**Yorkshire Dales National Park Authority**

**Planning Committee**

**14 October 2025**

**Applicant:** Mr A Brown

**Parish:** Dent

**Officer:** Dan Puttick

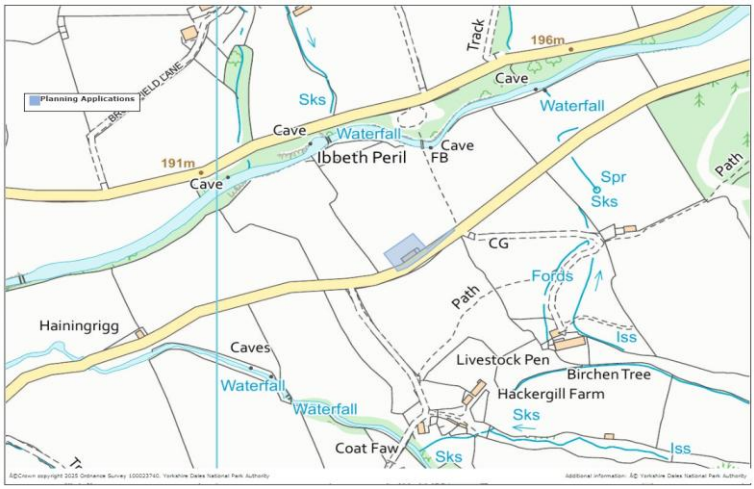
**Application No:** S/01/324B

**Site Address:** Birchentree Barn (GR: 374202,486312), Cowgill, Dent, Sedbergh

**Proposal:** Full planning permission for change of use of barn to C3 residential use; installation of domestic sewage treatment system; provision of new access track, parking area and domestic curtilage

## Purpose of Report

1. That Members **Refuse** 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 Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

## Application Site

3. Birchentree Barn is an isolated traditional stone barn in a roadside location in Dentdale. The barn is 1.5 storeys high with a slate roof. There are shallow-pitched lean-to extensions to the rear and the east gable. These have corrugated sheet roofs, with some blockwork to the walls of the side extension. There is an overgrown yard to the east of the side extension with access directly off the minor road. Elsewhere the surrounding field extends up to the rear extension and west gable.

4. The building features a central cart door opening to the front elevation with a later concrete lintel. The front wall sits directly on the narrow roadside verge. The side and rear extensions have later openings which do not reflect traditional construction methods.

## Proposal

5. It is proposed to convert the barn to form a single 2-bed dwelling. A domestic sewage treatment system would be installed in the field behind, with mains water connection. The proposal would involve the demolition of the later rear and side extensions and the erection of a smaller single storey rear extension under a traditional catslide roof. The cart door opening in the front elevation would be glazed, but there would be no further openings or rooflights in this elevation. An existing cart door opening in the rear elevation (currently obscured by the extension) would also be utilised.

6. Proposed plans show the existing field access to the east of the barn would be utilised, with parking and access routing west towards the barn leading to turning and parking space for two vehicles to east of the barn. The demolition of the large rear extension would allow space for a garden to the rear. The proposed development would provide 2-bedroomed accommodation over two floors, with one en-suite bedroom occupying half of the first floor and a double-height space extending over the other half.

7. A previous application to convert this building was withdrawn in 2021 (Ref S/01/324) and a revised application (Ref S/01/324A) was refused by the Planning Committee in February 2024. The previous and current applications have been accompanied by a Structural Appraisal Report by Tweddell & Slater Structural Engineers. This concludes that ‘some parts of the building have moved and distorted to an unacceptable degree’. The report goes on to recommend that ‘the southeast roadside wall and northwest rear wall should be carefully taken down and rebuilt’.

8. This application has been accompanied by a planning statement providing additional justification in favour of the development, including financial information relating to the operation of the farm enterprise in which the building is located and the rationale behind pursuing the application. Additional information relating to connection to mains water has also been provided in response to concerns regarding potential impacts on private water supplies raised previously.

## Relevant Planning History

9. The following applications are relevant:

S/01/324 - Full planning permission for change of use of barn to C3 residential use and installation of domestic bio treatment plant - Withdrawn 02/07/2021

S/01/324A - Full planning permission for change of use of barn to C3 residential use and installation of domestic sewage treatment system - Refused 02/02/2024

## Consultations

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

**Highways -** No objections subject to conditions.

**Dent Parish Council -** The Parish Council fully supports this application to bring back into use what is a derelict barn, particularly for use by a local farmer and given the use of materials suggested in the application.

**Area Ranger -** Advice provided in relation to protection of the public right of way during construction phase.

**Wildlife Conservation Officer -** No objections subject to conditions.

**Natural England -** No comment.

**Fire Officer -** No objections.

## Public Responses

A site notice was displayed on 06 February 2025 and expired on 27 February 2025.
Public responses received at the time of writing: 3

Two letters of support have been received from nearby residents, highlighting the benefits associated with the conversion of the barn and retention of the heritage asset. The comments also highlight that residents would support the school and small businesses locally.

One letter of objection has been received from Friends of the Dales, highlighting the previous reason for refusal of application S/01/324A and lack of further supporting evidence to justify the proposed development in light of this.

## Assessment

Key Issues:

- Principle of development
- Landscape
- Highway Safety
- Nature Recovery
- Parish Council comments
- Equality Act

## Principle of the Development

11. The National Planning Policy Framework (NPPF) is a material consideration and establishes that great weight should be given to conserving and enhancing landscape and scenic beauty in 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.

12. Yorkshire Dales Local Plan (2015-2030) Policy L2 (Conversion of traditional buildings – acceptable uses) sets out the locational requirements for the conversion of traditional buildings. Proposals for the change of use of traditional buildings to high intensity residential, visitor accommodation and employment uses will only be permitted within existing settlements and building groups, or other suitable roadside locations.

13. The barn clearly meets one of the criteria set out in Policy L2, being in a roadside location. However, planning permission has previously been refused for the proposed development on the basis that the extent of demolition required to facilitate the conversion of the building represented a significant element of new build to the extent that the proposal is tantamount to the erection of a new dwelling, which in itself would be contrary to Local Plan housing policies and advice in the National Planning Policy Framework – both of which restrict the building of houses in the open countryside. This application has been supported by the same structural appraisal, and the proposals insofar as they relate to the conversion of the building are identical to those which the authority has previously refused.

14. The planning history for a site is a significant material consideration when determining applications for planning permission. In this instance, the development involves significant rebuilding of the barn and as such would conflict with Policies L2 and L3 of the Local Plan (2015-2030). This requirement is on the basis that the building should have the physical capacity to accommodate the new use without significant extension or alteration, and that it should be capable

of conversion requiring no more than minor structural work, the extent of which would not compromise the historic interest and character of the building.

15. As noted previously, the recommendation of the Structural Report clearly demonstrates that the proposed development cannot meet these two criteria of Policy L3 of the Local Plan. The development involves the removal of the roof and the demolition and rebuild of two principal walls, which at the very least must be considered to be a significant alteration under Part a). The proposed works also extend well beyond the 'minor structural work' required by Part e) of Policy L3 and would seriously compromise any historic interest and the character of the building.

16. Members are reminded that the adopted Local Plan allows for the conversion of suitable traditional buildings to either local occupancy housing or holiday let uses, as an exception to the general strategy of restricting further housing in unsustainable locations (i.e. outside of settlements) because doing so would produce a conservation benefit – securing the traditional building and the contribution it makes to the landscape and cultural heritage of the Park. If proposals involve significant demolition and rebuild that conservation benefit is negated.

17. The Authority is in the process of producing a new Local Plan (2025-2040) which has been submitted to the Planning Inspectorate for examination later this year. Given the advanced stage of the preparation of the plan weight can be given to the policies of the Plan. Policy AB2 of the emerging plan is a conservation-orientated policy aimed at securing the long-term future of traditional buildings in a manner that conserves their intrinsic value. Proposals for high intensity residential uses are required under the policy to be tied to the local occupancy criteria set out in Appendix 5 of the emerging plan, to ensure they contribute towards local housing needs. Exceptions are made for farm and rural estate diversification proposals for short term holiday letting.

18. Policy AB2 of the emerging plan states that proposals for the change of use of low intensity traditional buildings to high intensity residential, and employment uses will only be permitted where:

- The building is a heritage asset worth conserving and has not already been extensively modified and

- The location is within an existing settlement, a group of farm buildings, or the building and its associated historic yard abuts a sealed metalled road maintainable by the Highway Authority, or a sealed metalled private road that connects to a road maintainable by the Highway Authority and

- Proposals for change of use to a dwellinghouse for continuous occupation will be subject to a local occupancy restriction.

19. The policy goes on to state that proposals for the change of use to self-contained holiday letting will only be permitted where:

    - It would appropriate conserve a listed building in relation to Policy AB1 or,

    - It would support a farm or rural estate business diversification scheme (Policy E2) and the holiday unit can be tied to the agricultural unit to prevent it being sold off separately, and

    - The use will be capable of effective supervision and management to avoid noise and other disturbance, and

    - The use is restricted to a maximum of 28 days short stay letting by individual households.

20. The application proposes a high intensity use of a traditional building beyond any settlement, however the amount of demolition and rebuilding involved is such that it would to a rebuild as opposed to a conversion, and in doing so would conflict with Policies L2 and L3 of the Local Plan. The application seeks full planning permission for conversion to a house for local occupancy or for tourist accommodation, both of which would be acceptable in accordance with Policy L2 of the Local Plan. However, the proposals would conflict with the approach set out in Policy AB2 of the emerging plan. This conflict attracts weight in the overall planning balance, and consideration of other issues set out below.

21. The application has been supported by additional information, which indicates that the building would be sold to pay off debts associated with the operation of the farming enterprise, to potentially purchase rented land and additional land in the future. The benefits associated with this approach to the enterprise are noted, however this would conflict with the aim of Policy AB2 to allow holiday letting to support farm diversification and the requirement that the holiday unit is tied to the agricultural unit (so that it remains part of the farm business and not sold off adding to the stock of holiday lets).

## Landscape

22. Part b) of Policy L3 of the Local Plan states that the creation of any new curtilage, access and other associated storage and infrastructure should be the minimum necessary and should be sensitive to the traditional character and appearance of building and not adversely affect the immediate or wider landscape setting of the building.

23. It is considered that these other elements of the proposed development comply with Part b) of Policy L3. The access and driveway would have limited impacts and would utilise an existing field gate, and curtilage of the building would remain as existing. Parked vehicles and other domestic paraphernalia would be contained within the walled curtilage, ensuring no encroachment into the fields beyond. In that regard these elements are considered to be sensitive to the character and appearance of the barn. However, as stated above, the proposed demolition and rebuild of the two principal walls means that the proposed development fails to meet other criteria set out in Policy L3, notably Parts a) and e).

## Highway Safety

24. Local Plan Policy SP4 states that development proposals would not prejudice highway safety. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

25. The barn sits directly on the roadside, the front walls set behind a narrow strip of verge. The minor road running along the south side of the valley is relatively narrow with many bends and blind spots. The proposed development would introduce a new dwelling with parking spaces for two vehicles, utilising an existing access to the east of the barn.

26. Application S/01/324A was refused partly on the basis that the proposed access would be prejudicial to road safety, as adequate visibility splays could not be achieved. To address this, it is proposed to utilise an existing access further east of the barn, with vehicles routed back towards the barn via a short driveway. This arrangement, which has been informed by speed surveys, has been considered by the Highway Authority who raise no objection to the proposals subject to a number of conditions. Subject to accordance with those conditions, the proposed development would be acceptable in accordance with Policy SP4 of the Yorkshire Dales Local Plan (2015-2030). Whilst the revised arrangement overcomes one of the previous reasons for refusal, it nonetheless remains a neutral factor in the overall planning balance and does not outweigh the issues highlighted elsewhere in this report.

## Nature Recovery

27. The site lies within the Upper Dentdale Cave System SSSI. Natural England (NE) have previously required the submission of a Construction Environmental Management Plan (CEMP) to address any potential impacts on the SSSI. This was to include appropriate pollution prevention guideline measures, biosecurity, and the control and management of noise, fugitive dust, surface water runoff and waste to protect any surface water drains and the SSSI from sediment and pollutants. Whilst Natural England have provided standing advice in relation to this application, a similarly worded condition could be imposed to avoid harm to designated sites.

28. The application has been supported by updated ecological surveys, which have been assessed by the authority's Wildlife Conservation Officer. No objections are raised to the application, subject to conditions to secure mitigation and avoidance measures as part of the development. Subject to accordance with these conditions, the proposals would comply with Policy W2 of the Local Plan.

29. Biodiversity Net Gain is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). The application was received prior to small sites being subject to this requirement and as such there is no requirement for BNG to be delivered as part of the application.

## Parish Council Comments

30. The Parish Council has commented that it supports the application as it will bring back into use a derelict barn 'particularly for use by a local farmer'. As noted above it is now understood that the intention is to sell off the barn rather than being kept to support the farm business.

## Equality Act

31. 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.

32. 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

33. The application is a re-submission of S/01/324A, which was refused by the Planning Committee on 2nd February 2024. The application proposes the conversion of the existing barn, facilitated by the demolition of a more contemporary rear addition beyond the northern elevation. The development still involves significant alteration to the building and more than minor structural work, which is contrary to Local Plan Policies SP3 (Spatial Strategy restricting new build housing to settlements), L2 (that allows for conversions and not new build) and L3 (that does not allow significant alterations or structural work).

34. The proposals remain contrary to the development plan and whilst changes to the scheme have overcome previous reasons for refusal relating to highway safety, the development would conflict with Policies SP3, L2 and L3 of the Yorkshire Dales Local Plan (2015-2030). Furthermore the proposal conflicts with the aims of Policy AB2 of the emerging Local Plan, to which weight can be given, which only allows for holiday letting uses as a farm diversification and tied to the farm business.

## Recommendation

35. It is recommended that permission be **Refused** for reasons based on the following:

1. In the opinion of the Local Planning Authority the proposal involves significant alterations and major structural work to the building, which would have an adverse impact on the heritage interest and traditional character of the building and the surrounding landscape. Given the amount of demolition and rebuild involved, the proposed development would be tantamount to the erection of a new dwelling in the open countryside, and as such the proposal is contrary to Yorkshire Dales Local Plan (2015-2030) Policies SP3, L2 and L3, Policy AB2 of the emerging Yorkshire Dales National Park Local Plan (2025-2040), the first Statutory Purpose of the National Park and guidance contained in the National Planning Policy Framework.

2. In the opinion of the Local Planning Authority the proposed use of the building for the purposes of holiday letting would increase the supply of under occupied housing without demonstrating public benefit and would not represent sustainable development. As such the proposal is contrary to Policies CP1 (Sustainable Development) and AB2 (Conversion of Traditional Buildings and acceptable uses) of the emerging Yorkshire Dales Local Plan (2025-2040).