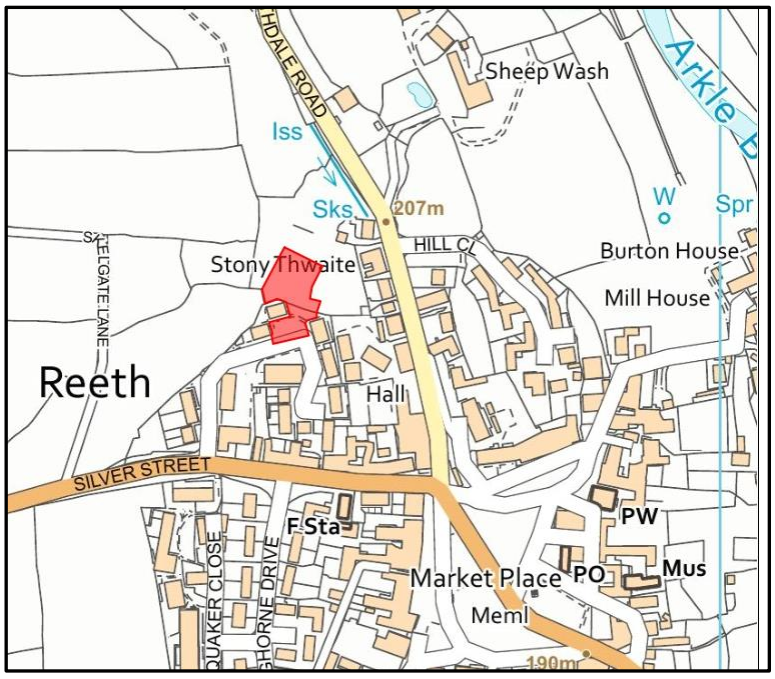
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Reeth Fremington Healaugh
Date:	11 July 2023	**Officer:**	Matthew Lappin
Applicant:	Swale Hair Spa	**Application No:**	R/07/361
Site Address:	Land north of Reeth Dales Centre, Reeth, Richmond, DL11 6SP		
Proposal:	Full planning permission for construction of employment building to provide hair salon (Use Class E) with associated wellness therapy use (Sui Generis) for Swale Hair Spa		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: in the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by the Committee.

APPLICATION SITE

2. The application site is located on land to the north of the Reeth Dales Centre, a business park in Reeth. It is part of a larger site allocated for business development in the adopted Yorkshire Dales Local Plan (policy BE2). It is currently open grassland. To the east of the site are a number of dwellings that front onto Arkengarthdale Road. To the north is another grass field that adjoins Arkengarthdale Road that is allocated in the local plan for housing (2 units) To the west the land rises steeply and there is a core wildlife site located close to the site. Power lines cross the application site and there is also a water main running under part of the site. An area of archaeological importance is located to the east of the site under a shallow earth mound.

PROPOSAL

3. Full planning permission is sought for the construction of a building to provide a hair salon (Use Class E) with associated therapy use (Sui Generis) for Swale Hair Spa, an existing business located in Reeth. The proposals comprise a building, associated car parking, a turning area and access road taken from the existing estate road in the Reeth Dales Centre. The proposed building is to be rendered with a blue/grey slate roof to match the existing units in the Centre. Accommodation is provided at ground floor and also utilising the roofspace. A landscape planting scheme is proposed around the site.

RELEVANT PLANNING HISTORY

4. The following applications are relevant:

   YD1/7/169A: full planning permission for phase 1 development of small scale workshop/craft units (B1) on 0.3 hectares of land.
   Approved - Conditional 27/08/1993

   YD1/7/169B: outline planning permission for phase II development of B1 units on 0.29 hectares of land.
   Approved - Conditional 27/08/1993

CONSULTATIONS

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

Highways - Richmondshire
No objection subject to the following details:
- Securing access from the publically maintainable highway into the site for both pedestrians and vehiclues.
- Confirmation that the access road will be offered to the highway authority for adoption and will be contructed to the appropriate dimensions and standards to enable adoption.
- Provision of a suitable surface water drainage system.

Historic Environment Team
No objection as the development of the application site will not have any archaeological impact. Archaeologically sensitive areas to the west and north-east of the application site should be fenced for the duration of the works.

Trees & Woodlands
The documents provided with the application include an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan that conform to BS 5837 Standards. Recommendations from these douments should be conditioned together with a landscape planting scheme.

Wildlife Conservation Officer
Recommends additional tree and hedgerow planting to be provided, over and above that identified in the application proposals, to provide adequate biodiversity enhancement.

Police - North Yorkshire
No concerns regarding design and layout of application proposals. Recommends consideration be given to site security during construction phase, use of appropriate window and door locks, and installation of an intruder alarm.

Fire Officer - Richmondshire
At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development.

CEHO - Richmondshire DC
The potential impact on amenity and the likelihood that the development will cause a nuisance will be low. No objection in principle but recommend condition on unexpected contamination and informatives on radon gas and lighting.

Lower Swaledale & Arkengarthdale Ward
Concern expressed over lack of initial consultation of residents in Arkengarthdale Road and Arkle Terrace. Request if there are any amendments to this application, that these neighbours are consulted.

Reeth, Fremington & Healaugh Parish Council
Comments on the application proposals, as originally submitted, may be summarised as follows:

- Parish Council does not support the application proposals.
- Size of the building seems out of keeping with the area being much larger than one of the existing units on Reeth Dales Centre.
- Proposed hours of business will mean that there will be a significant increase in traffic through Place Hill and Reeth Dales Centre throughout the day and evening.
- Loss of privacy with windows from this proposed new unit facing the rear of their houses.
- Additional lighting both internal and external which would completely change the current scenic views from the rear of their properties.
- Business should be located in existing village centre rather than a peripheral location.

Comments on amended plans:

- Councillors decided to support the amended application.

PUBLIC RESPONSES

Neighbour/interested parties' responses received: 26

6. The application was advertised by site notice and the amended plans were also advertised by site notice which expired on 23.04.2023. A number of public responses have been received in connection with the application proposals. The comments may be summarised as follows:

    - Proposed uses are not supported by Local Plan policy
    - Local Plan inaccurately represents extent of the allocated site
    - No initial consultation carried out with adjoining residents
    - Proposals will damage the landscape character of the area

- The findings of the YDNP Landscape Sensitivity Report (2023) are disputed regarding the character of the site
- Design and appearance are not in keeping with rural area and environment
- Increase in traffic, noise and disturbance
- Size of proposed development exceeds what is allowed for in the Local Plan
- Other suitable high street locations should be considered
- Loss of privacy and residential amenity
- Potential for light pollution and impact on dark skies reserve
- Additional screen planting should be provided
- Proposed screen planting species are not characteristic of the National Park
- Size and scale of development will have an adverse impact on the character of the locality
- Development is not of a sufficiently high design quality
- Support growth and expansion of a valued local business
- Will improve facilities as existing business has outgrown its premises
- New building will be more accessible
- Support proposed use and opening up of new employment opportunities
- Supports investment in the Reeth Dales Centre

ASSESSMENT

Key Issues:

- Planning policy
- Principle of development
- Design and visual impact
- Neighbour amenity
- Parking and access
- Historic environment
- Biodiversity enhancement
- Trees and woodland
- Equality Act

PLANNING POLICY

7. 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 Yorkshire Dales National Park Local Plan (2015-20300 (the development plan) are:

   SP1: Sustainable Development
   SP4: Development Quality
   BE1: Business development sites
   L1: Heritage assets
   W2: Biodiversity Enhancement
   W3: Protecting trees, hedgerows and walls

PRINCIPLE OF DEVELOPMENT

8. Policy BE1 of the Local Plan allocates land for business development sites in the National Park. On these sites proposals for business development will be permitted in accordance

with the list of acceptable uses and development constraints set out in appendix 3 of the Local Plan. Uses are identified as those falling with class B1 (business) and A2 (financial and professional services) of the use class order, and live/work units.

9. This site was allocated for uses in accordance with Policy BE1 in the current Local Plan (and in the 2006 Local Plan). The Plan went through a series of public consultations in 2014 and 2015 prior to an examination in public by a Planning Inspector who found the plan to be sound. The Plan was adopted by the Authority in 2016.

10. Constraints to development on the site include having regard to the houses fronting Arkengarthdale Road, as the site is slightly elevated above them, through maintaining sufficient separation and also ensuring development proposals are single storey. This matches existing development in the Reeth Dales Business Park and also helps to minimise visual impact in wider landscape views. It also helps to ensure that development does not harm on the Swaledale and Arkengarthdale Barns and Walls Conservation Area.

11. A water main also passes through the site, and an area is safeguarded for archaeological investigation. There is a requirement for consideration to be given to ecological networks across the site, and to ensure there is no increase in surface-water run-off. Access to the site is to be taken from the existing estate road serving the Reeth Dales Centre.

12. When the site was first allocated in 2006 it was restricted to B1 businesses uses only. These are uses that can take place within or close to residential areas without causing undue noise or disturbance. The 2015 Local Plan broadened the uses to embrace A2 and live work as they were also considered to be compatible with the adjoining residential context.

13. Since then changes have been made to the Use Classes Order to amalgamate a number of use classes into a new class E. The former B1 and A2 uses now fall within Class E and a hair salon use also comes within that use class. Nevertheless the key issue is whether a hair salon with therapy room is use consistent with the local plan strategy for business uses and is a use that can be operated without detriment to the amenity of residents.

14. The Local Plan aims to provide land for business development to create new jobs, support existing jobs and generate spending and additional economic activity. The overarching aim is to support existing and new business to ensure that local communities remain sustainable. Land is allocated for general industrial uses and also for businesses that can be carried out in proximity to residential areas. The Reeth Dales centre and the land allocated next to it (this site) fall within the latter category. The Local Plan also seeks to protect high street uses in the larger settlements, including Reeth, to ensure that the ‘high street’ retains footfall and is viable as a service centre. This proposal challenges that strategy to a degree as a hairdressers is traditionally seen as a high street use. However Reeth is not a typical ‘high street’ village as its high street uses are dispersed around a village green setting and many premises are small and unsuitable for retail or service uses like the use in question. In this case it is considered that the proposal would not significantly undermine the local plan spatial strategy as there are good reasons to support the proposed use in this location.

15. The hairdresser and therapy room use (both operated on an appointment basis) is also unlikely to generate significant volumes of levels of noise or traffic, either from staff and

customers coming and going or from deliveries and is therefore likely to be more low key and less disturbing to neighbours than many other business uses that would be allowed by the local plan allocation on this site.

16. Overall is considered that the uses proposed, operated in a managed way, are consistent with the local plan strategy and the site allocation and comply with the requirements of policy BE1.

DESIGN AND VISUAL IMPACT

17. Policy SP1 sets out a general presumption in favour of sustainable development subject to a number of requirements including making the National Park a high-quality place to live and work through improving facilities; conserving or enhancing landscape character through high quality design and landscape planting; and reducing the need to travel.

18. Policy SP4 requires proposals to respond positively to context and landscape setting, and conserve or enhance the character and appearance of the site and its setting. Policy BE1 (appendix 3) states that development on the site would most likely need to be single storey.

19. The application proposals comprise a pitched roof building measuring 9 metres by 16 metres. Height to eaves is 3.8 metres and height to the roof apex is 6.5 metres. Internally the main commercial accommodation is laid out on the ground floor with staff kitchen, lavatories, and a stock room provided utilising the roofspace.

20. Externally the building will be predominantly finished in render with a grey/blue natural slate roof. These are similar materials to those used on other buildings in the Reeth Dales Centre. The main elevation, which is north facing, will be distinguished through use of natural, coursed stone around the entrance, and panels of vertical timber boarding.

21. Powder coated aluminium door and window frames are proposed, together with black coloured aluminium rain-water goods secured by adjustable brackets secured directly to the walls. Flush fitting solar panels are proposed on the south roofslope together with five flush fitted velux rooflights.

22. An area of parking and turning is proposed adjoining the north elevation of the building provide space for eight cars. A further four parking spaces are proposed to the south of the site adjoining Unit 10 of the Reeth Dales Centre to replace parking lost by the proposed access road. A scheme of landscape planting is proposed around the car parking areas which can be secured by planning condition.

23. The layout of the application proposals have been amended to re-orientate the building and position it in the south west corner of the site as close as possible to the existing buildings in the Reeth Dales Centre. The building will be slightly cut into the site to create a shallow retaining wall around the western flank of the building and around the west of the proposed parking area.

24. The size, massing and scale of the proposed building is comparable to those in the adjoining Reeth Dales Centre. Unit 10 and 11 measure a maximum of 17 metres by 10 metres. The units have a height to eaves of 3.5 metres and 5.0 metres to the ridge. Units 8 and 9 are more modest and measure a maximum of 12.7 metres by 9.7 metres and 3.3

metres to eaves and 4.6 metres to the ridge. The application proposals measure 9 metres by 16 metres. At 3.8 metres to eaves and 6.5 metres to ridge the application proposals are taller than the adjoining units, but not by a substantial degree.

25. The orientation and positioning of the proposed building and the materials in the Reeth Dales centre mean that it will be read as part of an existing group rather than a new building without context. Only the end gable of the proposed building will now address the rear of houses fronting Arkengarthdale Road at a distance in excess of 44 metres from the garden boundaries of those properties. The parking and turning area will be more prominently located relative to these dwellings as a result of the amendments to the orientation of the building, but this is considered to be less visually intrusive that the main elevation of the building which would have faced east. A landscape planting scheme has been proposed which can be secured by planning condition.

26. In terms of wider visual impact from public views of the proposed building, these would be achieved intermittently from points along Arkengarthdale Road to the north east (and at points between the dwellings on Arkengarthdale Road), where the building would be seen against the backdrop of the Reeth Dales Centre and viewed in context with that site in terms of the scale, height and appearance of the building. The proposed building would be visible from the southern end of Arkengarthdale Road through the site of 'Reeth Garage' and 'Reeth Memorial Hall'. From this direction the building would appear in an elevated position, yet would be viewed in context with the existing buildings on the Reeth Dales Centre which occupy the same level of elevation, and would be set behind the eastern most building (unit 10 and 11).

27. Overall the design and visual impact of the application proposals is considered to be acceptable when considered against the policy requirements of the local plan.

AMENITY OF NEIGHBOURS

28. Policy SP4 requires development proposals to respect the amenity of neighbours and provide an adequate level of amenity for future occupants. Policy BE1, appendix 3, notes that the allocated employment site is elevated above houses fronting Arkengarthdale Road and that development "would most likely" need to be single storey and maintain a "sufficient separation" from the dwellings so as to avoid an overbearing impact.

29. The application proposals have been amended so that the building has been turned ninety degrees on the site and positioned as close to the south west corner of the site and the existing buildings in the Reeth Dales Centre as possible. The closest garden boundary of the houses on Arkengarthdale Road to the red line site boundary is 25 metres. The closest garden boundary to the edge of the proposed building is in excess of 44 metres.

30. The area between the application site and the garden boundaries is a site of archaeological interest and cannot be developed without being first surveyed. Any development in this location would be subject to a separate planning application.

31. The size, height and design of the building is considered to be acceptable and is comparable to existing buildings in the Reeth Dales Centre. Although accommodation is provided within the roofspace of the proposed building this does not result in an excessive increase in height. Rooflights are positioned in the south facing roofslope only away from the houses to the east.

32. As the main elevation and entrance now face north this is away from the houses on Arkengarthdale Road rather than, as originally proposed, facing directly towards them This will limit opportunities for disturbance caused by the operation of the business. Any outside lighting can be controlled by condition, and construction hours can also be controlled by condition. The Environmental Health Officer has no objection and considers that the likelihood that the development would cause a nuisance or have a potential impact on amenity would be low.

33. The application proposals are therefore considered to be acceptable in terms of any impact on residential amenity arising from use, design, siting and size.

PARKING AND ACCESS

34. Policy SP4 requires development proposals to provide appropriate access and parking provision that does not prejudice highway safety or cause unacceptable levels of traffic. Policy BE1, appendix 3, requires access to be taken from the existing estate road serving the Reeth Dales Centre.

35. The proposals include a spur road from the existing estate road to serve the development. The design is capable of being adopted at a future date. The alignment has the potential of serving other development in the allocated employment site. A section of dry stone wall and three existing trees will be removed to accommodate the road and adjoining footways. Mitigating tree planting will be provided elsewhere to be secured by way of a landscape planning condition.

36. Parking for 8 cars is proposed together with 4 replacement spaces for the adjoining business units. Landscape planting will be provided around the parking spaces to mitigate against any visual impact. Lighting can be controlled by planning condition.

37. The site is also accessible by pedestrians with good footpaths through the adjoining site from Silver Street, providing a useable alternative to the car for local residents. It also allows access via public transport from the bus stop on Reeth Green, a 4 minute walk from the application site.

38. The highway authority has no objection subject to vehicle and pedestrian access being secured from the existing adopted highway in the Reeth Dales Centre, the future adoption of the proposed access, and provision of surface water drainage. The applicant's agent has confirmed that the road will be designed and offered up for adoption by highway authority. A drainage scheme can be secured by planning condition. Overall the application proposals are considered to be acceptable in terms of access and parking.

HISTORIC ENVIRONMENT

39. Policy L1 requires all development proposals that affect a heritage asset to be accompanied by a proportionate assessment of the significance of the asset that would be directly or indirectly affected. Proposals will be permitted provided they conserve or enhance the significance. Policy BE1, appendix 3, notes that archaeological excavation and recording will be required as part of the allocated employment site has archaeological interest relating to the lychet field system.

40. The site is located within the Swaledale and Arkengarthdale Barns and Walls Conservation Area. Policy BE1, appendix 3, notes that the allocated employment site is capable of being developed without harm to the character and appearance of the conservation area, but this relies on the scale and massing of development being in line with the adjacent established employment site. As already set out the size, design, height, and proposed materials are considered to be comparable with the existing buildings on the Reeth Dales Centre. The application proposals will therefore be read within the context of an established group of similar buildings.

41. In terms of the archaeology within the allocated employment site the application proposals have been informed by a Heritage Statement and Non-Intrusive Archaeological Assessment. The detailed field archaeological assessment has involved both measured survey of medieval, and other, features on the site; and a geophysical survey to assess the potential for below ground remains. This work has resulted in a clearer understanding of the archaeological potential of the site. On the basis of the results of the field assessment it is considered that the development of the site will not have any archaeological impact. The Senior Conservation Officer has no objection to the proposals and does not require any further archaeological investigation or monitoring in relation to the application site. Archaeologically sensitive areas to the west and north-east of the application site should be securely fenced out. A planning condition requiring this is therefore proposed.

42. The report also notes that any future development proposals in the employment allocation beyond the site are likely to require further archaeological investigation or evaluation, to confirm the results of the earthwork and geophysical surveys.

43. Overall the application proposals are considered to be acceptable when assessed against the requirements of policy L1 of the Local Plan.

BIODIVERSITY ENHANCEMENT

44. Policy W2 requires new development that would have an impact on biodiversity to make a proportionate on-site contribution to wildlife enhancement. Policy BE1, appendix 3, requires development of the allocated business site to consider how to mitigate against detrimental effect on the movement of wildlife across the site

45. The application has been submitted with a 'Preliminary Ecological Assessment'. The field was surveyed in May 2022 and found to comprise improved grassland of low conservation value. The Authority's own habitat survey information indicates that in 2007/8 it was assessed as semi-improved but not in good ecological condition. The grassland is not of high conservation interest in its own right.

46. In terms of location within local ecological networks, the field adjoins priority habitat to the north and west. The proposed development is limited to one building at the south and western corner of the application site. This is proximate to the 'core' area but does provide a buffer to the 'core' area particularly along the west of the application site.

47. The preliminary ecological assessment has investigated the presence of protected species and concludes there would be no harmful resulting impact. The assessment recommends that a length of mixed species native hedgerow be positioned along the western boundary

of the site; this will provide a habitat for small mammals, birds and insects encouraging the continued movement of wildlife across the site. The preliminary ecological assessment also recommends the installation of 3 bat boxes on trees within the site, and that any lighting installed is directional and focussed to maintain the foraging and commuting potential of the site for bats.

48. Policy W2 specifies that new development that would have an impact on biodiversity will be required to make a proportionate on-site contribution to wildlife enhancement in accordance with Table 7 of the Local Plan. For commercial development a sum of £2.50 p/sqm of footprint developed should be set aside for the provision of multiple nesting boxes or bat roosts, boundary and landscaping enhancements or an off-site commuted sum. With a footprint of 144 square metres this equates to a figure of £360. This would be delivered on site in the form of; planting of a 70 metre long mixed species hedgerow along the western boundary and provision of new tree planting and low level planting and the installation of 3 bat boxes on trees surrounding the application site. This mitigation can be secured by planning condition.

49. Overall, the application proposals are considered to appropriately enhance biodiversity of the site in accordance with the relevant policy requirements.

TREES AND WOODLAND

50. Policy W3 considers that if the loss of a tree, hedgerow or drystone wall that is of landscape, nature conservation or historical value is unavoidable, a scheme of replacement or mitigation will be requireds to compensate for the loss.

51. The application is accompanied by an Arboricultural Impact Assessment (AIA). Although the proposed building and associted parking are not considered to adversely affect any trees on the site, the proposed means of access from the Reeth Dales Centre will necessitate the removal of three trees and an area of landscape planting. The AIA recommends that the three trees requiring removal will be replaced by six trees on the application site, with additional low level landscaping proposed around the site.

52. The Trees and Woodlands Officer notes that the three trees proposed to be lost are of good quality, but are relatively small and likely to have been part of the landscaping scheme for the Reeth Dales Centre when originally constructed. Conditions are recommended to secure the planting of six replacement trees as part of a landscape scheme, and also conditions requiring that the proposed Arboricultural Method Statement and Tree Protection Plan, as set out in the AIA, are followed.

53. In addition, a section of dry stone wall (along the southern boundary of the site) be removed in order to facilitate the access road and pavements through to the application site from the Reeth Dales Centre. The section to be removed is 23 metres in length, and whilst this will be a loss to the immediate setting it is necessary to not only allow access through to the application site from the Reeth Dales Centre as required by policy BE1, appendix 3. Opportunities for replacement sections of dry stone wall can be secured as part of a landscape scheme.

EQUALITY ACT

54. 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.

55. 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

56. The proposals are considered to be acceptable in terms of the proposed use, siting, design, visual and landscape impact, impact on designated heritage assets and archaeological site, neighbour amenity, access and parking and is therefore in accordance with the relevant policy requirements of the adopted Yorkshire Dales Local Plan (2025-2030).

RECOMMENDATION

57. It is recommended that permission is GRANTED subject to conditions based on the list below.

Time limit on planning permission
Identified plans.
Materials as per application
Rooflights specification
Approval of window and doors details, design details (recessed frames, rainwater goods etc)
Approval of external lighting
Implementation of landscape scheme
Unexpected contamination
Tree protection measures
Ecology mitigation
Approval of solar panel details
Foul and surface water drainage details
Removal of PD rights
Hours of construction
Hours of operation
Fencing of archaeological site