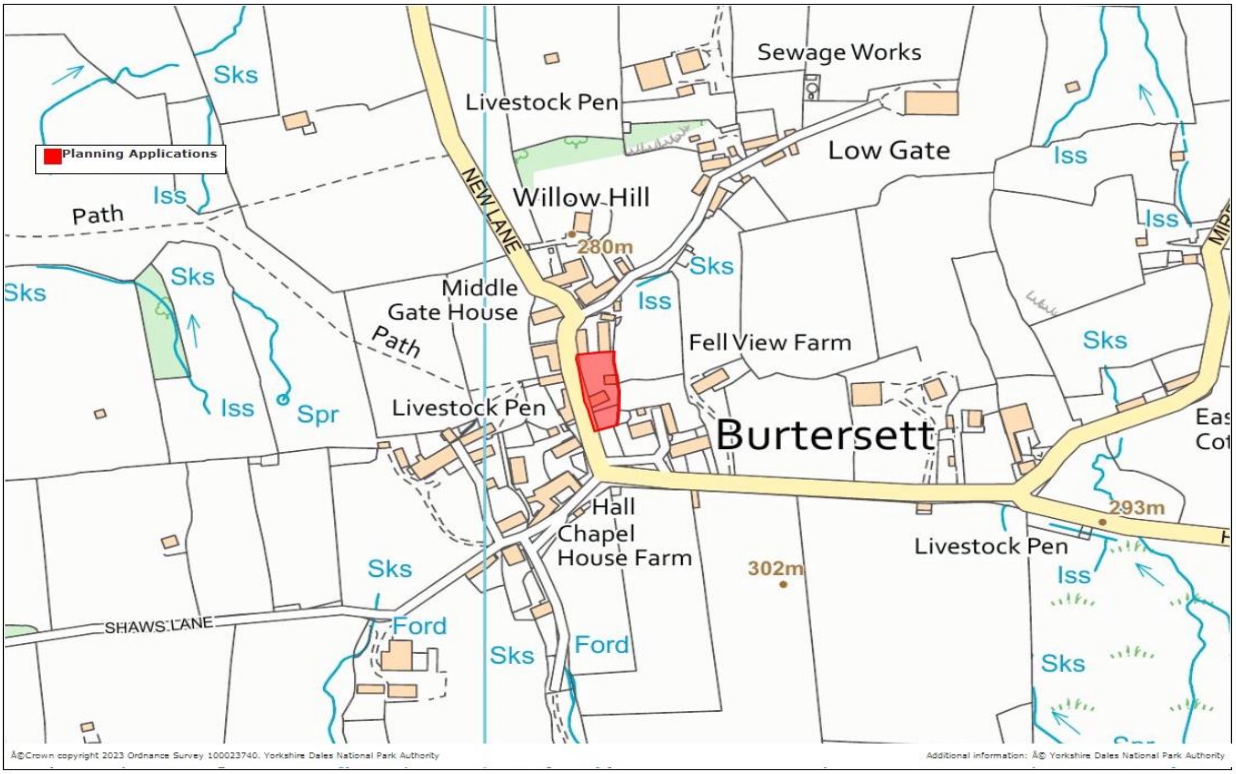
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Hawes
Date:	22 August 2023	**Officer:**	Mark Williams
Applicant:	Mrs Ruff and Mr Hartley	**Application No:**	R/56/358E
Site Address:	Ingledene, Burtersett, Hawes, DL8 3PB		
Proposal:	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		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the application has been called in 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 lie 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. The rear garden sits at a higher level than the house and abuts the small village green to the south, separated by railings.

PROPOSAL

3. The application seeks planning permission for three separate elements; the extension of living accommodation into an existing store in the right-hand bay of the building; the erection of first floor extension to create an upstairs en-suite, and the erection of detached garage and store.

4. The right-hand bay of the building is currently occupied by a domestic store, accessed via a door in the front elevation and served by a first floor window to the front. It is proposed to convert this space to additional living accommodation over two floors; an extended kitchen on the ground floor and a third bedroom on the first floor.

5. The proposed first floor extension comprises an 'infill' element on top of an existing lean-to extension to the front, adjacent to an existing two-storey extension which breaks forward of the front elevation. The proposed extension would provide an en-suite bathroom to an existing bedroom.

6. The proposed garage would sit halfway along the front garden, mostly on the footprint of the former barn. It would measure 10.5m long, 4.5 wide, and 4.5m high. A short drive would lead from the existing access to the north of the barn, terminating in three parking spaces and a turning area. One of the proposed parking spaces would serve the holiday cottage proposed by application Ref R/56/358F.

RELEVANT PLANNING HISTORY

7. 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/56/358F- Full planning permission for conversion of existing garage and outbuilding to form a one bedroom holiday let. Also on this agenda.

CONSULTATIONS

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

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.

Trees & Woodlands - no objections or comments.

Area Ranger (Lower Wensleydale) - Public Right of Way number 20.92/50/1 runs through the yard adjacent to the existing house which is to be renovated. If the footpath is to remain open whilst construction works are taking place suitable safety fencing to protect the users would be required. 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.

Recommend an Informative stating that the public right of way should remain unobstructed.

Highways - no objections.

PUBLIC RESPONSES

9. **Neighbour/interested parties' responses received: 27**

Grounds of objection:

- Poor access onto narrow road
- Substandard visibility
- Increased traffic
- Pressure on off-site parking
- Size of garage
- Impact of external lighting
- Harmful impact on neighbours through overbearing/loss of view/loss of light
- Noise/disturbance during construction phase
- Loss of garden area
- Impact on public footpath
- Impact on swifts and bats
- Drainage and ground stability

ASSESSMENT

Key Issues:

- Planning policy
- Residential amenity
- Streetscene

- Highways
- Biodiversity
- Parish Council comments
- Equality Act

PLANNING POLICY

10. 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.

11. Local Plan Policy SP2 stipulates that development must further the National Park statutory purposes, the first of which is the conservation an enhancement of natural beauty, wildlife and cultural heritage. Policy SP4 sets out design standards for new development.

12. Local Plan Policy W2 states that new development that would have an impact on biodiversity will be required to make a proportionate on site contribution to wildlife enhancement.

RESIDENTIAL AMENITY

13. Many of the grounds of objection relate to the harmful impact the proposed development would have on the amenities of existing residents living nearby through an overbearing impact, overlooking, loss of view or loss of light. These are considered below, with traffic impacts considered separately under the Highways section.

14. The proposed extension of living accommodation into an existing domestic store would have no direct impact on the residential amenity of neighbours and could, by itself be considered to be permitted development. Similarly, the proposed first floor extension would have no impact on neighbours, being some distance from the nearest residential property.

15. The proposed detached garage does however have the potential to affect neighbours, both through its physical presence, its use, and the proximity of the parking/turning areas to properties at Garden Well Cottages. These properties sit a lower level and there is concern that the proposed works will affect drainage and ground stability. While the garage itself is some distance from the neighbour's gable wall, the parking area will come within a metre of the retaining wall which forms the boundary. It is therefore considered expedient to add a condition to any permission granted requiring the prior approval of drainage details.

16. The proposed garage would sit against the back wall of the garden, with its entrance on the north gable, facing the neighbour and the ridge running parallel to the boundary wall. It would measure 10.5 m long and 4.5m wide, with the element to the south at a slightly lower height. There would be a timber garage door in the north gable (facing towards the neighbours) with two doors and windows in the west elevation facing into the garden and windows in the south and east elevations.

17. The north gable of the garage would be c11m from the gable of the nearest dwelling at 5 Garden Well Cottages. However, this property has a blank gable facing the application site and so the proposed garage would not affect any windows by way of overlooking or loss

of light. While No. 4 Garden Well Cottages has a first floor window overlooking the site, this would still retain a view of the garden on the application site and would not be materially affected by the garage.

18. The three proposed parking spaces would sit between the garage and the neighbour's gable, with the turning area nearby. The nearest neighbours at Nos 4 and 5 Garden Wells Cottages have hitherto enjoyed a relatively peaceful aspect, abutting the bottom of the large garden to Ingledene (although No. 4 also fronts directly onto the road). So there is no doubt that the introduction of the parking and turning areas close to their boundaries will lead to an increase in activity and noise associated with residents of Ingledene coming and going. This activity will be of a relatively minor domestic scale and is unlikely to cause significant disturbance to these or other neighbours.

19. Noise and disturbance during the construction period will by their nature be a temporary inconvenience and not a sustainable ground for refusing planning permission.

STREETSCENE

20. The proposed first floor extension will essentially 'round off' the existing two-storey extension to the front of the house and would have a negligible impact on the wider streetscene.

21. The proposed garage is large, being designed to house a campervan, however its impact on the streetscene is mitigated given it would be set back from the road by about 15m and behind the garden area. Furthermore, it would replace the remnants of former barn, the stone of which would be used to construct the garage.

22. While the proposed garage is undoubtedly high, it would be lower than the ridge heights of the neighbouring cottages. The remains of the former barn also indicate that historically there had been a substantial stone building to the front of Ingledene so the proposed garage building would not conflict with the historical layout of the village.

HIGHWAYS

23. 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.

24. 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 holiday cottage proposed under Ref R/56/358F. If the three parking spaces are occupied vehicles would block access to the garage. However, this is intended for the storage of a campervan over extended periods, so constant access would not be required.

25. The Highway Authority has no objections to the proposed development.

BIODIVERSITY

26. One of the objections relates to the potential loss of swift nests however conditions can be added to 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.

PARISH COUNCIL COMMENTS

27. The Parish Council objected to the original plans as they showed a pedestrian gate in the rear fence leading onto the adjacent village green. This gate has been removed from the amended plans now under consideration. The Lords of the Manor of Bainbridge, the registered owners of the village green, commented to the effect that no consent has been given for any vehicular access across the village green, other than existing rights, although no vehicular access was ever envisaged.

28. The Parish Council's concerns over the volume of traffic are not supported by the Highway Authority. This is a large detached dwellinghouse, the occupants of which might easily be expected to have 2/3 vehicles. The elements included in this application would not by themselves lead to a significant increase in traffic. The impacts of the proposed holiday cottage on traffic generation are considered in the separate report on application Ref R/56/358E elsewhere on the agenda.

29. The Parish Council has asked that, if permisson is granted, restrictions be placed on the timing of construction traffic. Whilst the timing of construction traffic on local roads cannot be restricted by condition, the hours of construction can be limited. This would help to protect neighbours from noise disturbance during unsocial hours.

EQUALITY ACT

30. 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.

31. 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

32. The proposed development is not considered to harm the residential amenities of neighbours, the character of the village or highway safety. The development is therefore considered to be in accordance with Local Plan Policies C2, SP2, SP4, W2, all other relevant Local Plan Policies and advice in the NPPF and is recommended for conditional approval.

RECOMMENDATION

33. It is recommended that permission/consent is GRANTED subject to conditions based on the following:

Time limit

Development in accordance with amended plans

Materials to match existing

Approval of window and door materials

Removal of garage permitted development rights

No development in bird nesting season

Provision of bat/bird boxes

Approval of any external lighting

Approval of materials for drive

Approval of drainage details

Hours of construction