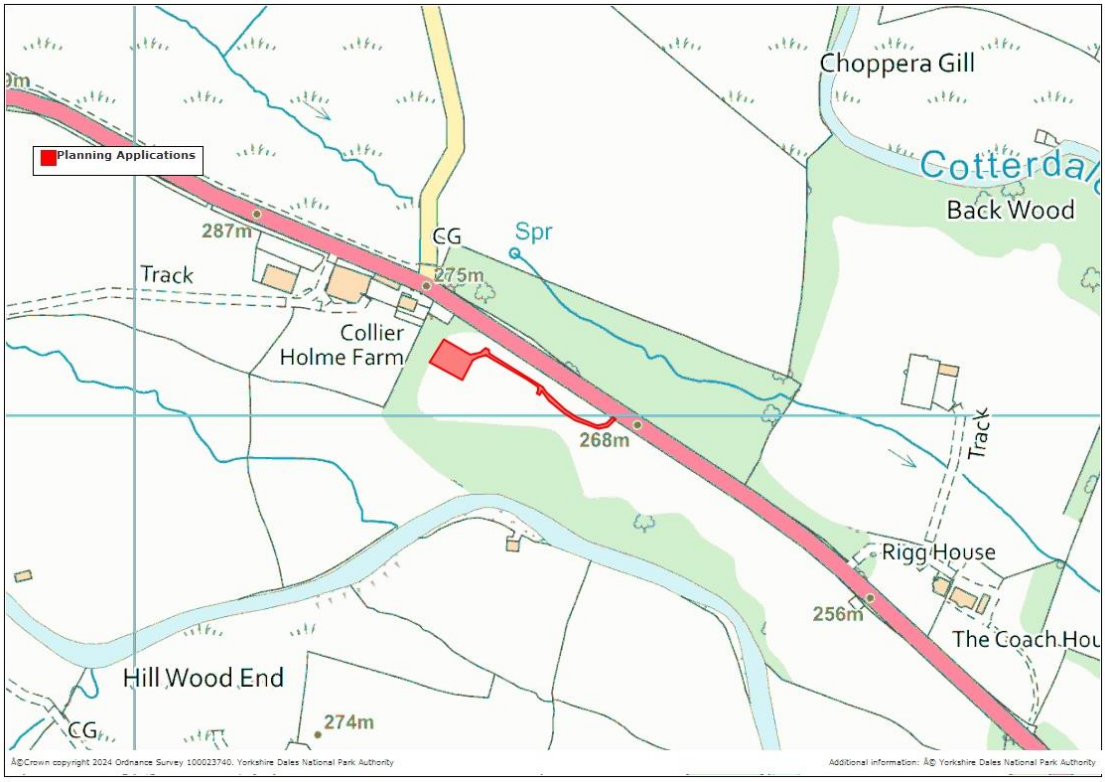
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	High Abbotside
Date:	12 March 2024	**Officer:**	Matthew Lappin
Applicant:	Mr Nick Prince	**Application No:**	R/48/162C
Proposal:	Approval of reserved matters following outline application R/48/162B, approved on 22-Aug-2022, for erection of agricultural workers dwelling, construction of associated highway access and track, and installation of package treatment plant		

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 application is submitted by a member of staff and the Authority's Scheme of Delegation requires such applications to be determined by the Committee where they are subject to an objection.

APPLICATION SITE

3. The application site comprises part of a field adjacent to the south side of the A684 and elevated above the River Ure to the south, approximately 2.5 miles west of Hawes. Site levels drop gently initially away from the road, and then more sharply further to the south down to the river.

4. Beyond a belt of trees to the west of the site is Collier Holme Farm, with the road leading north to Cotterdale located opposite this. The tree cover also extends around the southern side of the field. To east is the site of the proposed agricultural buildings and beyond the narrower part of the field, leading to an existing gated access point to the land from the A684. This access is located a short distance to the southeast of the access to Rigg House, itself which is elevated further to the north east. Beyond the northern boundary of the site is post and wire fencing and a line of trees of mixed spacing and maturity fronting onto the highway.

PROPOSAL

5. The proposal is for approval of reserved matters following outline application R/48/162B, approved on 22-Aug-2022, for the erection of an agricultural workers dwelling, construction of associated highway access and track, and installation of package treatment plant. The matters reserved and submitted as part of this application include details of the external appearance, site layout, scale of development and landscaping around the dwelling including surface materials.

RELEVANT PLANNING HISTORY

6. The following applications are relevant:

   R/48/162A: Full planning permission for erection of cattle shed, erection of general purpose agricultural building, construction of yard and construction of associated highway access and track. Approved 10/05/2022

   R/48/162B: Outline planning permission (with some matters reserved) for erection of agricultural workers dwelling and construction of associated highway access and track.
   Approved (with Section 106) 22/08/2022

CONSULTATIONS

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

Highways - Richmondshire No comments received.

Hawes & High Abbotside PC No comments received.

Wildlife Conservation Officer No objection.

Fire Officer - Richmondshire No objection/observation to the proposed development.

CEHO RIC North Yorkshire Council the potential impact on amenity and likelihood that the development will cause a nuisance is low. No objections subject to informatives on private water supply and package treatment plant.

PUBLIC RESPONSES

Public responses received at the time of writing: 4

8. The application was advertised by site notice which expired on 30 December 2023. Four letters of objection have been received in connection with the application which may be summarised as follows:

- Location of proposed dwelling and associated infrastructure
- Changes to site boundary
- Highway safety
- Water supply
- Loss of amenity

ASSESSMENT

Key Issues:

- Principle of development
- Design and visual impact
- Neighbour amenity
- Nature recovery and biodiversity enhancement
- Sustainability
- Parish Council comments
- Equality Act

PRINCIPLE OF DEVELOPMENT

9. Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities to determine planning applications in accordance with the development plan unless there are material reasons to do otherwise. The most relevant policies of the adopted Yorkshire Dales National Park Local Plan (the development plan) are:

SP1: Sustainable Development

SP4: Development Quality

W2: Biodiversity Enhancement

10. This application is for reserved matters pursuant to outline application R/48/162B which was approved on 22 August 2022. That application for an agricultural workers dwelling was supported by robust evidence for the need for a dwelling in relation to the farming enterprise. The principle of an agricultural workers dwelling, its siting and means of access have therefore already been established by that outline planning permission.

DESIGN AND VISUAL IMPACT

11. Policy SP2 stipulates that development must further the National Park statutory purposes, the first of which is the conservation and enhancement of natural beauty, wildlife and cultural heritage. Policy SP4 sets out design standards for new development, including that the scale, height, proportions, massing, form, materials and appearance of buildings and structures are sympathetic and complementary to a site, its surrounding context and landscape setting.

12. The proposed siting of the dwelling between the mature woodland corridor to the west (and neighbouring dwelling beyond) and the agricultural buildings to the east was considered suitable under the previous outline application. Views of the building from the road will be filtered through tree screening and read in the context of the new farm buildings to one side and Colliers Farm which is 30 metres to the north west and occupies land at a higher level. Mature trees and hedge planting define the boundary between the two dwellings.

13. The design of the single storey dwelling utilises a simple palette of vertical larch boarding with a profile steel sheeting roof finished in a dark anthracite. It has a modern, contemporary appearance with the majority of windows facing south west. An array of solar panels will be included as part of the roof structure fitted flush and finished in a dark, matte colour to match the roofing materials. The overall proportions and design simplicity mirror the modern agricultural buildings which adjoin the dwelling, and it will be very much read as forming part of a small, contemporary grouping.

14. Parking will be provided to the rear of the dwelling, accessed via a track from the new vehicular entrance that was formed onto the A684 as part of the previous

permission. A large number of trees have been planted as a result of the previous permission to replace roadside trees that were removed. Over time this will help to screen and assimilate the dwelling and access into the landscape. Details of external hard landscaping around the proposed dwelling include the use of crushed aggregate for the parking area and driveway, and natural stone for paving around the dwelling, and drystone walls between the dwelling and the adjoining farm buildings. These details are considered to be appropriate to the site and context.

15. Overall, the design and appearance of the proposed dwelling is considered to be acceptable and in accordance with policy SP4 of the local plan and the adopted Yorkshire Dales Design Guide.

NEIGHBOUR AMENITY

16. Policy SP4 requires development proposals to respect the amenity of neighbours and provide an adequate level of amenity for future occupiers relative to nearby uses. The siting of the proposed dwelling has already been established under the outline permission. The nearest adjoining dwelling is located 30 metres to the north west and occupies a slightly higher level relative to the application site. The majority of windows in the proposed dwelling face south west and away from the neighbour. There are no significant issues relating to proximity between the dwellings or overlooking.

17. Concerns have been raised about potential nuisance and health issues relating to smoke from the proposed wood burning stove. The flue pipe is located towards the centre of the proposed dwelling on the south west facing roof slope. Given the 30 metres separation and as the prevailing wind direction is from the west it is considered that there is unlikely to be a level of nuisance that would warrant refusal. It is noted that the Chief Environmental Health Officer has no objections.

SERVICES

18. The proposals include provision for a package treatment plant and the construction of a borehole to provide water. The application was amended to remove an incorrect reference to a mains water connection and to include the borehole instead. The Environmental Health Officer has no objection and advises that informatives on freshwater supply and also the package treatment plant.

SUSTAINABILITY

19. Policy SP1 sets out criteria to ensure that development proposals within the National park are inherently sustainable including through improved energy efficiency measures and making use of small scale renewable energy. The application proposals include a large solar array on the south west facing roofslope which will contribute significantly to the electricity requirements of the dwelling. Modern construction methods will also mean that the dwelling is well insulated enhancing its environmental performance.

NATURE RECOVERY

20. Policy W2 requires application proposals to provide biodiversity enhancement of an appropriate and commensurate scale relative to the development. A condition attached to the outline planning permission requires two nesting bird or bat roosting boxes to be installed on the proposed dwelling.

21. The implemented tree planting scheme was prepared with input from the Trees and Woodlands Officer and in brief comprises: a linear strip of mixed native whip and feathered planting between the retained roadside trees and residential/agricultural development, a further smaller group of the same specification to the south of the agricultural buildings and yard upon the slope, and 6 standard trees of minimum 10 cm girth positioned to either side of the access and further to the southeast.

22. It is noted that two trees have been removed from the boundary with Collier Home Farm. The applicant has confirmed that this was for safety reasons as both were considered to be either substantially dead or in poor condition. The relevant felling licence was obtained from the Forestry Commission (FLA reference number 012/3059/2022) prior to the works being undertaken.

23. The extensive tree planting will make a contribution to nature recovery, through regenerating and augmenting tree cover at the site, in addition to the nesting bird or bat roosting boxes previously conditioned. The Senior Wildlife Officer has no objections to the proposals.

PARISH COUNCIL COMMENTS

24. No comments have been received from the Parish Council in connection with the application. The Parish Council had previously supported the outline planning application.

EQUALITY ACT

25. 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.

26. 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

27. The details submitted as part of the reserved matters application are considered to be acceptable in terms of appearance, layout, scale and landscaping and accord with the requirements of policies SP1, SP4 and W2 of the adopted Yorkshire Dales Local Plan (2015-2030).

RECOMMENDATION

28. It is recommended that permission is GRANTED subject to conditions including the following:

- Time limit
- Development in accordance with approved plans
- Materials to be approved
- Provision and retention of car parking
- Landscape scheme implementation
- Tree protection measures