Yorkshire Dales National Park Authority

Planning Committee

25 November 2025

Applicant: Mr A Brown

Parish: Dent

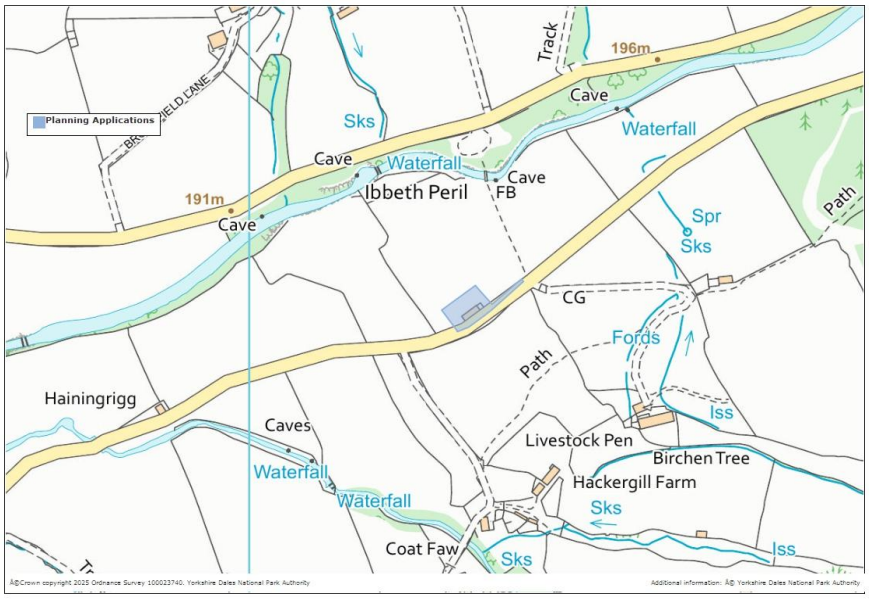
Application No: S/01/324B

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.

3. The application was presented to Committee on 14 October 2025, where the application was deferred to allow for factual inaccuracies within the report to be addressed.

Application Site

4. 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.

5. 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

6. It is proposed to convert the barn to form a single 2-bed dwelling for local occupancy. 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.

7. 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.

8. 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'.

9. 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.

10. Unlike application S/01/324A, this application relates to the conversion of the building to a residential dwelling for local occupancy only. The applicant has provided a local occupancy statement, confirming their acceptance of a legal agreement under Section 106 of the Town and Country Planning Act restricting the occupancy of dwelling to local occupancy in accordance with criteria set out in Appendix 5 of the Yorkshire Dales Local Plan 2015-2030.

Relevant Planning History

11. 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

12. 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

13. 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

14. 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.

15. 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.

16. The barn clearly meets one of the criteria set out in Policy L2, being in a roadside location, and is proposed to be used for residential purposes for local occupancy. 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 beyond what could be considered to be an appropriate conversion. 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.

17. 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 which would conflict with Policies L2 and L3 of the Local Plan (2015-2030). Policy L3 is clear that the building must 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.

18. The Authority is in the process of producing a new Local Plan (2025-2040) which has been submitted to the Planning Inspectorate for examination in December. 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.

19. Policy AB2 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.

20. Policy AB3 of the emerging plan adopts a similar approach to Policy L3 of the Local Plan, and states that proposals for the conversion of traditional buildings to new uses will be permitted where they conform with the Design Guide and, amongst other requirements, where the building is capable of conversion requiring no more than minor structural work, the extent of which would not compromise its historic interest or character. The approach set out within the emerging plan therefore does not change the way in which this application and its specific issues should be approached.

21. 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. This is also the case for Policy AB3 of the emerging Local Plan. The development involves the removal of the roof due to the extent of damage and decay, and the demolition and rebuilding 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.

22. Members are reminded that the adopted Local Plan allows for the conversion of suitable traditional buildings to either local occupancy housing and a limited number of other 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, its features of interest 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, and in this instance certain features of interest would be lost.

23. The NPPF is clear at paragraph 216 that the effect of an application on the significance of a non-designated heritage asset out should taken into account in determining the application. Policies L2 and L3 of the Local Plan and Policies AB2 and AB3 of the emerging Plan seek to ensure minimal intervention to the buildings and retention of historic fabric, which Officers do not consider would be achieved in this case. The extent of works involved therefore go beyond the levels of development supported by these policies.

24. In summary of the above, the application proposes a high intensity use of a traditional building for residential purposes, however the amount of demolition and rebuilding involved is such that it would amount to a rebuild as opposed to a conversion, and in doing so would conflict with Policies L2 and L3 of the Local Plan, and Policies AB2 and AB3 of the emerging Local Plan.

25. The application has been supported by additional information, which identifies a path towards improving the sustainability of the existing farming business. The statement indicates that improving the sustainability of the business would not be possible with current net profits from the enterprise, which it is stated 'is barely sufficient for covering day-to-day living costs'. However, the statement indicates that through the sale of the barn, alongside investment in a wider and more strategic land portfolio as well as purchasing current rented land and paying off existing loans and repayment plans, the business would be likely to continue to operate. Based on the information provided the development would help sustain the existing business, however there is very limited detail relating to this point and it is therefore a consideration which should attract only limited weight. Moreover, the Committee will need to consider whether this benefit is sufficient to outweigh the conflict with Policies L2 and L3 of the Local Plan identified above.

26. However the proposal would provide an additional unit of accommodation for local occupancy, making a small but nonetheless meaningful contribution towards addressing housing need within the National Park. The development would help meet the objective within the emerging Local Plan of increasing the supply of new housing (including affordable and local occupancy housing) by an average of 50 dwellings per annum. However, given the scale of the development, the contribution towards addressing housing need would be small and this is a benefit which attracts limited weight in the overall balance. The Committee will need to consider whether this benefit is sufficient to outweigh the conflict with Policies L2 and L3 of the Local Plan identified above.

Landscape

27. 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.

28. 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 development fails to meet other criteria set out in Policy L3, notably Parts a) and e).

Highway Safety

29. 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.

30. 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.

31. 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

32. 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.

33. 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.

34. Biodiversity Net Gain (BNG) is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). The application has been supported by a biodiversity metric and BNG strategy, which proposes an area of 0.05ha of grassland within the red line boundary of the application site (but outside of the proposed curtilage of the proposed dwelling) to be enhanced to 'good condition other neutral grassland'. This would be achieved by management of the grassland which is present, and oversewing the area with an appropriate seed mix. This would deliver +17.94% BNG through the creation of 0.07 habitat units. The development would therefore be capable of complying with the standard condition in the event that permission were to be granted.

35. The proposal is therefore considered acceptable in accordance with the aims of Policy W2 of the Local Plan, and would deliver net gains for biodiversity in accordance with the requirements of Section 7A of the Town and Country Planning Act. The development would deliver additional net gains for biodiversity over and above the mandatory requirement of 10%, which would deliver some limited environmental benefits which weigh in favour of the application in the overall planning balance. However, as summarised below, these benefits are modest and not sufficient to outweigh the conflict with the development plan identified in this report.

Parish Council Comments

36. 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.

37. Late representations were received from the Parish Council ahead of the meeting of 14 October 2025. Their comments are provided below:

    "Dent with Cowgill Parish Council had agreed to support this application as it is for a local occupancy dwelling that is much needed in this parish.

    The alternative outcome for this barn is for it to fall into dereliction and with a known need for local housing that is simply waste of resources, and being very visible by the road would be detrimental to the environment and the community."

    Equality Act

38. 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.

39. 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

40. 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). The proposals also conflict with Policies AB2 and AB3 of the emerging Local Plan, the emergence of which does not materially alter the assessment of the proposal in relation to this issue.

41. There are other material considerations which the Committee will need to consider. The development would provide a local occupancy dwelling, which would contribute towards meeting housing needs within the National Park. In acknowledgement of comments made by the Parish Council, the development would also deliver some social benefits through the creation of a new home for local occupancy, which they say is much needed in the Parish. There would also be some environmental benefits through the delivery of net gains over and above the mandatory requirement.

42. However, the benefits associated with the development are considered to be modest, and in this case are not considered to outweigh the clear conflict with the development plan, and loss of the non-designated heritage asset. In conclusion, the conversion of Birchentree Barn would conflict with relevant policies in the development plan relating to the application, as the works involved go beyond what could be reasonably considered as a conversion of the building because of the scale of demolition, rebuilding and intervention required.

Recommendation

43. It is recommended that permission be **Refused** for the following reason:

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.

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