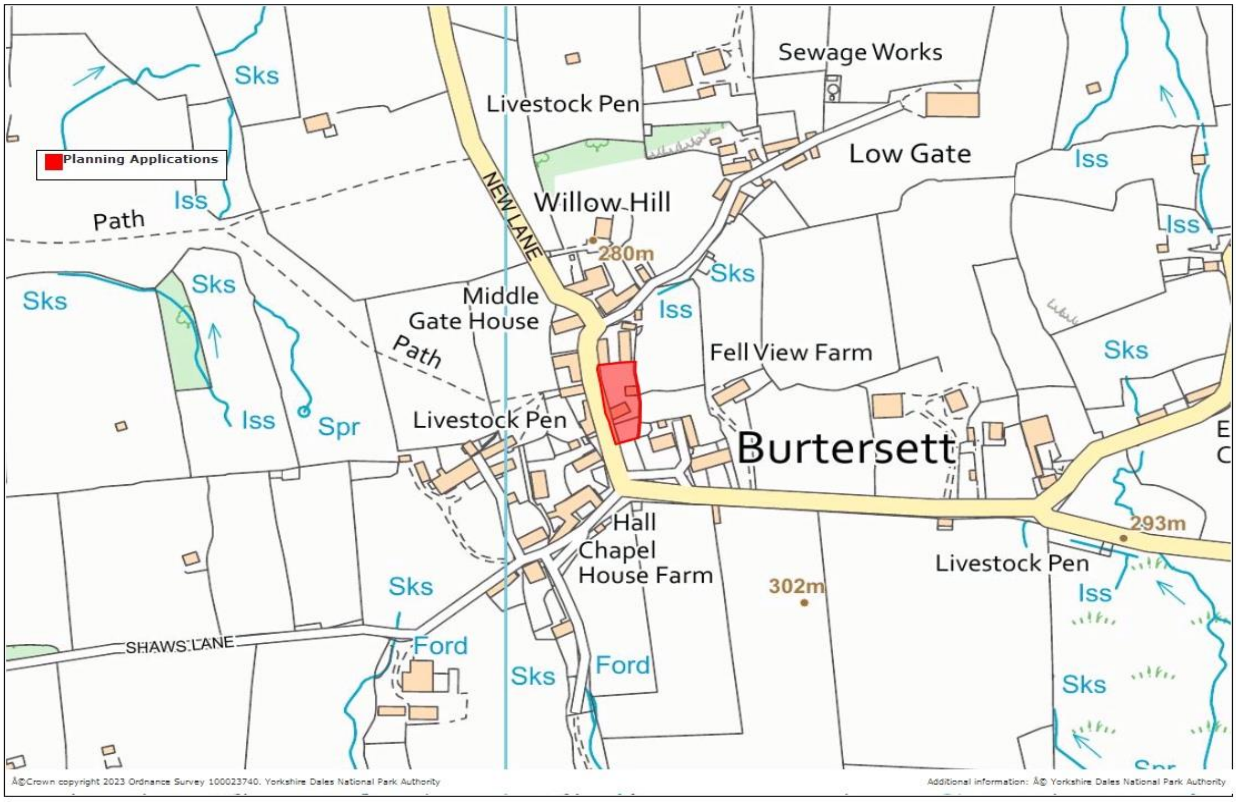
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Hawes
Date:	14 November 2023	**Officer:**	Mark Williams
Applicant:	Mrs Ruff and Mr Hartley	**Application No:**	R/56/358F
Site Address:	Ingledene, Burtersett, Hawes, DL8 3PB		
Proposal:	Full planning permission for conversion of existing garage and outbuilding to form a one bedroom holiday let		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the application has been called to Committee by Mrs Peacock and the public interest reason given is – the impact of the proposed development on traffic, parking and residential amenities.

APPLICATION SITE

2. Ingledene is a large stone detached house in the centre of Burtersett. Vehicular access is gained directly off the road through the village. A large front garden extends to the north, up to the gables of two neighbouring properties at Garden Well Cottages. The remains of a former stone barn sit to the front of the house. Public footpath 20.92/50/1 leads from the road and passes between the former barn and the house before leading into a neighbouring field to the east.

3. The west gable of the house abuts the road, as does the outbuilding to the rear. A roadside wall connects the house and the outbuilding. The outbuilding comprises two elements, both single storey; the larger element, closest to the house has its gable abutting the road verge, the lower element has its ridge parallel to the road.

4. The rear garden sits at a higher level than the house and abuts the small village green to the south, separated by railings.

PROPOSAL

5. It is proposed to convert the outbuilding to form a one bedroom holiday let over the ground floor only. The roof of the lower element would be raised and extended to link into the existing roof of the larger element. A glazed double door opening on the north elevation would give access to an outside hot tub, which would be sited behind the existing roadside wall.

6. It was originally intended to gain access to the building via an existing doorway which opens onto the narrow roadside verge. However at the meeting on 22nd August 2023 Members expressed concern at this arrangement and the implications for road safety. The applicant has therefore submitted amended plans showing access to the building via a door which faces into the site. The door fronting the road would be blocked off and this could be enforced by means of a planning condition.

7. Consideration of this application was deferred at the meeting on 22nd August 2023 to enable the applicant to amend the parking layout and pedestrian access from the parking space to the proposed holiday let via the garden. The aim of the proposed amendments was to avoid the use of the existing door onto the narrow highway verge, which was considered to be unsafe.

RELEVANT PLANNING HISTORY

8. The following applications are relevant:

R/56/358 - full planning permission for erection of single dwelling and attached double garage
Refused 30/06/2003

R/56/358A - full planning permission for erection of a four bed detached dwelling. Refused 14/06/2004. Appeal allowed 14/03/2005.

R/56/358C - full planning permission for erection of dwelling. Refused 07/03/2008

R/56/358D - full planning permission for the erection of a four bedroomed dwellinghouse Approved - Conditional 28/01/2009

R/56/358E - Full planning permission for alterations to the existing dwelling; extension of living accommodation into the existing domestic outbuilding/store; erection of first floor extension to create an upstairs en-suite and erection of detached single garage and store. Approved - Conditional 25/08/2023.

CONSULTATIONS

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

Trees & Woodlands - no objections or comments to make

Area Ranger (Lower Wensleydale) - Public Right of Way number 20.92/50/1 runs through the yard adjacent to the existing house. If the footpath is to remain open whilst construction works are taking place the path could only remain open subject to provision of suitable safety fencing to protect the users of the public right of way. If it is necessary to close off the public right of way, for reasons of building or health and safety, then the applicant must contact the area ranger 6 weeks prior to the intended start of the closure period. This notice is required so that a temporary prohibition of pedestrians order can be issued by the authority, the duration of which is 6 months.

The existing width (excluding the existing gates) of the footpath (1.1m) will have to be retained.

Recommends the addition of an Informative to the decision notice.

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

Highways - the visibility to the south at the proposed access is entirely obscured by the building itself. At this location we would require visibility splays in each direction of x=2.4m and y=43m.

Clerk to Hawes & High Abbotside PC - Despite assurances that the access to the property will be via the existing one and not over the village green which was residents impression, the Council has concerns about the potential Increase in volume in traffic

If permission should be granted, then there should be a condition giving strict times of access through the village during the period of work given the possible noise disturbance and narrowness of the village.

10. **PUBLIC RESPONSES**

Neighbour/interested parties' responses received: 26

Copies of the correspondence can be read on the Authority's website. In summary the grounds of objection include:

- Substandard visibility at access
- Increased traffic
- Highway and pedestrian safety

- Loss of on street parking
- Impact of external lighting
- Noise/disturbance from use of hot tub
- Roof materials not in keeping
- No need for more holiday lets in village
- No details of bin storage

ASSESSMENT

Key Issues:

- Planning policy
- Residential amenity
- Highways
- Biodiversity
- Design
- Parish Council comments
- Equality Act

PLANNING POLICY

11. The application site sits in the centre of Burtersett, which is classed as a Service Village for the purposes of Local Plan Policy SP3 (Spatial Strategy). Policy SP3 states that new development will be located within or adjacent to such settlements unless there are justifiable reasons why another location is more sustainable. Policy SP4 sets out design standards for new development.

12. Policy L2 states that proposals for the change of use of traditional buildings to high intensity visitor accommodation will be permitted within existing settlements. Local Plan Policy L3 sets out various criteria for the treatment of buildings which are being converted to residential use.

RESIDENTIAL AMENITY

13. Local Plan Policy SP4 (Development quality) requires all development proposals to respect the amenities of neighbours.

14. Some of the grounds of objection relate to the harmful impact the proposed development would have on the amenities of existing residents living nearby through noise disturbance caused by the use of the outside hot tub. However this would be surrounded on all sides by walls and would sit in close proximity to the applicant's house. In any event, any such noise disturbance is unlikely to be significantly above the level that might be expected from the reasonable use of a domestic garden. It is therefore considered that the use of the proposed hot tub is unlikely to significantly affect the residential amenity of neighbours.

HIGHWAYS

15. Local Plan Policy SP4 states that development proposals should not prejudice highway safety or cause unacceptable levels of traffic that would harm the environment or capacity of the local road network. Proposals should have appropriate access and parking provision.

16. The proposed development does not involve any alteration to the existing vehicular access. While there clearly seems to be a problem with on-street parking in Burtersett, Ingledene has the advantage of having a large front garden, which can easily accommodate the parking and turning areas for the existing house and the proposed holiday cottage.

17. Nevertheless the Highway Authority has raised concerns over the existing visibility splays due to the intensification in the use of the site. As the Highway Authority point out, visibility to the south is obscured by the house and the required visibility splays would be 43m in either direction.

18. In response the applicant has submitted plans showing the availability of visibility splays of 12m to the north and nearly 7m to the south. While these clearly fall well short of the recommendations of the Highway Authority, regard must be had to the nature of the highway in this area and the nature of the proposed development.

19. As indicated by local residents the road fronting the site is narrow and made narrower by the cars which are frequently parked on the roadside. This, together with the bends in the road to the north and south of the site, result in traffic travelling at well below the 30mph limit. Furthermore, it is considered that the proposed development of a one-bedroomed holiday cottage is unlikely to result in a significant intensification of the use of the access to the point that it would be prejudicial to highway safety.

20. Concern has also been expressed over the proposed door into the holiday cottage, which exits directly onto the narrow verge. While there is an existing door onto the verge the proposed use of the building as a holiday let would mean it would be likely to be used much more frequently than at present. At the meeting on 22nd August 2023 Members resolved to defer consideration of the application until alternative arrangements for parking and pedestrian access had been submitted.

21. At the meeting it was suggested that parking for the holiday cottage could be provided immediately to the east of the main house. However a difference in ground levels would make this difficult to achieve in practice. Furthermore a parking place in this location would result in vehicles reversing across the public footpath which passes in front of the house. It is therefore considered that the allocated parking space in front of the proposed garage (as approved by planning permission Ref R/56/358E) represents the most practical location for this parking place. From here pedestrian access can easily be gained through the site, past the main house to the proposed holiday cottage without the need for visitors to walk on the road. An amended plan has been submitted showing this arrangement. A planning condition would ensure that the current door opening onto the road is blocked and not made available for use.

BIODIVERSITY

22. One of the objections relates to the potential loss of swift nests. However, conditions can be added to any permission ensuring that no works are carried out during the nesting season. A further condition can require the installation of biodiversity enhancement measures such as bat and bird boxes in accordance with Local Plan Policy W2.

DESIGN

23. The proposed development would involve raising the roof of the lower building and tying it into the roof of the larger building. By itself this would have no discernible impact on the wider streetscene. However, concern has been expressed about the proposed roof materials, which are to be corrugated 'Corten' steel, or black sheeting to match the existing roof. It is considered that either material would be suitable for what is a modest domestic/agricultural building, and neither would harm the character or appearance of the wider streetscene.

PARISH COUNCIL COMMENTS

24. As stated above, it is acknowledged that there will be a limited increase in traffic associated with the proposal. However there is sufficient space for parking for both the existing house and the proposed holiday cottage within the site. Given the geometry of the road on either side of the access, and the relatively low level of traffic generated, it is considered that the proposal should not be prejudicial to road safety.

25. The timing of construction traffic on local roads cannot be restricted by condition, however the hours of construction can be limited. This would help to protect neighbours from noise disturbance during unsocial hours.

EQUALITY ACT

26. 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.

27. 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

28. The proposed development would not cause any significant to harm the amenity of neighbours, the character of the village or significantly worsen highway safety. The development is therefore considered to be in accordance with Local Plan Policies SP2, SP4, W2, L2 and L3 and is recommended for conditional approval.

RECOMMENDATION

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

- Time limit
- Development in accordance with amended plans
- Approval of roof materials
- Approval of window and door materials
- Holiday use only
- Works to take place outside of bird nesting season
- Provision of bird/bat boxes
- Approval of external lighting details
- Bin storage details to be approved
- Construction during specified hours
- Door onto the highway to be non-opening