Yorkshire Dales National Park Authority **Item 7**

Planning Committee

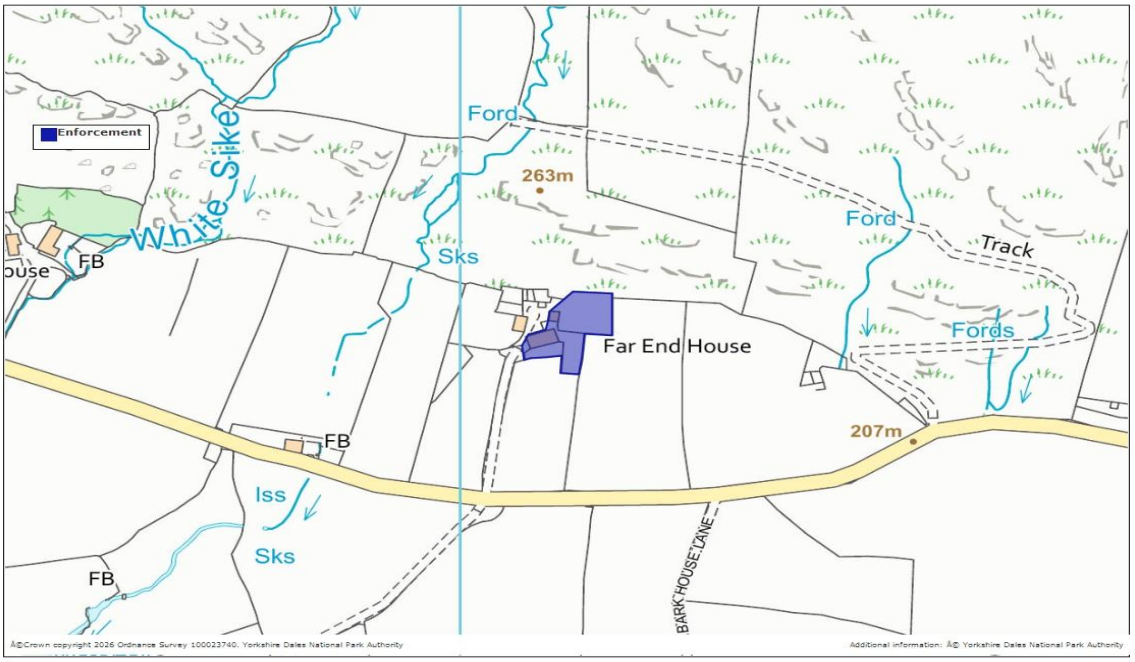
10 March 2026

Enforcement ref no: EC/04/31A

Change of use of agricultural land to domestic use with associated development including installation of ground mounted solar panels, patio areas, walls etc. and the change of use and extension of an agricultural outbuilding to ancillary domestic use at Far End House, Austwick, Lancaster, LA2 8DG

Purpose of the report

1. To report the breach of planning control at Far End House and seek authorisation for formal enforcement action.



Site

2. Farm End House is located to the north of the Austwick to Helwith Bridge road at Wharfe. It is set back from the road at an elevated level with the access track to the site opposite Wood Lane. It is approximately 2km northeast of Austwick. The two storey farmhouse is set within a former farmstead, with what was a small, walled croft or paddock adjacent (hereafter referred to as the paddock). A derelict single storey agricultural barn was to the rear of the farmhouse and formed a boundary with the paddock. The land to the rear rises steeply to the Ingleborough Complex SAC. Open access land abuts the rear boundary of the paddock.

3. Planning permission was first granted on 6 March 2024 under reference C/04/711A for re-ordering of the existing dwelling, extension into attached former barn, erection of a two storey side extension and the replacement of a rear single storey extension. This application did not include any change of use of the paddock or for the agricultural barn to domestic use.

Specific breach of planning control

4. The breaches are set out below:

   i the change of use of the paddock to domestic use and associated development being the creation of patio and seating areas, hardstandings, walls and fencing, paths and steps into the area;

   ii the installation of ground mounted solar panels in the paddock; and

   iii the change of use, alteration and extension of the derelict agricultural building to domestic use.

Relevant planning history

5. The following applications are relevant to this case:

   C/04/711 Householder planning permission for re-ordering of existing dwelling and extension into attached former barn (already in domestic occupation) and two storey side extension and replacement rear single storey extension – Withdrawn 8 January 2024;

   C/04/711A Full planning permission for re-ordering of existing dwelling, extension into attached former barn, erection of a two storey side extension and the replacement of a rear single storey extension – Approved 6 March 2024; and

C/04/711B Section 73 application to vary Condition 2 (approved drawings) and 4iii (roof covering) of C/04/711A (detailed above) in respect of solar panels to be integrated with the roof coverings to the existing dwelling roof and the side extension roof – Approved 11 February 2025.

Background

6. This matter was discovered as a result of a landscape monitoring visit to check that the landscape condition attached to C/04/711B had been complied with. At the time of the visit it was noted that the site was significantly different to that shown on the approved plans, in that development had extended into the adjacent paddock area and the agricultural barn had been redeveloped and looked to be in ancillary domestic use.

7. After checks were carried out with the approved plans, it was confirmed that the development of the land was not part of the approved planning permission C/04/711B, and all works in the paddock area and to the agricultural building had been carried out without planning permission.

8. Correspondence was sent to the Owners of the property and a response was received stating that the works in the paddock were landscaping to their garden area. The Owners were informed that the paddock area was agricultural land and did not have planning permission for use as domestic garden. The Owners asked for a meeting in the office, this was held on 21 January 2026.

9. The Owners explained that they did not realise that this land was not garden, although they did state that the paddock was purchased at a later date than the property itself. The Owners were informed that it was likely that a report would be taken to the next Planning Committee Meeting to seek formal enforcement action to rectify the unauthorised works.

10. At the meeting it was agreed that a further visit would be made to the site to take photographs within the site of the works carried out. The Owners were also informed that a retrospective planning application to retain this land and associated development in its current form would be unlikely to be supported by Officers.

11. After the meeting an email was received from an agent acting on behalf of the Owners providing a topographical survey and a draft plan. At the time of writing this report, the Agent has confirmed that they have been instructed to submit a planning application which will be based on the draft plan. The application will also look to retain the solar panels, the outbuilding and patio areas. Any further information received will be reported at the meeting.

Assessment

Key Issues:

- Planning policy
- Landscape impact
- Equality Act

Planning policy

12. The National Planning Policy Framework (NPPF) [2024] at para. 189 states “Great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks, …which have the highest status of protection in relation to these issues”. “The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks.”

13. Paragraph 60 of the Framework states that “effective enforcement is important to maintain public confidence in the planning system. Enforcement is discretionary, and local authorities should act proportionately in responding to suspected breaches of planning control.”

14. The Authority is in the process of preparing a new Local Plan (2025-2040) for the whole National Park which will replace the Yorkshire Dales Local Plan (2015-2030) and the old South Lakeland, Eden and Lancaster Local Plans. The new Local Plan has reached an advanced stage, and significant weight is given to the plan in decisions on planning applications and as such is relevant in decisions on planning enforcement action.

15. Members should also have regard to the Planning Enforcement Plan (December 2025) which, inter alia, considers expediency in relation to decisions whether to take enforcement action. The Plan establishes that the decisive issue is whether the breach would unacceptably affect public amenity or use of land that should be protected in the public interest. Enforcement action should also be proportionate to the breach

Yorkshire Dales Local Plan (2015-30)

16. The Yorkshire Dales Local Plan aims to deliver sustainable development in the National Park context. The following policies are relevant.

17. Policy SP1 states that sustainable development in the Local Plan area is development that either achieves or does not prejudice the achievement of the

following: … d) conserves or enhances the landscape character of the National Park through use of high quality design, appropriate landscaping and removal of unsightly development. It goes on to state that development will be deemed to be unsustainable if it would reduce … k) the diversity, quality and local distinctiveness of the natural and cultural landscape, wildlife, historic environment or other special qualities of the National Park.

18. Policy SP2 – National Park purposes, this states that development will be permitted that furthers the statutory National Park purposes of a) conserving and enhancing natural beauty, wildlife and cultural heritage; and b) promoting opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Development that prejudices these purposes will not be permitted, although an exception may be made where development can demonstrate an overriding need and the harm can be mitigated, or as a last resort, compensatory measures can be agreed.

19. Policy SP4 – Development quality, this states that all proposals should conform to the following criteria … b) it conserves or enhances the archaeological, architectural and historical character and appearance of the site and its setting.

20. Policy L3 – Conversion of traditional buildings, this states that proposals for the conversion of traditional buildings to new uses will be permitted where they conform to the guidance set out in the Design Guide and it can be demonstrated that: a) the building has the physical capacity to accommodate the new use without significant extension or alteration.

21. Policy CC1 Renewable and low carbon energy – policy supports proposals for small-scale renewables, particular encouragement will be given to designing these into development. Proposals must comply with Policy SP4 and not adversely affect amongst others the National Park's special qualities.

Yorkshire Dales Local Plan (2025-2040)

22. CP1 Sustainable Development, defines sustainable development in the National Park context which should contribute positively to the built environment and landscape character through use of high-quality design. Policy CP2 requires conformity with National Park purposes.

23. Policy CP6 Design, states that "The Authority will permit development proposals that deliver high quality design incorporating good visual appearance, …. and that have regard to surrounding amenity. Design proposals must accord with the principles of sustainability (Policy CP1) and not conflict with the conservation and enhancement o the natural beauty, wildlife and cultural heritage of the National Park (Policy CP2).."

24. CP7 Energy requirements, supports the use of renewable energy where amongst other criteria meets with policies CP2 and CP8. Policy CP8 Landscape Character requires new development proposals to conserve and enhance the natural beauty and the special character of the landscape of the National Park.

Landscape Impact

25. Far End House is located within Ribblesdale, specifically within Crummackdale. This is a quiet and isolated dale with Far End House being to the east of the hamlet of Wharfe. The valley sides here are generally more open with patches of scrub above Wharfe and scattered trees present on scars. There are also walled green lanes and tracks which link settlements and reach outlying farms. Far End House is on the northern edge of this distinctive area with a walled lane to the house, and fields with boundary walling to the south east and west, and open access land and scars above.

26. The unauthorised development at this site falls into two categories: 1.the change of use and development of the paddock to domestic use, and, 2. the change of use, alteration and extension of the derelict agricultural building to domestic use.

    The change of use and development of the paddock to domestic use.

27. This includes the change of use, the creation of a patio area, paths, seating area, steps leading into the paddock, the removal of stone boundary walling, the regrading of the land to create level areas within the paddock, and the siting of solar panels.

28. The land was previously a stone wall enclosed grass croft or paddock, probably used for holding livestock. The change of use of the land to domestic curtilage has entailed a range of domestic garden features that have transformed the appearance of the site and extended the boundary of the residential development into the surrounding agricultural land. The paddock has been regraded to create level areas for seating, patios, paths, and the ground mounted solar panels. Walls have been removed to allow an open aspect from the rear of the property into the paddock. There is also the creation of stepped accesses from the rear of the property and patio area adjacent to the converted agricultural building into the paddock. The creation of a high-level seating area will be visible from the road when in use and from the open access land above.

29. The paths, patio area adjacent to the converted agricultural building, and the ground mounted solar panels are not visible from the road. However the patio area, as with the high-level seating area, will be noticeable when in use and all elements will be visible from the open access land above the site

30. The unauthorised development, as it currently stands, is a particularly insensitive intrusion that detracts from the intrinsic character of the landscape by reason of the physical intrusion into surrounding farmland of domestic development, but also through the enlargement of Far End. The property is a feature of the landscape being a typical Dales farmstead with house, barns, yard and modest garden area. The addition of a large, highly landscaped and formal garden is at odds with the traditional character of the building group and the landscape within which it rests.

31. The paddock development includes a solar panel array and there is policy support for renewable energy infrastructure, in fact planning permission has been granted for solar panels on the roof of the property which have been installed. The siting of these ground mounted solar panels is such that they cannot be seen from the road but will be visible from the open access land above. The panels are bounded by stone walls to the south and east and the Owners have planted a beech hedge screen to the western side

    The change of use, alteration and extension of the derelict agricultural building to domestic use.

32. The converted agricultural building is to the north, rear, of the dwelling at a 90 degree angle. It formed part of the western boundary to the paddock. There are few photographs of this building available as it did not form part of any of the planning applications at this site. The Owners have renovated and extended the building and have brought it into an ancillary domestic use. Policy does allow the change of use of associated farm buildings to ancillary domestic use if done so in keeping with the character of the original building. This building has been renovated to a high standard but incorporates the use of a patio within the paddock.

33. The works to renovate the barn have been carried out sympathetically, however, the domestic use of the barn is reliant on the change of use of an area of the paddock, namely the adjoining patio area as glazed doors have been inserted that open onto the patio giving access to the paddock. The use of the paddock for domestic purposes is harmful for the reasons set out above, therefore, whilst the physical works to renovate the barn may not cause harm, the domestic use of the barn ancillary to the main dwelling is

    Equality Act

34. 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.

35. It is considered that there are no overt reasons why the proposed enforcement action would affect anyone with the protected characteristics such that the enforcement action should not be taken on equality grounds.

Conclusion

36. The cumulative effect of the change of use of the paddock, and the unauthorised development within the paddock is such that it has a significant harmful impact on the visual quality and intrinsic character of the landscape and the farmstead. The harm that the unauthorised development causes can only be satisfactorily remedied through the cessation of use and the removal of unauthorised features.

37. It is recognised that some aspects of the unauthorised development (ie. the solar panels and use of the barn) could have drawn in principle support from local plan policies had they been planned in a more sensitive way with suitable mitigation. It is noted that the Owners intend to submit a formal application for some elements of the unauthorised development however they have not indicated a willingness to remedy some of the most harmful aspects of the unauthorised development. It is therefore considered expedient to take enforcement action to remedy the ongoing harm being caused by the unauthorised use.

38. If the Authority serves an enforcement notice it would not preclude the Authority agreeing to consider a further planning application. If the development included in the application was considered acceptable and planning permission granted, the planning permission would override the requirements of the enforcement notice in respect of those elements of the enforcement notice covered by the planning permission. The outstanding breaches of planning control would remain subject to the requirements of the Enforcement Notice.

39. The use, re-grading of the land to form the seating area, patio, paths, hardstanding, installation of solar panels, removal of boundary walls and creation of steps conflicts with the NPPF para 189, policies SP1, SP2, and SP4 of the National Park Local Plan 2015-2030 and the emerging policy CP8 of the 2025-2040 National Park Local Plan causing detrimental harm to the landscape and not enhancing the special qualities of the National Park.

Recommendation

40. That the Authority's Solicitor be authorised to serve an Enforcement Notice to secure:

i) the removal of the ground mounted solar panels;

ii) cessation of the use of the agricultural building for ancillary residential use; and

iii) cessation of the use of the paddock area for ancillary residential use and removal of associated operational development, and reinstatement of the land to its former condition (including ground levels and reinstatement of the boundary walls).
A period of 12 months be allowed for compliance with such requirements.

41. That, in the event of non-compliance with the requirements of the Notice, the Authority's Solicitor be authorised to commence prosecution action.

Alison Pilkington
Planning Enforcement Officer