YORKSHIRE DALES
National Park Authority

Agenda

Meeting: Planning Committee

Membership: Libby Bateman, Lizzie Bushby, Mark Corner, Richard Foster, Robert Heseltine, Julie Hutton, David Ireton, Allen Kirkbride, Ian Mitchell, Andrew Murday, David Noland, Yvonne Peacock, Jenny Purcell, Steve Shaw-Wright, Graham Simpkins, Derek Twine

Venue: Yorkshire Dales National Park Authority Offices, Yoredale, Bainbridge, Leyburn DL8 3EL

Date/Time Tuesday 15 April at 1 p.m.

Please see the attached - Notes for Members of the Public & Authority Members

Part One – Procedural Items

1. Attendance:
   a) Apologies for absence
   b) Notices of substitution

2. Minutes of the meeting held on 21 January 2025.

3. Public Questions / Statements

4. Declarations of lobbying

Part Two – Items / Reports which require a decision from Members

5. **List of applications for permission to develop**:

   5.1 C/52/38F – 9 Main Street (The Boars Head), Long Preston, Skipton, BD23 4ND

   5.2 C/44/181C – Colt Park Barn, Chapel le Dale, Carnforth, LA6 3JF

   5.3 C/71/215B - Old Hall Farm, Main Street, Threshfield, Skipton, BD23 5HB

   5.4 C/26/776D - Rockville, Rockville Drive, Embsay, Skipton, BD23 6NX

6. Confirmation of Tree Preservation Order No 4 (Cracoe) 2024, With Modification

Part Three – Items/ Reports for Members to note

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7. Enforcement Closures Quarterly Report

8. Urgent Business – where the Chair has agreed there are special circumstances

David Butterworth
Chief Executive
National Park Authority Office
Yoredale, Bainbridge
02 April 2025

Planning Committee Terms of Reference

- To exercise all development control/development management and enforcement functions which are conferred upon local planning authorities and mineral planning authorities, with the exception of those functions specifically delegated to officers.

- To consider and report to the Authority upon any matter which the Authority may from time to time refer to the Committee.

Notes for Members of the Public and Authority Members

1. **Agenda and meeting papers**
   The agenda and all public reports for meetings of the Authority (and each of its Committees) are normally available for public inspection five working days before the meeting, posted on the Authority's website. A **limited** number of copies will be available for reference at each meeting.

2. **Public Questions/Statements:**
   The National Park Authority has allocated up to 15 minutes at the start of meetings to allow members of the public the opportunity to ask questions and/or to make statements that relate to the work of the Authority or the appropriate Committee.

   Anyone wishing to ask a question or make a statement **must 'register'** that intention with the Chief Executive by 12 noon on the working day before the meeting. You can do this by sending an email to committees@yorkshiredales.org.uk sending your request by post to Chief Executive, YDNPA, Yoredale, Bainbridge, Leyburn, North Yorkshire DL8 3EL, by phone on 0300 456 0300 or in person to the Authority's offices in Bainbridge. Please make sure you include your question or statement and also give your name and address and a contact telephone number. More detailed guidance is available from the Committees Officer.

   For anyone registered to speak at today's meeting, please wait until the Chair calls you at the appropriate time. Please do not try to interrupt or speak over someone else. Each speaker will have up to three minutes.

3. The above procedure is in addition to the opportunity to participate at Planning Committee meetings – see separate Public Participation at Planning Committee Meetings guide).This relates to more detailed information for Public Speakers specifically relating to planning applications being considered by Planning Committee.

4. **Declarations of Interest:**
   Authority Members should make any declarations of interest at the start of the appropriate item.

5. **Public and Press Attendance:**
   We have a limited number of places for members of the public and press to attend meetings as observers, to ensure compliance with both health and safety guidance and fire safety. Registered public speakers will have priority for these spaces.

   For those who are not registered speakers, if you **wish to attend as an observer of a meeting**, either as a member of the public or press, please **contact the Committees Officer** (details below) no later than 12 noon the day before the meeting. Any remaining places will be allocated on a first come first served basis.

Please **do not attend** if you have symptoms of Covid or another similarly transmissible disease, in the interests of general infection control and to respect the wellbeing of others.

Instructions on what to do in the event of a fire will be given at the start of the meeting. Please go straight to the designated assembly point as not doing so may delay checks that everyone is accounted for.

6. **Filming/Recording of Meetings:**
   The National Park Authority routinely audio-records all full Authority meetings and Planning Committee meetings.

   Filming / recording of Authority, Committee and Sub-Committee meetings is permitted, provided it does not disrupt the smooth running of the meeting. The Chair reserves the absolute right to ask for filming / recording of a meeting to cease, if in their opinion, continuing to film or record would be disruptive to, or prejudicial to, the proceedings. Ultimately, the Chair may suspend or adjourn the meeting.
   Anyone filming a meeting is asked to only focus on those actively participating.

   Those attending National Park Authority meetings should be aware that they may be filmed and that attendance at the meeting signifies agreement to this.

   The Authority cannot accept responsibility for the content of any recording made, once it has been taken away from the Authority's premises,

If you have any general enquiries/comments about the above or the way in which the Authority's decision-making processes operate, please contact the Committees Officer by post (to Yoredale, Bainbridge, Leyburn, DL8 3EL); telephone 0300 456 0030; or email: committees@yorkshiredales.org.uk.

Yorkshire Dales National Park Authority **Item 2**
Planning Committee

Minutes of the meeting held at the Yorkshire Dales National Park Authority offices, Yoredale, Bainbridge, Leyburn DL8 3EL on Tuesday 21 January 2025.

Members Present:

Libby Bateman, Lizzie Bushby, Mark Corner, Richard Foster, Robert Heseltine, Julie Hutton, David Ireton, Peter Jackson, Allen Kirkbride, Ian Mitchell, (Chair), Andrew Murday, David Noland, Yvonne Peacock, Jenny Purcell, Graham Simpkins, Derek Twine.

01/25 Apologies for Absence and Notices of Substitution

Notice of apologies had been received from Steve Shaw Wright and appointed Peter Jackson as substitute.

02/25 Minutes

Resolved – That the minutes of the meeting held on 26 November 2024, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

03/25 Public Questions/Statements

There were no public questions or statements.

04/25 Declarations of Lobbying

All Members were lobbied against on agenda item 5.1 In addition Members made the following declarations of lobbying:

Member	Agenda item(s) on which lobbied	For or Against
Ian Mitchell	5.2	Against
	5.3	Against

05/25 Applications for Planning Permission

The following members of the public addressed the meeting on the Plans List item indicated:

List No	Application No	Location	Public Speaker
1	C/52/38F	9 Main Street, (Boars Head) Long Preston , BD23 4ND	

2	S/01/150G	Upper barn, Combe House, Gawthorp, Sedbergh, LA10 5QQ	
3	S/01/150H/LB	Upper barn, Combe House, Gawthorp, Sedbergh, LA10 5QQ	
4	C/07/6E	Woodlands, Beamsley, Bolton Abbey, Skipton, BD23 9HZ	**Andrew Holgate (Agent)**

Considered – the report of the Head of Development Management, listing applications for planning permission and the recommendations thereon, together with late consultations and update reports circulated after the despatch of the agenda but prior to the meeting.

Application [Plans List No – Application No - Proposal] and Decision

[Note: These decisions are recorded in the order in which they appeared in the Schedule of Planning Applications NOT necessarily the order in which they were considered by the Committee.]

Application: **List No. 1 C/52/38F** - Full planning permission for conversion of the former Boars Head public house to form three dwellings; erection of two new dwellings in former car-park and associated parking and landscaping at 9 Main Street, (Boars Head) Long Preston , BD23 4ND

Decision: That the decision be **Deferred** to allow a **Site Visit** to allow Members to identify important site features relevant to the proposal.

Application: List No 2: S/01/150G - Full planning permission for conversion of Upper Barn to form a local occupancy dwelling or holiday cottage subject to Section 106 restriction (resubmission of lapsed approval) at, Upper barn, Combe House, Gawthorp, Sedbergh, LA10 5QQ

Decision: That permission is **Granted** subject to conditions outlined below and a section 106 agreement securing a local occupancy restriction or use as a short-term holiday let, and to ensure registration of the off-site BNG area and delivery, management and monitoring of the off-site BNG for 30 years.

Conditions:

- Standard time limit
- Accordance with approved plans
- Methodology for conversion
- No sandblasting
- Submission of level 3 building survey
- Approval of/compliance with details:
    - Pointing
    - Windows and doorways

    - Fixtures
    - Garden
    - Water treatment plant
- Restriction on external lighting
- Mitigation in accordance with ecological survey report
- Biodiversity enhancement (nest boxes)
- Removal of permitted development rights
- Contamination of land
- Private water supply
- Archaeological monitoring/recording
- Historical boundary walls and surfaces

Informative:
Advising that the PROW must remain free of obstruction.

Application: List No 3: S/01/150H/LB Listed Building Consent for conversion of Upper Barn to form a local occupancy dwelling or holiday cottage subject to Section 106 restriction at Upper Barn Combe house Gawthorp Sedbergh LA10 5QQ

Decision: That permission be **Granted** subject to the following conditions:

- Standard listed building time limit
- Accordance with approved plans
- Methodology for conversion
- No sandblasting
- Submission of level 3 building survey
- Approval of/compliance with details:
    - Pointing
    - Windows and doorways
    - Fixtures to the building
    - Garden
    - Internal works
- Photographic record
- Mitigation in accordance with ecological survey report
- Removal of permitted development rights

Application: **List No. 1 C/07/6E** - Full planning permission for demolition of existing wooden chalet and creation of stone built single dwelling at Woodlands, Beamsley, Bolton Abbey, Skipton, BD23 9HZ

Decision: That permission be **Refused** based on the following

In the opinion of the Local Planning Authority the proposal constitutes new development in the open countryside. By virtue of the site's visual isolation, the introduction of a new dwelling in this location would harm the natural beauty and undeveloped pastoral character of the surrounding area. There is insufficient evidence to suggest that the proposal would be justified by an exceptional need for a dwelling in this location. As such, the proposal is contrary to Policies SP1, SP2, SP3 and SP4 of the Yorkshire Dales Local

Plan (2015-2030), the guidance in paragraphs 135 and 189 of the National Planning Policy Framework (2024) and the First Statutory Purpose of the National Park (S.5 of the National Parks and Access to Countryside Act 1949 [as amended]).

In the opinion of the Local Planning Authority there is no existing dwelling currently located on the site, and so the proposal does not constitute a replacement dwelling. The existing structure is in a state of disrepair and there is insufficient evidence to suggest that it is inhabited or inhabitable since 1985. As such, the proposal is contrary to Policy C5 of the Yorkshire Dales Local Plan (2015-2030), the guidance in paragraphs 135 and 189 of the National Planning Policy Framework (2024) and the First Statutory Purpose of the National Park (S.5 of the National Parks and Access to Countryside Act 1949 [as amended]).

06/25 Enforcement Quarterly Report

Considered and **noted** the report of the Head of Development Management.

There being no other business the meeting closed at 2.14 pm

Yorkshire Dales National Park Authority Item 5

Planning Committee

15 April 2025

List of Applications for Permission to Develop

Attached to this report are details of applications for permission to develop, together with Officers' recommendations.

For Members' information:

1. The plans and information submitted with each application, together with consultee and neighbour/interested party responses are available to Members and the public on the Authority's website.

2. Late representations will be available on the Authority's website after 5.30pm on the Friday before the Committee meeting.

3. The time period for responses to consultations/publicity carried out on individual applications may not have expired before the date of the Committee meeting. Any responses received after the meeting will be taken into account in drafting conditions/reasons for refusal. If such responses received within the specified period are contrary to the Committee's resolution and raise new matters, the application will be presented for reconsideration by the Planning Committee at a future meeting.

4. All applications that are recommended for approval will have the appropriate time limit conditions attached, to comply with Sections 91-94 of the Town and Country Planning Act 1990.

5. All location plans are reproduced from Ordnance Survey Maps with the permission of Her Majesty's Stationery Office. Crown Copyright Reserved. Licence Number LA08905L-0001.

Richard Graham
Head of Development Management

Background documents:
Some or all of the following comprise the list of background papers unless they contain Exempt Information:

- Application forms, plans, covering letter, and certificates.
- Other material submitted with the application.
- Further correspondence with the applicant/agent.
- Details of consultation and neighbour notification.
- Consultation replies.
- Other representations received.
- Site notes.

Yorkshire Dales National Park Authority **Item 5**

Committee: **Planning**

Date: **15 April 2025**

Report: **List of Applications for Permission to Develop**

Index of Applications

LIST NO	PARISH	APPLICATION NO	APPLICANT(S)	LOCATION
1	Long Preston	C/52/38F	WL Capstick	9 Main Street (The Boars Head), Long Preston, Skipton, BD23 4ND
2	Horton in Ribblesdale	C/44/181C	Natural England	Colt Park Barn, Chapel Le Dale, CARNFORTH, LA6 3JF
3	Threshfield	C/71/215B	TM Harrison	Old Hall Farm, Threshfield, Skipton, BD23 5^{PL}
4	Embsay with Eastby	C/26/776D	Mr L Anderson	Rockville, Rockville Drive, Embsay, Skipton, BD23 6NX

Yorkshire Dales National Park Authority

Committee: Planning

Date: 15 April 2025

Applicant: WL Capstick

Parish: Long Preston

Officer: Clare Bland

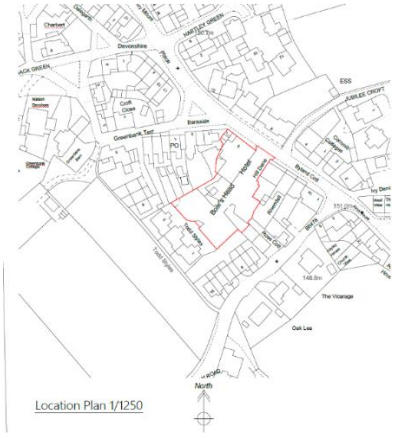
Application No: C/52/38F

Site Address: 9 Main Street (The Boars Head), Long Preston, Skipton, BD23 4ND

Proposal: Full planning permission for conversion of the former Boars Head public house to form three dwellings; erection of two new dwellings in former car-park and associated parking and landscaping

Purpose of Report

1. This application was reported to the meeting in January and deferred for Members to visit the site. The site visit will be undertaken on 4 April and a note of the visit will be circulated with the late representations. The recommendation is that Members delegate authority to the Head of Development Management to APPROVE 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. The application site is a former public house and accompanying car park close to the centre of Long Preston, accessed directly from the south side of the A65.

4. The site is an irregular shape, the narrower northern portion is predominantly occupied by the former public house, with the wider southern section mainly given over to hard surfaced parking and servicing areas.

5. The site is dissected by a central access track between the parking and service areas which also provides access to three residential properties on Todd Styles.

6. Other than for the north eastern boundary, which is formed by the existing building and the A65, the site is surrounded in all directions by residential properties.

7. There is little in the way of soft landscaping at the site as existing, with a narrow strip between the former public house and the rear gardens of residential properties on Bankside, along with a small number of individual trees peripheral to the parking and service areas.

Proposal

8. Full planning permission for conversion of the former Boars Head public house to form three dwellings through the vertical sub-division of the building internally, combining the former public bar and back of house ground floor areas with the existing upper level residential floorspace. Each of the resultant dwellings would have dedicated private amenity space and parking. The proposals include for the removal of an existing single storey outrigger to the north western elevation (the existing toilet block), reopening three currrently blocked up doorways, and the introduction of a single first floor window in the south east gable wall.

9. Two new two storey dwellings are proposed in the south western portion of the former car-park, with each benefitting frrom private amenity space and parking.

10. The residential mix would be as follows:

    - 3 x 4 bedroom dwellings through conversion of the existing building; and
    - 2 x 4 bedroom new build dwellings.

11. The proposals also include a provision for visitor parking, refuse storage, biodiversity net gain planting and enhancements to the access track.

Relevant Planning History

12. The following applications are relevant:

YD5/52/38 - extension of public house to provide 18 additional bedrooms, residents lounge, reception area, dining facilities, kitchen extensions and garaging accommodation Approved 12/01/1978

YD5/52/38B - full planning permission to alter and extend the Boars head hotel Refused 26/02/1990

YD5/52/38C - full planning permission for erection of two storey extension to provide bedrooms Approved 25/10/1991

C/52/38D - full planning permission for erection of two storey hotel annexe comprising six holiday flats Approved 01/09/1994

C/52/38E - full planning permission for erection of 3 no. four bedroomed dwellinghouses with alterations to car park of existing public house Approved 14/11/2001

Consultations

13. The comments of statutory and non-statutory consultees are summarised below:

NYC - Drainage & Floods (LLFA) - the LLFA objects to the application, recommending that the applicant provide further information before any planning permission is granted by the LPA. They advised that the objection may be overturned following the submission of adequate information, with the applicant advised to ensure that the development needs to meet the requirements set out in North Yorkshire County Council's SuDS Design Guidance The applicant provided the requested information and the LLFA were reconsulted on 27/11/24, no further response has been received from the LLFA to date.

Long Preston Water Trust – no comments received

Head of Visitor Services – no comments received

Trees & Woodlands - the trees identified for removal to facilitate the development are poor specimens with low amenity value. The only tree on site with any amenity and habitat value is the mature Goat Willow, which is to be retained during the development.

Support the landscaping plan, but suggest that only one Oak is planted within the grassed area - this species will mature to be a large canopy tree, and there is the potential here for some pressure to the buildings and patio areas with overplanting.

Wildlife Conservation Officer – no objection subject to conditions restricting works during nesting bird season; compliance with recommendations contained in the Bat Emergence Survey; whilst the BNG Metric requirements have been complied with, to ensure delivery the applicant needs to submit an updated metric; and, to submit and comply with a BNG Plan and Habitat Management and Monitoring Plan.

Long Preston PC – comments submitted to the amended scheme are set out below, the comments do not specify being submitted either in support or objecting to the amended scheme:

'Long Preston Parish Council considered this planning application at its meeting on 5th December 2024 and has instructed me to write to you with its comments.

It is clear that a significant number of Long Preston parishioners feel very strongly about this application. The vast majority of comments submitted oppose the application. Their views centre on the loss of a village amenity and its potential as a source of business and employment. This is a concern shared by Long Preston Parish Council, as a rural community such opportunities are dwindling and anything that can be done to slow that decay should be seriously considered. Has the change of use been properly considered, there is some uncertainty over this? Equally, whilst the guidelines do not require this for a development of this scale we note with great disappointment that there is no provision of even one affordably priced property.

The other concerns are over the potential for the planned development to intrude on the privacy of neighbouring properties and put pressure on the already elderly infrastructure of the village. We would hope that the application does not merely "follow the guidelines" but has clear sympathy with the concerns of neighbouring householders and that the planning authority respects these concerns in making firm recommendations such as the type of privacy windows to be installed (top hanging as opposed to side hanging). We would hope that provision in the landscaping includes additional screening between the development and those affected neighbouring properties. Whilst this is not within our remit, we would hope too that serious consideration is given to more than adequate sewerage and drainage provision. In addition, we note that the water supply in Long Preston is at its capacity. Finally, and again, we note that the new plan partially exceeds the guideline provision for visitor parking spaces; if this application were truly to be sympathetic with the needs of the village as a whole we would ask that there be a consideration for "Planning Gain" by increasing the parking provision using up the remaining space and ensuring that there can be no parking overflow caused by this development and even a benefit by creating some additional parking spaces for the village.

Given the strength of community feeling over this proposal we would strongly request that:

1. The planning authority makes firm recommendations that take into account the concerns of the affected residents.
2. The application is taken to the full planning committee for consideration so that elected representatives are given the opportunity to debate the proposal properly.'

Highways – awaiting formal comments which will be reported prior to the meeting.

Chief Technical Officer CTO - Craven – recommends that all work is to be carried out, to ensure compliance with the Building Regulations 2023.

United Utilities Water Ltd – requests conditions be attached to any grant of permission in respect of SUDS and foul water drainage; and, protection of the on site rising main.

Chief Environmental Health Officer CEHO – No objections.
The site has 3 options in terms of water supply for the proposed dwellings: there are two private water supplies and the mains water supply. The addition of the proposed dwellings to one of the existing supplies would not alter the classification or sampling frequency.

From an Environmental Health perspective the development is unlikely to cause and/or be affected by a nuisance and consider that there will be no negative impact.

The applicant has submitted a phase 1 contamination site investigation report undertaken by ERGO ref:24-1952-01 dated May 2024. The report has recommended a intrusive phase 2 environmental investigation is undertaken at the site to identify any potential ground contamination at the site. Conditions are recommended to secure the site investigation and a remediation strategy/validation report should it be required.

Fire Officer - Craven - no objection/observation to the proposed development.

Historic England – do not wish to offer any comments.

Senior Listed Building Officer - No objections to the conversion of the former inn, subject to suggested conditions. Initially recommended that the proposed new-build units are reduced in number and scale to have a more subservient character to that of the existing inn, and to provide a more harmonious appearance within this part of Long Preston Conservation Area.

Following the amendments the Officer commented as follows 'Solely from a conservation perspective, with respect to the impact of the development on the Conservation Area and on the setting of the Boar's Head, I don't have any further concerns with the proposal. My previous comments regarding the number, scale and height of the proposed new units have been addressed by the amendments'.

Public Responses

Public responses received at the time of writing: 38

14. The application was advertised by site notice on 7 August 2024. It was also advertised in the Craven Herald on 15 August 2024 as works affecting a Conservation Area (Long Preston).

15. 38 responses have been submitted by neighbours and interested parties. A number of the respondents have submitted numerous responses, commenting on each iteration of the application proposals. Overall there have been 22 individual objectors and 3 supporters of the application.

16. The following points were raised within the objections:

- Loss of pub / community asset / employment use
- Impact on residential amenity due to loss of light and overlooking
- Scale of development (height and number of units / overdevelopment)
- Appearance of new build and impact on heritage asset
- Capacity / integrity of foul drainage infrastructure and water supply
- Loss of parking
- Highway safety
- Impact on right of way
- Access for emergency service and refuse vehicles
- Lack of affordable housing

Assessment

Key Issues:

- Planning Policy
- Principle of development
- Impact on character and appearance of area
- Impact on neighbours
- Impact on heritage assets
- Highway considerations
- Trees
- Nature Recovery
- Flood risk & drainage
- Sustainability
- Parish Council comments
- Equality Act

Planning Policy

17. 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 (2015-2030) are;

SP1	Sustainable development
SP3	Spatial strategy
SP4	Development quality
BE7	Safeguarding employment uses
C1	Housing in settlements
C9	Existing community facilities
C12	Infrastructure needed to support development
L1	Heritage assets
W2	Biodiversity enhancement
CC1	Renewable & low carbon energy

18. The Yorkshire Dales National Park Local Plan (2015 – 2030) is the relevant policy document. Policy SP1 confirms the Authority's presumption in favour of sustainable development, in accordance with the principles established by the National Planning Policy Framework, also indicating circumstance where development would be considered unsustainable.

19. Policy SP3 sets out the spatial strategy for the Authority area, identifying Long Preston as a Service Village where new build housing will be permitted on sites inside the housing development boundary. It also states that the re-use of suitable traditional buildings will be permitted in accordance with Policies L2 and L3 to help conserve the historical landscape, promote growth in the local economy and increase the supply of housing.

20. The proposed development accords in principle with these overarching strategic policies.

Principle of Development

21. The site comprises the Boars Head, a long established public house in the centre of the village of Long Preston, along with the remaining grounds which are largely given over to parking and service areas.

22. The premises has historically operated as a pub with ancillary restaurant and guest accommodation functions. For purposes of planning policy within the Authority area such a use does not constitute an 'employment' use as the primary function was as a public house (a sui generis use) and not as a restaurant or hotel, hostel, large guesthouse, or other recognised employment use which might otherwise be

considered appropriate to preserve pursuant to Policy BE7. A change from the established use is therefore acceptable in principle pursuant to this policy.

23. The site does not benefit from a specific housing allocation however it complies with the locational requirements for windfall housing being located within the housing development boundary of Long Preston which is identified as a Service Village in the adopted development plan.

24. The conversion of the former public house is similarly acceptable in principle to ensure the retention and re-use of a traditional building (acknowledging that although the premises is not a traditional farming building it remains a traditional Dales building which has been in situ for centuries). The proposed use is therefore acceptable in principle pursuant to spatial policy SP3 and Housing in settlements policy C1.

25. Policy C1 advises that on sites of between 6 and 10 dwellings a commuted sum payment would be required in lieu of affordable housing and of sites of up to 5 dwellings there is no affordable housing requirement although new housing will be restricted to local occupancy controls. In this instance the application originally proposed 6 dwellings and a commuted sum payment would have been required. However, due to the scale of the new development element of the application, the proposals were considered to have an overbearing impact on the character and appearance of the former public house and be of a form which would not preserve or enhance the character of the Long Preston Conservation Area, therefore, at the request of Officers, the scale of the new build element was reduced and the design amended. The amendments to the scale of the proposals resulted in a reduction in the number of dwellings from 6 to 5. There is therefore no requirement to contribute to affordable housing however the occupation of all proposed dwellings would be restricted to local occupancy by way of a S106 obligation in accordance with Policy requirements. Whilst no specific affordable housing provision can be secured from the development, as noted in paragraph 4.6 of the adopted local plan, the occupancy restriction has the beneficial side effect of lowering house price by around 20% and as such will potentially ensure all the housing at the site is more affordable than might otherwise be the case for unfettered open market housing.

26. The policy advocates that a minimum density requirement of 35 dwellings per hectare should be met unless reasoned justification can demonstrate otherwise. With an area of 0.185 hectares, the site should generate a minimum of 6 dwellings at a density of 35 dph.. However, in order to ensure compliance with all other relevant policy requirements, a development of 5 dwellings is considered appropriate in this instance subject to the imposition of a relevant occupant control.

27. Policy C9 seeks to secure the retention of existing community facilities which includes commercially-oriented facilities such as pubs. The policy advises that development which would result in the loss of such facilities will not be permitted unless it can be demonstrated that the use is no longer needed or a suitable located

replacement facility of at least equivalent standard has been secured, and the land or building could not fulfil or is not needed for an alternative community use.

28. The Boars Head was owned on a freehold basis by Punch Pubs & Co prior to the Applicant purchasing the property in February 2024. It was operated on a tenancy basis. Evidence provided by the Applicant, which is publicly available on the Companies House website, indicates that the operating business had been consistently returning an escalating loss between incorporation of tenants in August 2017 and the most recently returned accounts in 2023. The level of loss was not insignificant, increasing from a deficit of approximately £32,000 in 2018 to £156,000 in 2023. Whilst it is reasonable in a commercial context for a business to initially operate at a loss, when the loss inures and substantially increases year on year it is evident that the business is not viable. Whilst there is anecdotal comment that the management of the business changed twice in 2023 and that this led to the demise of the business, there is no proof of this. It is clear however from the empirical financial evidence that whatever the circumstance in 2023, the business had been operating at a substantial loss for in excess of 5 years. It is understood that the business ceased trading in September 2023, it did not relocate.

29. The unfettered freehold ownership of the property was subsequently listed for sale by the owners in late September 2023. The property was marketed as a freehold vacant property at a realistic market value (when compared to similar properties). As the Applicant was not the client of the marketing agents there is no information available to them relating to enquiries or offers made on the property. It is however reasonable to presume that as the property had been made available on the open market for a number of months before the Applicant purchased it, as it was vacant, with a freehold title, had there been interest from another party to use the property for community purposes or an employment use there would have been the opportunity to do so.

30. Whilst there are concerns raised in consultation responses as to the loss of the public house as a commercial operation, there is sufficient evidence to demonstrate that the business was not commercially viable, that there was no alternative tenant or freehold owner with a desire to continue the pub use either at this or an alternative site, and that there would not appear to have been any interest from others to establish an alternative community or commercial use at the property. No third party has come forward during the publicity of the Application to indicate that there had been any attempt by others to purchase or lease the property for an alternative community use – such notification would have been expected if that were the case and evidence would have been sought by the Authority to corroborate any such claim. Although the Authority's local plan policy includes a strong desire to retain community facilities, in instances such as this where it has been demonstrated that the business is not commercially viable and no alternative use or operator is available, the Application must be determined based on the evidence provided. In this instance it is considered that the proposals comply with the requirements of Policy C9 and the change of use associated with the residential use of the former

public house and its grounds considered acceptable in principle subject to compliance with other relevant policy.

Impact on character and appearance of area

31. The site lies in the centre of Long Preston, within the Long Preston Conservation Area. It is surrounded on all sides by small scale commercial and residential accommodation of predominantly traditional Dales style stone and random rubble buildings with stone slate roofs. There is little soft landscaping in the vicinity of the Site, with much of the area dominated by two storey, residential properties, some with small enclosed front gardens and some built to the back of pavement.

32. As existing the site differs in both scale and appearance, currently housing a single large footprint painted and rendered building which is slightly taller than its surroundings, alongside parking and servicing areas.

33. No works are proposed to the existing building that would alter its character or appearance within the context of the wider area. The proposals would include the erection of a low level stone wall to the front (south) of the building, providing defensible space between the residential use and the access road. This would be representative of many properties in the area. The only other alterations being the removal of more modern porch / outrigger extensions and the reinstatement of door openings. None of these works would detrimentally impact on the character of the area.

34. In terms of the works to the car park, the wider plot of the Boars Head has evolved over the years and has aided in the evolution of this part of the village. More recently this is evidenced by the relevant planning history which dates back to 1977 and includes various approvals for single and two storey extensions to the west of the existing building, oversailing what is currently car park to increase the guest accommodation offer (including C/52/39 – 18 guest bedrooms, lounge, dining room, kitchen and garaging, C/52/38C – 12 additional bedrooms & C/52/38D – 6 self contained holiday flats), and more latterly with the approval in 2001 of 3 dwellings on part of the former car park, 1-3 Todd Styles (C/52/38E), and also the development of 7 dwellings, 4-16 Station Road. The permissions to release land and develop dwellings have been implemented, the permissions to extend the commercial business have not.

35. This current proposal would represent a further stage in this evolution. The principle of developing on the car park of the Boars Head is considered acceptable, the works not conflicting with adopted planning policy, the car park areas are in private ownership and therefore there would be no loss of publicly available parking, and other than a private right of access from the A65 to the properties at Todd Styles, and an easement relating to utilities infrastructure in the south eastern portion of the site, there are no known constraints to development.

36. The key considerations are the scale and appearance of any such development in terms of their effect on the character of the area and the impact on neighbouring amenity. The application has already been amended to reduce the originally proposed 3 dwellings, reducing the number to 2 and also securing a reduction in the overall scale of the proposed works to ensure that the historic building retains its dominance and to ensure there would be no detriment to neighbouring amenity. Officers are continuing to work with the Applicant to ensure that the final design of the 2 dwellings is appropriate for the context of the site, the aim being to secure a simplified design that reflects the prevailing vernacular style and form of buildings in the village and further detail on this process will be reported to Members prior to the Committee Meeting.

37. The parking and access road remain in their current location, with parking dedicated for all dwellings along with visitor parking and servicing areas / turning space.

38. The Trees and Woodlands Officer has no objection to the proposals and the Wildlife Officer has no objection in principle to the scheme which has been designed to incorporate biodiversity net gain alongside ecological uplift, requesting conditions to ensure the implementation of the same.

39. Overall, the amended proposals are considered to be of an acceptable overall scale and a layout which makes best use of the site whilst respecting the character of the wider area and the Conservation Area. Subject to agreeing amendments to the detailed appearance of the 2 new dwellings it is considered that the development will accord with design aspects of policy SP4 of the Local Plan.

Impact on neighbours

40. In terms of impact on neighbouring amenity, whilst there are a number of comments from neighbouring residents concerned about overlooking and overshadowing, the proposals comply with the recommended separation distances of 21m between directly facing principal windows and 14m between a principal window and a blank / gable elevation, there being no minimum recommended separation between elevations with no principal windows. In addition, there are existing and proposed boundary fences, walls and landscaping that will preclude any propensity for direct overlooking between gardens and ground floor living spaces both into and from the proposed development.

41. Whilst the existing building is closer to the neighbouring properties than the recommended separation distances, this is an existing relationship, with rooms already in habitable use and therefore the requisite standards do not directly apply. Notwithstanding this however, there is no direct line of sight at ground floor level due to an existing high stone wall and, due to the orientation of the properties, the windows at the upper levels are at oblique angles to each other which substantially reduces a direct line of sight and therefore propensity for overlooking.

42. There has been comment as to the potential for loss of daylight / sunlight to 2 Todd Styles caused by the western most of the proposed new dwellings. However, due to the relationship between the properties, their orientation to each other, along with the overall height / scale of the proposed dwelling, there would not appear to be any detrimental impact. The proposed drawing confirms this point, however, good practice guidance advises that if there is an instance of a minor infringement, and an obstructing building is taller than the 25 degree line, it is still possible to achieve good daylighting providing the obstruction is not continuous, and it is narrow enough to allow daylight around its sides. In this instance there is no known obstruction however, in any event, the orientation, depth and overall height of the proposed dwelling would ensure that daylight levels would not be affected to a significant degree.

43. It is recommended that in order to ensure the long term protection of residential amenity a condition be imposed to require any windows in the side / gable elevations to be obscure glazed and top hung opening only.

44. It is acknowledged that the properties on Todd Styles are accessed via the access track that dissects that site and that this will be the principle access for any construction traffic / deliveries associated with the proposed development. It is also acknowledged that the site is located in a primarily residential area. Whilst parking of construction related vehicles can reasonably be accommodated within the site, as can materials stores, it would be reasonable to require the developer to provide a construction management plan to ensure neighbouring amenity is not detrimentally affected during the construction process, the plan to include but not be limited to details or parking and storage areas, hours of construction, delivery management, wheel washing and site access cleaning, and noise suppression / mitigation as may be required subject to construction methods engaged.

45. Subject to the above it is considered that the proposed development will accord with policy SP4 n) of the Local Plan.

Impact on heritage assets

46. Section 72 of the Town & Country Listed Building & Conservation Areas Act 1990 requires that the Local Planning Authority pays special attention to the desirability of preserving or enhancing the character or appearance of that area.

47. The Boar's Head is a former inn of early 19th Century date, and whilst not designated as a listed building, it is a prominent building within Long Preston Conservation Area. The Authority's Senior Listed Building Officer advised that it has communal value, as a former public house that served the local community, historical value due to its age and evidence of its original function, and aesthetic value as a prominent roadside building with fine details including pronounced quoins and full window surrounds along with render incised to resemble ashlar stonework.

48. Having regard to the above therefore it can be concluded that the principal element of the Site from a heritage and conservation perspective resides in the Boars Head building, with the wider servicing area originally associated with the property having been eroded and absorbed into the village over time and the remaining element adding little to enhancing the wider character of the Conservation Area.

49. From reviewing historic records and undertaking a site visit it is clear that the interior of the building has been subject to a long history of change and adaptation, with little fabric of significance remaining and as such there would be little benefit in applying a condition requiring a historical building recording.

50. The Senior Listed Building Officer advised that the proposed conversion will retain the external layout and appearance of the former inn to its publicly visible elevations. Some new openings are proposed to the ground floor of the north-west (rear) elevation, although this will be enclosed and screened by the existing stone boundary wall and will not affect public views of the building. The porch to be removed is of relatively modern date and low significance, with no objection to its removal. Overall, they considered that the works to the existing building would conserve the character of the Conservation Area and have no objections subject to conditions relating to external material finishes.

51. The SLBO has no objection to the principle of new residential development within the car park area, considering it to have no detrimental impact on the character or appearance of the Conservation Area, subject to the amended plans that make the dwellings less prominent by reducing the roof height and to give a more subservient relationship to the existing inn and to match the scale of these units more closely to the surrounding properties.

52. Policy L1 advises that proposals that result in less than substantial harm to a designated heritage asset will only be permitted where it can be demonstrated that the public benefits of the proposal clearly outweigh the loss of significance, with the NPPF stating that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. NPPF goes on to advise that ‘local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. In this instance there is considered to be public benefit associated with this development proposal by virtue of the provision of local housing and the retention of the character building in a form and use that would ensure its preservation in perpetuity.

53. Having regard to the above, subject to agreeing the final detail of the proposed new build dwellings, and subject to the appropriate conditions in respect of materials, the proposals are considered to accord with Policy L1.

Highway considerations

54. It is proposed to utilise the existing access onto the A65 which currently serves the three dwellings on Todd Styles and the Boars Head. The proposed conversion and new build works are not anticipated to generate any greater level of vehicular movement than might otherwise have been generated by an operating pub. The replacement of a commercial operation with residential use has the potential to improve the highway safety, particularly with regard to being more aware of neighbours regular movements and of pedestrian activity.

55. The creation of a pedestrian footpath is a welcome addition to the site, providing for clear separation between pedestrians and vehicles. There is ample space to ensure this provision, with the access track being approximately 9.5m at it narrowest point close to the junction with the A65 and the proposal retaining just over 5m to serve the development and the adjacent properties.

56. There has been some objection to the loss of the car park however this is in private ownership and is not a public parking facility. The proposal includes 2 parking spaces for each of the proposed dwellings along with visitor space. This is considered to be acceptable.

57. The lack of any built form on the south easterly car park area ensures that there remains space for refuse and emergency vehicles to enter and leave the wider site in a forward gear.

58. The Highway Authority has not raised any concern with the proposals and appropriate visibility is already achievable from the existing access which will not be impinged by the development.

59. It is recommended that conditions be imposed to ensure the parking is retained as proposed in perpetuity. Subject to this, it is therefore considered that the proposed development would not prejudice highway safety, would not cause an unacceptable level of traffic and would have an appropriate access and parking provision in accordance with policy SP4 of the Local Plan.

Trees

60. The Authority's Tree Officer has commented that the trees identified for removal to facilitate the development are poor specimens with low amenity value. The only tree on site with any amenity and habitat value is the mature goat willow, which is to be retained during the development. In light of this the Officer is supportive of the impact that the development would have on existing trees.

61. They are also supportive of the proposed landscaping plan subject to a reduction in the number of proposed new oak trees. A condition would be imposed to ensure an amended landscaping plan is prepared to reflect this request and to also take on board the Wildlife Officer's comments (addressed below).

Nature recovery

62. The application is accompanied by a preliminary ecological appraisal which advises that the plant species assemblages recorded at the site are all common in the local area and are considered to be of low ecological value, and that birds are likely to utilise scrub on site for nesting between March and September therefore any vegetation clearance should therefore be undertaken outside of this period. No other notable or protected species were recorded on the site.

63. The application was also accompanied by a Bat Survey and subsequent emergence survey which confirmed the absence of bats roosting at the site, advising that the proposed works present minimal risk of impacting bats or their roosts.

64. A Biodiversity Net Gain assessment has been undertaken which confirms that sympathetically landscaped open space is considered to offer habitat of equal or greater ecological value than the existing and an updated landscaping plan has been prepared to take account of Wildlife Officer comments. Notwithstanding this however it is recommended that conditions be imposed, as recommended by the Wildlife Officer, to ensure that the BNG and ecological enhancements proposed as part of the development are clearly set out in an appropriate Plan and a relevant Management Plan is also submitted to approval and implementation control, in accordance with the requirements of Policy W2 and national BNG statute).

Sustainability

65. Policy SP1 of the Local Plan sets out a presumption in favour of development that is sustainable. As a previously developed site within an existing Service Village the site is considered to be in a sustainable location for such development.

66. In accordance with the recommendations within Policy CC1, the applicant has been requested to consider that some form of renewable technology be incorporated into the development such as the installation of electric vehicle charging points for all new dwellings. An update will be provided prior to the meeting.

Flood Risk & Drainage

67. The site lies within flood zone 1, with a low probability of flooding from rivers. It is similarly not considered to be at risk from surface water flooding. There is not considered to be any potential impact from the conversion of the existing building, it already being connected to the private combined drainage system within the site. It

is proposed to link the 2 new dwellings to this system.

68. The remainder of the site is currently predominantly hard surfaced and as such, due to the nature of landscaping proposed and the overall minimal area of impermeable surface, it is anticipated that there would be an overall positive impact on surface water run off, which currently runs downhill towards the properties at Todd Styles, being caught in part by surface drains and pumped into the combined sewer system via the on site private pumping station, the infrastructure for which runs up the eastern side of the Site.

69. Whilst the LLFA initially had an objection to the proposed drainage strategy due to lack of information, the applicant has provided the requested detail and a further response is awaited from the LLFA which will be reported to Members prior to Committee.

70. There were some neighbour concerns relating to the impact of the development on the local combined drainage network however the applicant has provided for a comprehensive package of works that will ensure the proposals can be suitably drained without detriment to the existing drainage infrastructure or increase the propensity for flooding on neighbouring sites.

Parish Council Comments

71. The Parish Council initially objected to the application however following the amendments to the proposals they provided a further comment albeit it is not clear whether this supersedes the initial response and overrides their initial objection, or sits alongside the original response and therefore the objection would remain.

72. With regard to comments made in each response, the PC raised a concern relating to neighbouring residential amenity, specifically loss of privacy, loss of sunlight and loss of outlook, suggesting that the proposals be located to the opposite side of the access track. Due to the location of existing infrastructure it is not possible to build on the land to the opposite side of the access, however, the proposals were amended and it has been confirmed that the amended scheme will comply with amenity standards in respect of loss of privacy and also to impact on daylight that might be experienced within the neighbouring dwellings (albeit this is a building control and not a planning regulation), there being no planning policy provision to protect outlook.

73. Concerns were raised over the capacity of the existing water pumping system to support the capacity of additional dwellings. Unfortunately, this is also not a matter for planning policy to control, it being again a matter for building control and for the utilities providers, however, the applicant has submitted detailed calculations to address comments raised by the LLFA which, whilst not specifically relating to the capacity of existing infrastructure, will hopeful also alleviate any concerns as to the ability to suitably drain the proposed development.

74. In the response to the revised proposals, the PC note their concern as to the loss of the pub as a village amenity and a potential source of business and employment, the question raised as to whether a change of use has been properly considered. As noted in paragraphs 27 – 30 above, it can be confirmed that the requisite policy has been considered in response to the proposed conversion and it has been concluded that, in this instance, the proposals satisfactorily accord with the policy requirements.

75. In response to the PC comment as to affordable housing, they are correct in acknowledging that a proposal of this scale is not obligated to make such a provision, however, the comment at paragraph 25 should be noted as to the impact of local occupancy control on property value / sales prices.

76. The reiterated comments as to neighbouring residential amenity and drainage have been addressed to the full within the parameters permitted by planning policy and statute, any requests over and above the policy requirements can result in any decision taken by the Authority being subject to legal challenge.

77. The above is similarly the case for requiring planning gain over and above that necessary to ensure a development complies with policy and it is unfortunately beyond the remit of the Authority to request additional parking on private land or to prevent any residents or visitors to the application site from parking elsewhere within the village.

Equality Act

78. 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.

79. 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

80. The proposal would deliver a small scale residential development on a sustainable brownfield site in an appropriate location within an established Service Village in accordance with the provisions of Policy SP3. The dwellings would be restricted by a Section 106 agreement to meet the local occupancy requirements.

81. The creation of 5 new local occupancy homes would help to meet the aims of Policy C1 of the Local Plan without detriment to the provisions of Policy SP4 in respect of design, transport, human safety and amenity, and environmental safeguarding.

82. The design and layout of the new dwellings has been amended to provide a development that will tie in with both the character of the wider site, the Boars Head as a character building, and with the Long Preston Conservation Area.

83. The proposals would result in the loss of a community asset however sufficient evidence has been provided to demonstrate that the business was unviable and there has been no interest in the property for business operation or other community use operators.

84. Without a viable commercial operation, traditional buildings such as the Boars Head can suffer from neglect and can eventually be lost. This building forms an important part of the character of the Long Preston Conservation Area and allowing for its conversion to residential use will ensure its preservation in perpetuity. This development proposed will secure such a future and without inappropriate extension to the existing built form which will help to maintain the building and the Conservation Area character.

85. The proposed new houses would be sufficiently distanced from neighbouring properties to avoid any adverse impact on residential amenity.

86. There will be no impact on trees or ecology, with conditions proposed to ensure suitable uplift in the provision for both.

87. The existing access road would be enhanced to provide a pedestrian footway and access would remain as existing for the site and neighbouring dwellings, with no greater impact on highway safety than the existing baseline.

88. It is therefore considered that the proposal is acceptable and would accord with Policies SP1, SP3, SP4, C1, C9, L1, W2, W3 & CC1 of the Yorkshire Dales Local Plan (2015-2030), with advice contained within the Yorkshire Dales National Park Design Guide and guidance within the National Planning Policy Framework (2024).

Recommendation

89. It is recommended that authority be delegated to the Head of Development Management to approve, subject to a S106 agreement to impose a local occupancy restriction, and to agree the final detailed design of the two dwellings, subject to conditions based on the following:

- Three years to implement the permission
- To be built in accordance with the approved plans and details
- Permitted development rights removed

- Hard and soft landscaping details to be agreed
- Protection of Trees
- Scheme of biodiversity enhancements finalised and management plan secured
- Approval of sustainable surface water and foul water drainage scheme
- Materials/details/samples to be agreed
- Surfacing, boundaries and bin storage
- External lighting scheme and light spill mitigation
- Highway conditions
- Construction management plan
- Unexpected contamination
- Provision of EV charging points

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Yorkshire Dales National Park Authority

Committee: Planning

Date: 15th April 2025

Applicant: Natural England

Parish: Horton in Ribblesdale, Ingleton

Officer: Katherine Wood

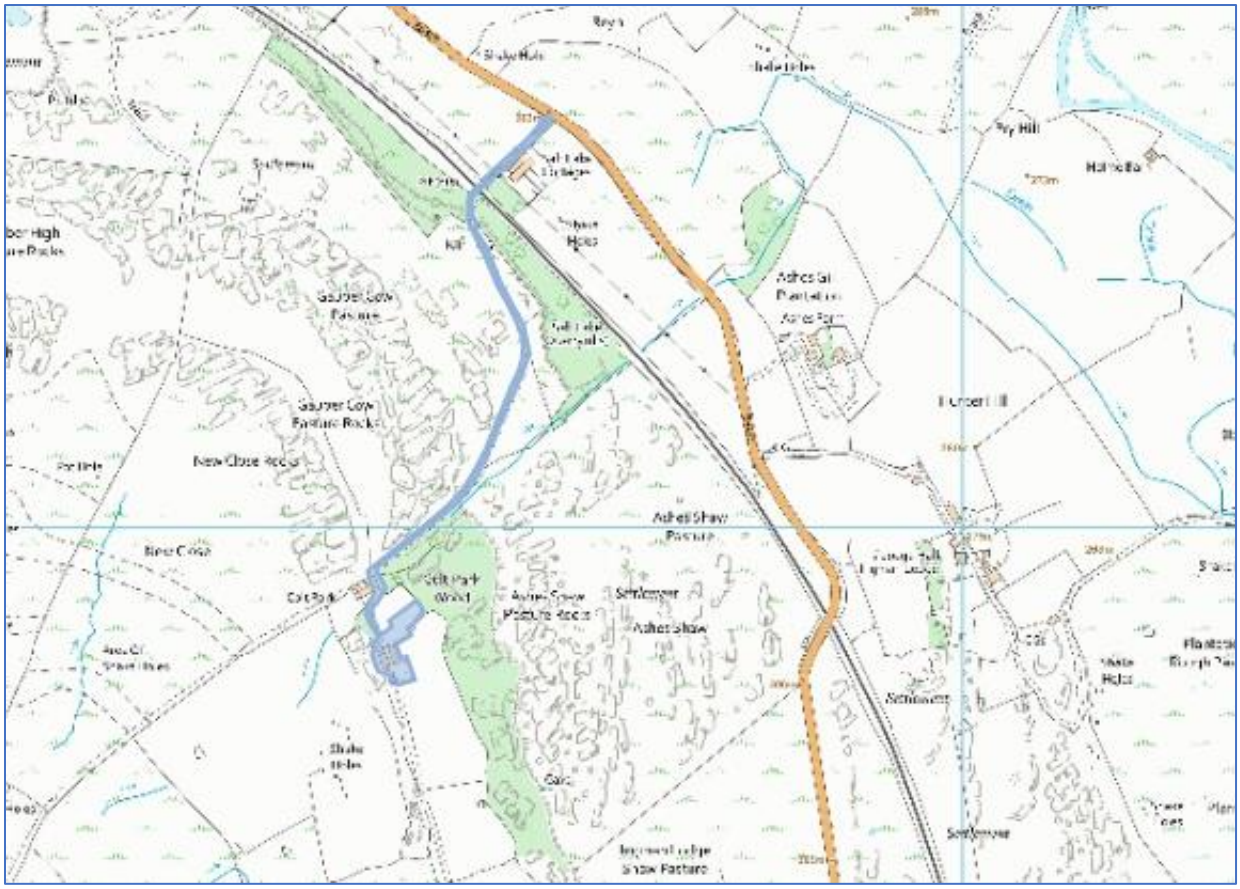
Application No: C/44/181C

Site Address: Colt Park Barn, Chapel Le Dale, CARNFORTH, LA6 3JF

Proposal: Full planning permission for refurbishment of the existing traditional west stone barn including additional windows and the replacement of existing doors and roof replacement as well as improvements and reconfiguration of internal space; external recladding of the modern (east) barn, replacement of door openings and installation of internal mezzanine; installation of ground mounted photovoltaic panels with an associated battery storage structure; erection of a polytunnel; realignment of the access track; installation of service and associated works (amended red site plan)

Purpose of Report

1. That Members APPROVE 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 recommendations are contrary to the decision which the Head of Development Management proposes to take.

Application Site

3. Colt Park Barn lies below Park Fell to the west of the B6479 Ribblehead to Horton Road and the Settle to Carlisle railway line. The site is accessed by an unmade track from the B6479 that serves a number of residential properties. The track is also a public footpath that allows access from the road through the site to the west and south around the lower slopes of Park Fell.

Proposal

4. Full planning permission is sought for the refurbishment of the existing traditional stone (west) barn including additional windows and the replacement of existing doors and roof replacement as well as improvements and reconfiguration of internal space; external recladding of the modern (east) barn, replacement of door openings and installation of internal mezzanine; installation of ground mounted photovoltaic

panels with an associated battery storage structure; erection of a polytunnel; realignment of the access track and the installation of service and associated works.

Relevant Planning History

5. The following applications are relevant:

C/44/181A/GPDO - Notification under Part 6 of the Town & Country Planning (General Permitted Development Order) 1995 for erection of agricultural building Approved - No Objection 04/02/2013

C/44/181B/LDC - Lawful development certificate (existing use) in respect of use of the barn as a National Nature Reserve base - Certificate Granted 07/02/2023. The use consists of a base for the management of the Ingleborough National Nature Reserve and Wild Ingleborough project and storage of all terrain vehicles, agricultural equipment and materials, an office, workshop, laboratory and meeting point for educational visits by members of the public to the Reserve. The Certificate is subject to the following limitations:
1. The maximum number of persons using the office laboratory and administrative facilities provided within the barn at any one time is 8 persons (comprising members of staff volunteers and partner organisations).
2. The use of part of the barn as a workshop is for the repair of equipment and production of items used on the Ingleborough Nature Reserve (e.g. bird and seed boxes, fencing).
3. The use of part of the barn as a laboratory is for scientific experiments related to Ingleborough Nature Reserve.
4. The use of part of the barn as a meeting point/base for educational visits by members of the public to the Reserve is:
(i) by invitation only;
(ii) restricted to those parts of the barn shown on the floor plan marked lab room and mess room.
(iii) limited to a maximum of 12 persons.
(iv) limited to 1 event per month (Oct – April incl.) and 1 event per week (May – September incl.).
5. The layout of the barn showing the extent of the mixed uses was shown on a plan.
6. The use of the land outside the barn for vehicular parking is for a maximum of 10 vehicles and only for purposes ancillary to use of the Barn as a Nature Reserve Base.
7. The extent of the land used for parking specified on a plan. .

Consultations

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

United Utilities Water Ltd – None received.

Fire Officer - Craven – None received.

Historic Environment Team - The main concern here is the ground disturbance that will be caused by the re-location of the track and other new infrastructure. Recommends that this aspect of the scheme be mitigated by means of archaeological monitoring of any such works and recommends a condition requiring a Written Scheme of Investigation (WSI) for archaeological work.

Trees & Woodlands – No objections subject to conditions requiring full landscaping details and the track realignment to accord with the drawing in Annex B of the Arboricultural report.

Natural England (National statutory body) – No objection subject to appropriate mitigation being secured. Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Ingleborough Special Area of Conservation (SAC) https://designatedsites.naturalengland.org.uk/.
- damage or destroy the interest features for which Ingleborough Site of Special Scientific Interest (SSSI) has been notified.
- have a significant impact on the purposes of designation of Yorkshire Dales National Park

In order to mitigate these adverse effects and make the development acceptable, the mitigation measures as set out in supporting document Report to inform a Habitat Regulation Assessment dated 26 September 2024 should be secured.

Network Rail – No objection.

Area Ranger - Three Peaks - Proposed development directly affects the PROW.

Yorkshire Wildlife Trust – (In summary - full comments available to view via the Citizens Portal).
Habitat Regulations Assessment - Supportive of a pre-commencement condition requiring a full Construction Environment Management Plan (CEMP).

Outstanding Botanical Survey - We are pleased to see that the outstanding botanical survey work (National Vegetation Classification, Wold Ecology) has now been completed. Recommends that the rare *Carex muricata* ssp. *muricata* which is part of a reintroduction scheme, should be removed and transplanted to a suitable location prior to works commencing, if potentially impacted.

Barn Owl - Supportive of a planning condition relating to barn owl, to include a pre-commencement check and provision of alternative habitat.

Biodiversity Net Gain - Requires clarification prior to determination of the application. The BNG report needs updating to reflect the changes made. Queries made regarding the overall baseline plan and whether this the amended red line boundary. Queries the timing of the data used for the BNG assessment outside of the peak botanical season. As there are very high distinctiveness (upland hay meadow) and irreplaceable habitat (limestone pavement) within the red line boundary, Further explanation is required on how strategic significance has been determined, as the BNG report states that the Local Nature Recovery Strategy or other specified strategies have not been used. Offsite enhancements are proposed within the Ingleborough Complex Special Area of Conservation (SAC) and therefore discussion of whether the proposed enhancements are truly additional to the conservation objectives of this site is required as part of the BNG assessment.

North Yorkshire Council Chief Environmental Health Officer - As the West Barn is likely to have been in agricultural use in the past there is the potential for contamination to be on site. Condition therefore recommended on unexpected contamination. No other Environmental Protection issues.

North Yorkshire Council Chief Technical Officer - Craven - All work is to be carried out, to ensure compliance with the Building Regulations 2023.

North Yorkshire Council Highways - There are no local highway authority objections to the proposed development. The alterations to the site are all internal and will not have any impact on the access or the volume of traffic using the site consequently there are no Highway objections.

Ingleton Parish Council
(Comments on the original submission received May 2024)
There was consensus on the need to support biodiversity, resilient ecosystems, good public access and involvement in conservation. Natural England - tasked with achieving these aims - needs modern facilities which are sustainable and fit for purpose. However there are serious issues with the use of Colt Park Barn for this purpose. The issues with the current planning application at Colt Park Barn are as follows:

Dangerous road junction between the access track to Colt Park Barn and Gauber Road. The road junction has a blind summit on one side and a blind bend on the other, making it potentially fatal for those unfamiliar to the site. According to the applicants own traffic survey in their transport statement, 15% of vehicles travel past this junction at over 43 mph, several vehicles were clocked at over 60 mph. The traffic survey also states that there has been a collision at the junction in the last 5 years. During the construction phase in particular there will be a large increase in traffic using the junction. These

could be potentially long vehicles taking time to negotiate the junction. There is no indication in the documentation of how this traffic will be managed.

Poor access to Colt Park Barn and potential damage to essential services for residents Access from Gauber Road is via a single farm track, also a designated footpath. Access issues will be particularly acute during the construction phase of the project. Services including water pipes and other services for Salt Lake Cottages cross under the track. These will need to be protected from construction traffic, yet there is no management plan in the documentation for how these services will be protected.

Weak bridge SAC/63 at Salt Lake (Network Rail Tel 0345 711 4141) There is also a weak bridge over a railway and a cattle grid which heavy construction vehicles will need to negotiate. The surface of the track is likely to be degraded by heavy construction traffic. There appears to be no plan in place to repair potential damage to the track. Network Rail do not appear to have been consulted even though they own the bridge over the railway and the access track to the railway bridge.

Limited public access for the site. Ribblehead station is 1.7 km away and the nearest bus stop is 2 km away. The roads nearby are not suitable for cycling. According to the applicants own transport statement, by choosing to use this site, the use of public transport will be limited, walking to the site is impractical, cycling is problematic and most visitors will need to arrive by car or by minibus.

Constraints on public access. Public access to Colt Park Barn is limited by the certificate of lawful use to just one event of 12 participants per week in the Summer, one event per month during the Winter months. Entering the building is via a flight of 5 steps. The design of the building makes it impossible to have an internal lift. This makes the building difficult to access for those with limited mobility. This is not a site that can be readily accessed by members of the public except those specially invited of independent means and who are fit and able enough to climb flights of steps.

Inappropriate development in Open Countryside The construction phase of the development will be an intensification of use of the site, yet Highways have not given a view of how this phase of development should be managed. Nor has there been an impact study on the effect of this phase of development on residents. The ambitious scope of this development is a departure from previous guidelines for the development of field barns in YDNP. Is this a policy change supported by the YDNP? Or has an exception been made in this case? Either way this development could provide a precedent for other developers.

In Summary - The planning application in its current state is ill conceived. There is particular concern around access at the junction, traffic management and protection of essential services for residents and the effects of heavy construction traffic on a weak

historic stone bridge. Other sites close by have good access to public transport, good access for those with poor mobility which would enable Natural England to fulfil its aims. Ingleton Parish Council therefore objects to the planning application.

(Later Addendum to May comments) - The proposal includes substantial alterations to the existing Barn including the creation of new openings which is not currently allowed under the current dales planning policy for Barns . If approved , in its present state , the proposal would effectively undermine National Park policy and would open the flood gates for major alterations to historic barns in the landscape.

(Comments to the amended proposal January 2025)
Strongly object to the amended proposal which appears to fly totally in the face of YDNPA current policies with regard to barn conversions.
It was also felt that none of the previous issues raised by the Council, apart from the bridge and its ability to cope with site traffic, had been addressed.
The implementation of this scheme will increase the safety problems associated with traffic at this location. The Council felt that alternative sites should be investigated.

Horton-in-Ribblesdale Parish Council
(Comments on the original submission received May 2024)
Unable to support the application for the following reasons:

- Concerns were raised about the junction with the B6479 which is already a traffic issue. If the application were agreed the traffic using this already worrying junction would substantially increase.
- The change of windows in the west Stone barn is not in keeping with the existing architecture in the vicinity and the building will lose its 'dales' character.
- The access road to the site is very poor and no mention is made in the application of the road being upgraded to cope with additional traffic etc particularly during construction stages of the application.
- While being sympathetic to the need to retain rare plants the Council were concerned that given the size of the polytunnel it would become a blot on the landscape.

The Parish Council wish to support the work of the applicant but would like to see these concerns are addressed before the application is resubmitted.

(Comments to the amended proposal January 2025)
The Council were pleased that the additional tree planting would slightly camouflage the poly tunnel and the changes to the barn were more in keeping with North Yorkshire architecture and accepted there was a need for additional lighting inside the barn. After discussion the Council agreed to inform Yorkshire Dales National Park that additional use of the facility would have an impact on the entrance to the facility from Gauber Road.

Wildlife Conservation Officer
(Summary of comments on amended proposal)
Habitat Regulations Assessment - Agree with the conclusions of the Wold Ecology Ltd. 'Report to inform a Habitat Regulations Assessment' dated August 2024. Recommends a condition to require a Construction Environmental Management Plan.

Biodiversity Net Gain and Landscaping Enhancements – In summary, the BNG metric needs further review to reflect the change to the red line boundary with the new total baseline area. The proposed landscaping enhancements outside the red line boundary, such as potential tree planting, do not need be included in the metric if they are not required to achieve the 10% BNG uplift. If proposed landscaping enhancements, such as potential tree planting, are within the red line boundary, they do not have to be included in the metric if they are not required to achieve the 10% BNG uplift and do not result in loss of extent or condition of any of the baseline habitats. Landscaping enhancements within the red line boundary can be included in the metric, and contribute to the 10% BNG uplift.

Current guidance from Forestry Commission states that tree-planting should not take place on areas of existing priority habitat, and as such we would not be supportive of the proposed tree-planting on the upland hay meadow in the field east of the barn. This would also have implications for the site's BNG if the tree-planting resulted in a loss of condition in the upland hay meadow.

Notes that the BNG metric shows retention of the northern hay meadow parcel in good condition, which includes the area being used as the plant nursery. Request s a review of the long-term plans for the nursery area, and whether they are expecting to retain that area as good condition hay meadow.

The applicants are proposing some off-site BNG enhancement which will require registering on the national off-site register before submission of the Biodiversity Gain Plan.

Barn Owls - A Barn Owl box is present in Colt Park Barn and that evidence of Barn Owl roosting, but not breeding, was observed. As such a condition is recommended to ensure the confirmation and protection of roosting Owls prior to works.

Bats and other breeding birds - Bat roosts used by small numbers of bats of two species are identified associated with the main barn. These roosts will be lost if the development is carried out, but this should not adversely affect the local conservation status of Daubenton's Bat or Common Pipistrelle (the two species recorded) due to the small numbers of bats involved (not indicative of a significant roost). Therefore, presence of bat roosts is not a constraint on the proposed development provided adequate mitigation is secured by a condition. .

Evidence is provided in the report of other birds nesting in the buildings that would be affected by the proposed development. A condition is recommend requiring a prior check for nesting birds and bird boxes installed.

Senior Listed Building Officer - Originally objected to the harmful impact of alterations to the significance of an undesignated heritage asset, which conflicts with Local Plan Policies L1 and L3. Following the submission of amendments, the Senior Listed Building Officer has no objections subject to a Level 2/3 building survey being required by a condition.

Public Responses

Public responses received at the time of writing: 22

7. The application was originally advertised by site notice dated 15th May 2024 and amendments were readvertised by site notice dated 28th January 2025. Several comments have been received from 22 individuals (both residents living near to the site and within the wider area, and from visitors. 19 individuals have provided objections to the planning application and 3 individuals support the proposal (or aspects of it). Objections have been received from the residents/owners of the 7 properties served by the access and near to the site (1-6 Salt Lake Cottages and Colt Park Farm). All comments can be viewed in full via the Citizen's Portal.

8. In summary, the objections raise the following concerns:

    - the impact of the polytunnel – visual impact, loss of hay meadow and durability during poor weather
    - the visual impact of the solar panels
    - the hazardous junction, intensification in the use of the site will result in highway safety issues
    - use of the access will impact on residential amenity and damage the track
    - impact on the railway bridge from increased use and construction traffic
    - ownership of the access track
    - impact of new trees on residential amenity
    - lack of communication from the applicant to local residents
    - poor use of public money/viability
    - the visual impact of recently installed fencing
    - availability of better alternative sites such as Ribblehead
    - how will the use be monitored?
    - the impact on the SSSI/SAC and wildlife
    - the impact of the alterations on the barn

9. In summary, those in support comment on the following;
    - the need to upgrade the facilities

- sympathetic works to the building
- support for use of solar panels

Assessment

Key Issues:

- Principle of development
- Impact on the character and significance of the non-designated heritage asset
- Landscape impact
- Residential amenity
- Highway considerations
- Trees
- Nature Recovery
- Archaeology
- Protected Open Upland
- Public right of way
- Sustainability
- Parish Council comments
- Equality Act

Planning Policy

10. This application relates to the Ingleborough National Nature Reserve Base which has operated from the site since the early 1990s. Ingleborough National Nature Reserve is managed by Natural England and is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The Reserve covers over 1000 hectares on some of the northern, north-eastern and eastern slopes surrounding Ingleborough. In February 2023 a lawful development certificate was granted for the use of Colt Park Barn as the National Nature Reserve Base for Ingleborough National Nature Reserve which includes the storage of all terrain vehicles agricultural equipment and materials, as an office, workshop, laboratory and as meeting point for educational visits by members of the public to the Reserve. The current planning application is for the refurbishment of the barn and grounds and associated structures and works in connection with the approved lawful use of the site as the Reserve base. The application does not include any change in the use or intensification of the lawful use.

11. Development associated with the established Reserve base is primarily considered under policy BE2 of the Local Plan (Rural land-based enterprises) which permits development if it is necessary to serve the needs of the enterprise in that location where it will help to grow, diversity or improve the viability of farming or other essential rural land management work in the National Park. Policy T4 of the Local Plan (Visitor facilities) also permits development that provides facilities or services

that directly help visitors to enjoy the special qualities of the National Park subject to conformity with other Local Plan policies.

12. In this instance, the proposed development is intended to improve the facilitates already available at the site for staff and visitors. It is acknowledged however, that by improving the facilities here, this could facilitate a more intensive use of the facilities. The lawful use of the site is subject to several limitations (listed above – see planning history) which specify the level of use permitted at the site. However, in order to ensure that the improvements now proposed do not result in any intensification of the site (for reasons set out below) it is considered appropriate to replicate those limitations on use within a planning condition. A planning condition will be more definitive than a limitation. On this basis it is considered that the key considerations are those resulting from the operational development only and not from the use.

Impact on the character and significance of the non-designated heritage asset

13. The proposed development includes the alteration and refurbishment of the large traditional barn at the site. Policy L1 of the Local Plan (2015-2030) states that "proposals affecting undesignated heritage assets will be permitted where their significance will be conserved. Where harm or loss would result from a development proposal, applicants should demonstrate that reasonable efforts have been made to minimise harm and make provision for suitable recording prior to the development taking place."

14. Policy L3 states that proposals for the conversion of traditional buildings to new uses will be permitted where "the building has the physical capacity to accommodate the new use without significant extension or alteration." Although the use is already established, new facilities are proposed internally and as such it is considered that this policy requirement remains applicable.

15. Colt Park Barn is a large bank barn, likely constructed in the second half of the 19th Century and originally a byre at ground-floor level with a large hayloft above. Whilst some original openings remain, several large 20th Century openings have been inserted, particularly to the east elevation. Whilst these new openings have somewhat eroded its historical character and significance, it still has significance as a large, traditionally built barn with a high solid to void ratio, evidence of original doors and openings into the byre, and a lack of openings into most of the former hayloft. As such, it is considered to be an undesignated heritage asset, albeit of low to moderate significance.

16. The proposed alterations as originally submitted, were designed to facilitate the improved use of the building as Reserve staff offices, a lab room and meeting room on the first floor, with storage and a workshop below. Given the high solid to void ratio of the building, the applicants were proposing alterations to bring in significantly greater levels of light and ventilation to the first floor rooms. However, the original

alterations proposed were significant and were highly unsympathetic to the plain agricultural character of the building, contrary to policy L3a) and guidance within the Design Guide. Following extensive discussion with officers, the external alterations have been reduced and amended greatly and now comprise only three small window openings and a bank of fixed patent roof glazing on the western roofslope, facing towards the rising ground behind. These alterations will provide the necessary light and ventilation to the first floor space, whilst maintaining the overall solidity and agricultural character of the building. It is therefore considered that the proposed alterations to the traditional barn would accord with policy L1 and L3 of the Local Plan and guidance contained within the Design Guide.

Landscape impact

17. The site lies to the edge of the landscape character area 'Great Scar Limestone Uplands' (LCA 11, YDNPA Landscape Character Assessment 2020). The area is characterised by a series of areas following the exposed Great Scar Limestone across the southern part of the National Park, separated by the southern dales, containing areas of international and national biological/geological value. There are exposed limestone features including cliffs, screes, gorges, pavements and scattered boulders dominate the landscape, creating a rugged, worn character. These combine with shallow soil cover, shakeholes, potholes and caves to form classic karst landscape. In the western part of the area views are dominated by the Three Peaks landforms of Ingleborough, Whernside and Pen-y-ghent. The Reserve base is positioned on the edge of the limestone scar on the foothills of Park Fell and Ingleborough where the exposed limestone meets the upland hay meadows surrounding the Reserve base.

18. The site is surrounded by (and within) Open Access land and crossed by a public footpath. However, despite the exposed upland environment, the site is reasonably contained and screened in many wider views by the ancient and semi-natural woodland of Colt Park Wood to the east, a smaller woodland to the northwest and the rising slopes of Park Fell to the west. The barn and modern workshop are well contained within the site by traditional dry-stone walled enclosure and trees. The alterations proposed to both buildings would not significantly change the appearance of the buildings within the landscape. Although the fixed roof glazing system would be visible from the lower slopes of Park Fell, they would be viewed in the context of the surrounding site and would not be a prominent feature, although it is considered appropriate to impose a condition to require the glazing to be non-reflective and light spill is mitigated.

19. The proposal also includes a polytunnel and a double bank of solar panels, both outside of the confines of the Colt Park Barn complex. Following discussions the polytunnel has been reduced in size and is to be partly screened by a native hedgerow. The solar panels were originally proposed next to the public footpath in a prominent position. These have been repositioned adjacent to the field boundary and next to the polytunnel. Whilst there will be views of both structures, they will be

viewed within the wider nursery area serving the Reserve base and form a tight knit grouping with the existing buildings here. Proposed native tree and hedge planting will assist in reducing the visual impact of both structures. Whilst polytunnels can draw the eye in the landscape due to their form and the artificial colour of the sheeting, in this case, the modest size, the discreet siting and the use of a clear sheeting will significantly reduce this impact.

20. The proposed track realignment will have a localised visual impact as the public footpath runs along the current line. However, the new section of track is modest and will negate the need for staff and visitors to cross through the yard of the nearby property Colt Park Farm, in separate ownership. The track will be viewed in the context of both Colt Park Farm and the base and as such will not have a significant visual impact. The addition of 3 new large canopy trees along the new route will assist the new track to assimilate into the landscape and reflect the character of other such accessways in the area.

21. It is therefore considered that, individually and cumulatively, the amended proposal would not significantly alter the character and appearance of the site in the landscape and additional landscape planting will help mitigate the impact of the new development, in accordance with Policy SP4 of the Local Plan.

Residential amenity

22. Several objections have been received from local residents regarding the proposed development. Whilst many raise issues with design/landscape impact and other matters (referred to above and addressed elsewhere in this report), a principle area of concern relates to the use of the access road to the site from the B6479 Gauber Road; namely the poor visibility onto the highway, passing the row of houses (Salt Lake Cottages, and Colt Park Farm) and the narrowness/condition of the access track. It is key to note that the proposed development would not result in an intensification in the use of the site long term and it is recommended that the lawful development certificate limitations on the use of the site are reflected in the conditions. However, it is acknowledged that the construction works associated with the proposed development would result in some disruption through the delivery of materials, workers and the nature of vehicles that would be temporarily accessing the site (although note that the limitations on vehicle numbers and workers at the site would equally apply to the construction phase).

23. With regard to the construction phase, the applicant has submitted a draft construction management plan which would form the basis of a planning condition. The draft includes hours of work and deliveries, the provision of 5 temporary passing places, large load deliveries to access the site by tractor and trailer with HGV handovers off site (and not on the highway), designated parking areas and communication with neighbours. This draft has been forwarded to the two relevant Parish Councils and to neighbours to provide an opportunity for their comments to be taken into consideration in the final version. It is acknowledged that the access

has poor visibility onto the highway and the track is narrow and passes close to neighbours. However, it would be unreasonable to refuse planning permission due to a temporary disruption from the building works,. However, it is considered appropriate to control this phase of the development through a condition accordingly. It should be noted that North Yorkshire Council as the local highway authority has no objections to the proposed development. Officers have directly discussed the construction phase with the highway officer, who has offered advice that temporary signage could be requested to warn drivers on the highway. However, as this would require separate consent from North Yorkshire Council, the Construction Management Plan could only require that best endeavours to request such signage be pursued.

Highway considerations

24. Colt Park Barn is accessed via an unmade track leading from the B6479 Gauber Road near Ribblehead. Access at the entrance from the highway has poor visibility so that vehicles turning off the highway are vulnerable to vehicles travelling at speed over the brow of the hill and around a bend. Vehicles leaving the site have limited visibility, particularly to oncoming vehicles travelling from the southeast. However, North Yorkshire Council has no objections to the proposed development as there is no intensification in the use. The lawful use of the site is controlled by limitations on the lawful development certificate, which can be replicated within the conditions if planning permission is granted. As mentioned above, whilst the local highway authority has no objections to the proposal, including the construction phrase, it is considered appropriate that a construction management plan be agreed by condition and includes best endeavours to ensure there are warnings of the works are sign posted on the highway and vehicle sizes are restricted. Subject to such a condition, it is considered that the proposed development would accord with policy SP4 g) and k) of the Local Plan.

Trees

25. The key impact on trees will be from the realignment of the track through a grouping of 4 mature trees including two Ash and two Horse Chestnuts. These trees add considerably to the amenity of the area and Ash tree T20 is classed as a Veteran tree, which is defined as ‘A veteran tree may not be very old, but it has significant decay features, such as branch death and hollowing. These features contribute to its exceptional biodiversity, cultural and heritage value’ (Gov.uk). The proposal includes a ‘no-dig’ low invasive track construction with a root protection system to avoid impacting on the roots of the trees. However, the track may still impact on the overall longevity of the trees, despite these precautions and as such, succession planting is proposed with three new larger canopy species planted alongside the new route (a mix of Horse Chestnut, Sycamore, Oak or Small-leaved Lime). Subject to a condition to ensure that the track construction follows the recommendations in the Arboricultutral report, the Authority’s Trees and Woodlands Officer has no

objections to the proposal and the works would accord with policy W3 of the Local Plan.

26. Further native tree and hedgerow planting is proposed elsewhere to screen and enhance other parts of the development. The Authority's Trees and Woodlands Officer has also provided advice on the position and species mix in formulating this landscaping scheme.

Nature Recovery

SSSI/SAC

27. Policy W1 of the Local Plan aims to protect the most important habitats and species that are found in the National Park, halt the overall decline in biodiversity and establish more resilient ecological networks. The site lies within the lies within Ingleborough Site of Special Scientific Interest, which, in turn, is a component of the Ingleborough Complex Special Area of Conservation (SAC). and within Ingleborough National Nature Reserve. As such, the development needs to be screened for any adverse effects to ensure that the Authority complies with the Conservation of Habitats and Species (Amendment) (EU Exit) regulations 2019 and in accordance with policy W1 of the Local Plan. The applicant has provided a shadow Habitat Regulations Assessment (HRA) which the Authority can adopt to discharge this duty. The shadow HRA report concludes that there will be no adverse effect on the SAC. This conclusion is reached in the light of a number of mitigating factors:
    - Although the access track to the barns is to be slightly re-routed, the small section of new track to the barns avoids all limestone outcrops and thus does not affect the limestone pavement feature of the SAC;
    - A relatively small amount of grassland will be lost permanently due to the proposed polytunnel and solar panel array, but this has been surveyed and identified as neutral hay meadow and, as such, this is not habitat which is identified in the SAC citation;
    - A hydrological study is quoted that demonstrates that the proposed boreholes will not significantly affect SAC hydrology;
    - Replacement of the existing (leaking) septic tank will remove a source of nutrient enrichment that is negatively impacting on the conservation value of some of the existing grassland in the SAC.

28. The report also concludes that there are unlikely to be any in-combination effects arising (i.e, in combination with other development permitted within the SAC). The Authority's Ecologist concurs with the findings of the report and has confirmed that as the 'appropriate authority' the shadow HRA can be adopted and there are unlikely to be any adverse impacts on the SAC. The Ecologist has also concluded that, whilst there is some a loss of grassland habitat that is identifiable with upland hay meadow, this habitat is not mentioned in the SSSI citation, therefore, no harm is being caused to SSSI qualifying features due to the proposed development (the

potential loss of habitat can separately be addressed through the requirements of Biodiversity Net Gain – see below).

Bats

29. This application is accompanied by a bat survey which concludes that Bat roosts used by small numbers of bats of two species were identified within the (traditional) barn. Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2017. Regulation 9 of the Regulations provides that the local planning authority in the exercise of their functions, shall have regard to the requirements of the Habitats Directive. Damage or destruction of the bat roost and/or disturbance of bats must only proceed under a European Protected Species Mitigation (EPSM) license from Natural England. The Planning Authority is obliged to consider whether said license is likely to be obtained and this requires consideration of the three tests identified in Section 55 (part 2 and 9) of the Conservation of Habitats and Species Regulations 2017:
    Test 1 – The development has to be for overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment.
    It is considered that the refurbishment of the barn would improve the facilities for the Reserve base and would ensure the long term use of the barn, a non-designated heritage asset. Therefore there are significant public benefits to the proposed works to the building.
    Test 2 – There is no satisfactory alternative to achieve the same overriding public interest/benefit.
    It is unlikely that the barn would function adequately in its current use or that there are long term alternative viable uses of the building which would have less impact on roosting bats.
    Test 3 – The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
    These roosts will be lost if the development is carried out, however, this should not adversely affect the local conservation status of Daubenton's Bat or Common Pipistrelle (the two species recorded) due to the small numbers of bats involved which are not indicative of a significant roost, provided adequate mitigation is secured. The Authority's Wildlife Conservation Officer has no objection provided that the mitigation measures proposed in the bat report which includes the installation of two 'bat tubes' in specific locations, are secured by condition.

30. Considering the above, it is considered unlikely that the favourable conservation status of any bats would be adversely affected if the proposed development were permitted (subject to conditions) and the development would therefore accord with policy W1 of the adopted Local Plan (2015-2030).

Birds

31. The Preliminary Ecological Appraisal submitted with the application indicates that a Barn Owl box is present in Colt Park Barn and that evidence of Barn Owl roosting, but not breeding, was observed. As such it is recommended that there a prior check to confirm the continued absence of breeding Barn Owl, prior to commencement of works, and an alternative permanent and accessible nesting and roosting site for Barn Owl be installed (location to be agreed).

32. There is also evidence of other nesting birds within the building, notably 2 active Swallow nests. A condition is therefore recommended requiring a prior check for nesting birds if works are scheduled to commence during the main bird nesting season and securing bird boxes (Swift and Swallow), as mitigation/compensation.

Biodiversity Net Gain (BNG)

33. As of the 2nd April 2024, under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain to make sure that habitats for wildlife are left in a measurably better state than they were before the development. The habitats affected by this development include neutral grassland (rye grass and crested dog's tail grassland) and other grassland, scattered trees (broadleaved) and Limestone Pavement. The BNG includes on-site and off-site habitat creation, including overplanting species poor modified grassland habitat adjacent to existing woodland. This planting will create scalloped woodland edges, provide varying levels of light and shade, increase the woodland edge and enhance the structural diversity of the woodland edge through species choice. 15 trees are to be planted alongside woodland creation at Alum Pot Field to create structurally graded edges with lower tree growing species. As the submitted BNG metric indicates a 10% BNG uplift, in part be provided outside of the application site, this would need to be secured by way of a Section 106 legal agreement. The legal agreement would ensure registration of the site, secure the site's use for BNG, and set out who will do the BNG creation, enhancement and management work for 30 years. Following an increase in the site area to re-site the solar panels and queries regarding the habitat status of the plant/tree nursery enclosure, and the baseline survey information (including queries raised by Yorkshire Wildlife Trust) a revised BNG metric has been submitted which is currently under consideration by the Authority's Wildlife Conservation Team. Subject to these amendments/queries being provided and clarified, it is considered that the requirements for BNG are satisfied.

Archaeology

34. The applicant commissioned an archaeological survey of this area in 2021 which involved walk-over survey, an assessment of historic environment record information and a review of available LIDAR imagery of the area. The resulting report highlighted the archaeologically rich nature of land between the Gauber road and the Colt Park buildings to the west. This includes two Scheduled Monuments which encompass areas of surviving prehistoric settlement and agrarian remains

(Settlement at Ashes Shaw Pasture Monument Number: 1004140 and Monument Number 1004146 Settlement at Gauber Cow Pasture Iron Age/Romano British field system and possible settlement). Taking in to account the close proximity of known, nationally important, archaeological sites to the site there is a possibility that archaeological remains will be exposed by these works, in particular from the track realignment and other new infrastructure. The Authority's Senior Historic Environment Officer has therefore recommended that there is archaeological monitoring of any such works and a condition is recommended requiring the submission of an archaeological written scheme of investigation prior to commencement of development. Subject to a condition to this effect, the development would meet the requirements of policy L1 of the Local Plan in this regard.

Protected Open Upland

35. Part of the track leading to the site lies within the protected Open Upland. Policy L10 of the Local Plan states that development will only be permitted where it can be demonstrated that it will not conflict with policy W1 (Wildlife Sites, species and networks) and it will have neutral impact on the special qualities of the open upland, or is otherwise essential for the management of these special qualities and, there is no alternative solution that would lessen the impact, together with appropriate mitigation measures to reduce harm. No direct works are proposed that would impact on the Open Upland, however, the draft construction management plan includes reference to five temporary passing places during the construction works, which would potentially fall within the designation. It is considered that a condition to require the submission of the construction management plan (including detail of any such temporary passing places) would ensure that the principle of and impact of these passing places can be assessed to ensure that any impacts and any mitigation required can be considered at that stage, in consultation with the Authority's Wildlife Conservation Team.

Public Right of Way

36. Public footpaths (05.26/13/1 and 05.65/8/1) run along the access track and through the site. There are no plans to close or divert the footpaths, however, as the track will be realigned away from a short section of the public footpath as it passes through Colt Park Farm, and will re-join the existing track (and footpath) further south, it is considered appropriate to add a condition to ensure the new section of track is not fenced off and the track is not gated at the point they merge. This will ensure that there will be no obstruction of the public right of way as required by policy SP4j) of the Local Plan.

Sustainability

37. Policy CC1 of the Local Plan supports proposals for small-scale renewable and low-carbon technologies where they contribute to the energy needs of local communities

and businesses in the National Park. The proposal includes two banks of solar panels, to be sited in a relatively discreet position next to the Colt Park Barn complex. This will enable the Reserve base to have a greater self-sufficiency in meeting its energy needs.

38. The polytunnel is proposed to be used as a nursery for trees to be planted elsewhere on the Reserve and so enabling the trees to be grown on site will improve the sustainability of the nature reserve.

Parish Council Comments

39. Colt Park Barn lies within Horton in Ribblesdale Parish and the access track within Ingleton Parish. As such both parish councils have been consulted and have made comment.

40. Horton in Ribblesdale Parish Council has withdrawn their original objections regarding the proposed works to the barn, however, have reiterated their concerns that additional use of the facility would have an impact on the entrance to the facility from Gauber Road.

41. Ingleton Parish Council remains objecting to the proposal on the grounds that the access from/to the highway is poor, the access road may impact on local residents, the inaccessibility of the site by public transport, the constraints on public access to the facility, the intensification in use of the site during the construction phase and the conversion works to the barn.

42. As discussed above, it is acknowledged that the access to the site has poor visibility onto the highway and is a narrow single track passing several residential properties. However, it is key to note that the proposed development would not result in any intensification in the use of this access, other than a change in the types of vehicles using the access during the construction phase. Through discussion with North Yorkshire Council as the local highway authority, it is clear that they have no objections to the proposed development on this basis. It is considered that the construction phase can be adequately managed through securing a construction management plan, which can involve liaison with the Parish Councils, local residents and the highway authority. A draft construction management plan has already been submitted and forwarded to the Parish Council's and local residents for comment and any comments can be considered in advance of discharging the relevant condition.

43. Ingleton Parish Council also remain concerned regarding the proposed alteration of the traditional barn. However, it is considered that the proposed alterations are now sensitive to the character and significance of the barn, whilst enabling better use of the building through improvements to natural light and ventilation.

44. Ingleton Parish Council do raise a broader concern that they consider the site is inappropriate for the use, given the constraints of the site, limited accessibility and the limitations imposed by the lawful development certificate. However, the use is already in existence and cannot be reconsidered. The proposed development before the Authority only relates to operational works to improve the existing use.

Equality Act

45. 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.

46. The proposal relates to improvements to the building which will better facilitate accessibility by both staff and the visiting public. These improvements will then enhance opportunities for the public with accessibility requirements to visit the site and benefit from the facilities there. It is considered that there are no other 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

47. The proposed development solely relates to the operational development proposed in order to improve the existing use of the site as a Reserve base for Natural England in fulfilling their role as managing the Ingleborough National Nature Reserve. The site lies within a highly sensitive landscape with potential impacts on several designated and protected habitats and species and historic environment considerations. The applicant has been responsive to recommendations made by officers and has amended the proposal to one which is considered to be low impact and sensitive to the surrounding environment. It is acknowledged that the access to the site is poor and that local residents and the Parish Councils have justifiable concerns should the use intensify. However, it is considered this can be appropriately controlled through conditions relating to the construction works and the ongoing use of the site.

48. It is also considered that the proposed works will significantly enhance the facilities here enabling the applicant to better manage the National Nature Reserve in a more sustainable way and improve the ability of visitors to enjoy and understand the special qualities of the National Park.

49. It is therefore considered that the proposed development accords with policies SP1, SP2, SP3, SP4, BE3, L1, L3, L10, T4, W1, W2, W3 and CC1 of the Local Plan (2015-2030), the adopted Design Guide (2017) and guidance contained in the National Planning Policy Framework (2024).

Recommendation

50. It is recommended that permission is GRANTED subject to a section 106 agreement to ensure registration of the off-site BNG area and delivery, management and monitoring of the off-site BNG for 30 years,

    and conditions based on the following:

    - Standard time limit
    - Accordance with approved plans
    - Limitations on use (to reflect the lawful development certificate)
    - Construction Management Plan
    - Landscaping details
    - Track construction (to reflect amended Arboricultural report)
    - Tree protection
    - Design details for conversion and external works to the workshop and structures
    - Surfacing, finishes and boundary treatments
    - External lighting and mitigation of internal light spill
    - Submission of level 2/3 building survey
    - Restriction on external lighting
    - Mitigation in accordance with ecological survey reports/HRA
    - Barn Owl and other birds – prior check and mitigation
    - Biodiversity enhancement (nest boxes)
    - Removal of permitted development rights
    - Contamination of land
    - Archaeological WSI for monitoring/recording
    - No fencing/gates to obstruct PROW
    - Removal of solar panels and polytunnel when no longer required

    Informatives:
    - Advising that the PROW must remain free of obstruction
    - Bats and Birds
    - BNG

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Yorkshire Dales National Park Authority

Committee: Planning

Date: 15 April 2025

Applicant: TM Harrison

Parish: Threshfield

Officer: Joanne Wood

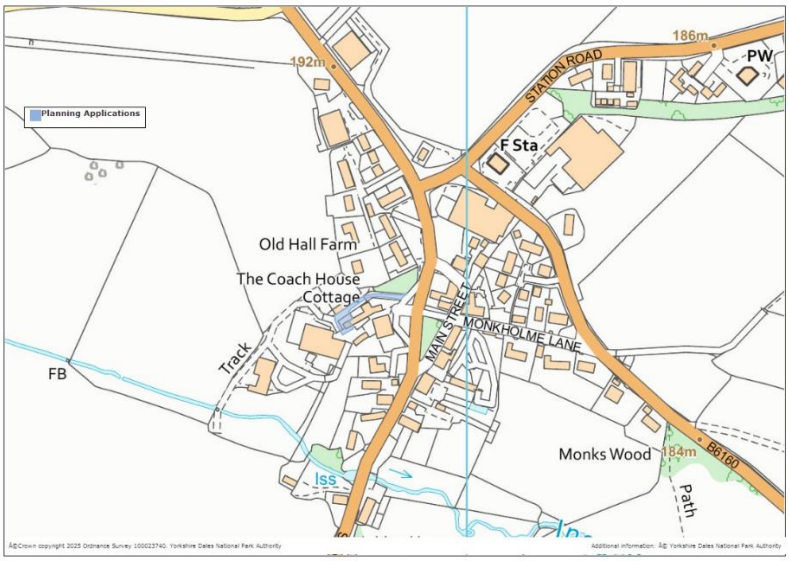
Application No: C/71/215B

Site Address: Old Hall Farm, Threshfield, Skipton, BD23 5PL

Proposal: Full planning permission for conversion and extension of an existing traditional farm building to form 1no, one-bedroom holiday let/local occupancy dwelling and creation of parking and turning area

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. The application relates to Old Hall barn which is a working farmstead located to the south west of the village of Threshfield. Vehicular access to the site is taken from a layby off the B6265 main road that also serves the Old Hall Public House.

4. The building to which the application relates is located to the east of the complex of modern farm buildings at Old Hall Farm, adjacent to existing residential properties, and to the rear (west) of the Old Hall Public House. The building has an open frontage and faces south-east towards a small yard. It continues to the north-east, beyond the proposed development area, as an open garage serving the adjacent dwelling. The north- west side of the building faces onto an area of hardstanding and an access track leading from the main road through Threshfield into the farmyard.

Proposal

5. Planning permission is sought for the conversion and extension of an existing traditional farm building to form 1no, one-bedroom holiday let/local occupancy dwelling and creation of parking and turning area.

6. The application would involve the infilling of the front elevation of the building with glazed units, the re-roofing of the building, and the construction of an extension to the rear of the building. A garden area is proposed to the front and side of the dwelling which would be enclosed by a 1.1 metre high drystone wall, and a parking area for 2no. vehicles is proposed to the rear of the building.

7. The residential unit is proposed to be used as a holiday let, with the potential to also be used as a dwelling for local occupancy as an alternative. The applicant has confirmed their agreement to enter into a s106 agreement to secure this.

Relevant Planning History

8. The following applications are relevant:

   C/71/215C - Full planning permission for the proposed demolition of 1 no. existing corrugated tin sheet building and the change of use of the land for the siting of 1 no. camping pod. Approved – Conditional 27/02/2025

Consultations

9. The comments of statutory and non-statutory consultees are summarised below:

Head of Visitor Services – No response received

Area Ranger (Wharfedale & Littondale) - Proposed development does not affect the PROW

Trees & Woodlands – No objection. However, it is recommended to plant two trees rather than the proposed four. Four trees in this small area will mature to put pressure on the garden space and building in the future, making them more likely to have inappropriate pruning works carried out on them, or removing them entirely.

Wildlife Conservation Officer – No objection subject to the imposition of a condition in relation to nesting birds.

Fire Officer - Craven – No objection

Chief Environmental Health Officer CEHO - The historical use of the agricultural building could have led to some potential contaminated land issues, namely fuel or agricultural chemical storage. The proposal is to introduce a sensitive receptor to the site and this must be taken into account. However any potential contamination is likely to be isolated, in order to ensure any potential risk is suitably addressed it is recommeded that a condition is attached to any grant of permsision requring the reporting of any unexpected contamamination encountered during development

The proposed dwelling must be fitted with suitable water treatment which must include a pre-filter and fail safe UV steriliser. To ensure whole house treatment, the unit should be sited at point of entry into the property.

Conditions are also recommended in relation to noise and hours of delivery and construction, and dust.

Chief Technical Officer CTO - Craven – All work is to be carried out, to ensure compliance with the Building Regulations 2023.

Highways - The access onto the B6265 is acceptable. Turning & parking has been identified with 2 spaces provided, consequently there are no Highways objections.

Threshfield Parish Council - The Parish Council supports fully the application for the following reasons:

- It has no detrimental impact on the landscape character of the area
- It does not have any detrimental impact on the residential amenities of existing residents of the village

- The site has existing access which will safely serve the proposed small scale tourism activity
- It provides sustainable rural tourism
- The Parish Council welcomes this development to add tourist accommodation and so support services in the village and wider area - such as pubs, cafes, shops and tourist destinations.

Public Responses

Public responses received at the time of writing: 7

10. A site notice was displayed on 13th January 2025. 7 public responses have been received providing support for the application proposals for the following reasons:
    - Proposal would utilise an existing redundant building.
    - Limited impact upon the landscape have limited or no impact on wider landscape views.
    - Proposal would not impact upon highway safety.
    - Local occupancy dwelling or holiday use will allow for diversification of an existing farm business and also give it the flexibility of use to react to changing circumstances.

Assessment

Key Issues:

- Planning Policy
- Impact on the Character and Appearance of the Building and the Surrounding Area
- Impact on Residential Amenity
- Impact on Highway Safety
- Biodiversity Enhancement
- Parish Council comments
- Equality Act

Planning Policy

11. Policy L1 considers development affecting heritage assets. Traditional buildings may be designated as Listed Buildings or are considered to be 'heritage assets' despite not being designated. Proposals affecting undesignated heritage assets that are demonstrably of equivalent significance to designated heritage assets will be treated as though they were designated for the purposes of the policy.

12. Policy L2 allows traditional buildings to be changed to residential and employment uses in certain locations (in existing settlements, building groups, or suitable roadside locations). Intensive uses will not be appropriate in buildings that are isolated in the landscape and a change of use is only allowed in isolated buildings

where there would be no material alteration to the exterior of the building or its surroundings.

13. Policy L3 considers the details of the conversion works. Proposals will not be allowed where they undermine the architectural and historic character of the traditional building and its landscape setting. The building must have the physical capacity to accommodate the new use without significant extension or alteration or requiring new ancillary buildings. Alterations to the building and the creation of any new curtilage and highway access should be the minimum necessary and should be sensitive to the traditional character and appearance of buildings and not adversely affect the immediate or wider landscape setting of the building or any parts of the building with recognised significance.

14. A proposal to convert a traditional building to a new use must satisfy the requirements of all three policies.

15. The Heritage Statement which has been submitted as part of the application identifies the building as dating from the early 19th century and forming part of a longer range of historic structures, and therefore constituting an important component of the farmstead group. The traditional building is of local heritage significance for its architectural and historic interest, as a simple but functional livestock building, and is therefore considered to be a traditional building for the purposes of policies L1 and L2. The building is not of equivalent significance to a listed building but is nevertheless considered to be an undesignated heritage asset of historic significance; its significance partly as a result of its contribution to farmstead group.

16. Policy BE2 refers to farm diversification applications such as this and supports the diversification of land-based enterprises if it assists the viability and supports the beneficial aspects of land management and meets Policy SP4. This application is to support the existing farm business and has been sited and designed to enable the uses to coexist alongside each other.

17. The proposal has been submitted for the conversion of the barn to form a single residential unit. The building sits within the village of Threshfield and as such would meet the locational requirements of Policy L2, subject to a restriction on the occupancy of the dwelling to meet the local occupancy criteria set out in Appendix 5 of the Local Plan (2015-2030). The proposal has therefore been considered under Policy L3 of the Local Plan below.

Impact on the Character and Appearance of the Building and the Surrounding area

18. Policy L3 of the Local Plan (2015-2030) considers the conversion of traditional buildings to new uses and states that they will be permitted where they confirm to the guidance set out in the Design Guide and it can be demonstrated that the

proposal would meet all 6 criteria listed under policy L3. Criterion a) requires that the building has the physical capacity to accommodate the new use without significant extension or alteration …….' Criterion b) states that alterations to the building.....are the minimum necessary and are sensitive to the traditional character and appearance of the building.' The supporting text for this policy provides further justification in this respect and states that if a building is not big enough to accommodate a proposed re-use without the need for large extensions and other intrusive alterations, it is not suitable for that re-use in the first place.

19. The proposal includes the construction of an extension to the north elevation of the host building. As the host building is limited in terms of its size, the proposed extension would represent almost a 50% increase in the size over and above that of the original building. This would therefore constitute a significant extension in the context of the host building and would subsequently affect the heritage value of this traditional building. It also significantly increases the footprint of the building and so detracts from the simple subservient nature of the building.

20. The building has outer walls of local random rubble, with quoins of squared sandstone, however the original stone slate roof covering has been replaced by a modern one of profiled sheets. The Heritage Statement states that the building appears originally to have comprised three loose boxes for livestock, each with their own entrance, but the front wall was removed during the 20th century, leading to its present appearance, in which brick was used to extend the two internal cross-walls forward slightly. The Heritage Statement goes on to state that the gable and rear elevation remain essentially unaltered. Therefore, the proposed extension would completely obscure the original rear elevation of the building and its features of historic interest which, as the Heritage Statement confirms, is one of the limited parts of the building which remains unaltered. The proposal would therefore cause harm to the character of the building, thereby diminishing its important contribution to the special historic and architectural interest of the farmstead group as a whole.

21. An alternative solution to extend the existing building to provide additional accommodation has been suggested and discussed with the applicant, which would involve extending the building into the covered area immediately to the north east and infilling the front and rear elevations. However, the applicant has advised they would not be willing to extend into this area as it functions as a storage and parking area for the adjoining property, Old Hall Stable.

22. It is therefore considered that the external alterations proposed to the buildings would fail to conserve the historic character and heritage significance of the building and as such would conflict with the aims of Policies L2 and L3 which seek to conserve the interest of such buildings and permit conversions to dwellings only where they sensitive to their traditional character and appearance.

23. The application also includes the area to the east and south of the building which is proposed to form private amenity space, as well as the hardstanding area to the rear

of the building which would provide parking for 2no. vehicles. This area of land relates well to the barn and would be a proportionate for parking and garden. However, the change of use of this area, in particular the garden area to the south and east which would be enclosed by a drystone wall to form residential curtilage, would further alter the character and appearance of the building and the surrounding farmstead, changing the setting of the barn considerably. This would cause further harm to the historic character of the building, and the wider group of buildings of which it forms an integral part.

Impact on Residential Amenity

24. The building is screened from outside the application site by surrounding buildings and is located a significant distance from any surrounding properties which are outside of the applicant's ownership. The building is located approximately 25 metres from the rear of Old Hall Inn and its associated guest accommodation to the east of the site, however due to the oblique angle at which Old Hall Inn is viewed from the front elevation of the host building, the proposal would not result in any opportunities for overlooking. In addition, the extension to the building would not result in it being any closer to any surrounding properties, and as such there would be no impact any surrounding properties in terms of loss of light or outlook.

25. The proposal for a small 1no. one-bedroomed residential unit, accommodating in total no more than two people at any one time, would only form a slight increase in the use of the site. The relationship between the converted building and the farm buildings still in use is acceptable as the converted building will remain in the ownership of the Applicants who will ensure that noise and nuisance from the farm will not affect the occupants.

26. A management plan has been proposed, and given the location of the site in relation to surrounding properties, it is considered that the conversion of the building to residential use will have little or no impact on residential amenity and is consistent with Local Plan Policy SP4.

Highway Safety

27. The application proposes a parking area to the rear of the building which could accommodate 2no. vehicles. Following consultation, the Highway Authority has raised no objection to the proposals, which are therefore considered acceptable in terms of parking provision and impact on highway safety in the area, in accordance with Policy SP4 of the Local Plan.

Biodiversity Enhancement

28. The proposal is exempt from the requirement to submit a Biodiversity Net Gain Metric as the development site is concrete and hard-core with less than 25sqm of existing habitat.

29. Local Plan Policy W2 sets out 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 and the Yorkshire Dales Supplementary Design Guide.

30. Biodiversity enhancement will be provided throughout the site in accordance with policy W2. Specifically, the application proposes 4no. trees to be planted within the front garden, as well as 1 no. bat box to be installed on the west elevation and 1no. bird box to be installed on the south elevation of the proposed extension to the existing building. Following consultation, the Wildlife Conservation Officer has raised no objection to the proposals. The proposal would therefore result in biodiversity enhancement at the application site and would therefore accord with Local Plan Policy W2.

Parish Council Comments

31. Threshfield Parish Council supports the application for the following reasons:

- It has no detrimental impact on the landscape character of the area
- It does not have any detrimental impact on the residential amenities of existing residents of the village
- The site has existing access which will safely serve the proposed small scale tourism activity
- It provides sustainable rural tourism
- The Parish Council welcomes this development to add tourist accommodation and so support services in the village and wider area - such as pubs, cafes, shops and tourist destinations.

32. Whilst the benefits that the scheme would provide in respect of provision of additional tourist accommodation, should the building be used for this purpose, are acknowledged, this would not outweigh the harm caused to the character and historic significance of the building and subsequent conflict with Policies SP4, L1, L2 and L3 of the Local Plan.

Equality Act

33. 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.

34. 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

35. It is considered that the conversion of the building to form a dwelling would meet the locational requirements of Policy L2 as a traditional building within a settlement, subject to the applicants entering into a legal agreement to ensure the occupancy is restricted to local occupancy as set out in Appendix 5 of the Local Plan. However, it is considered that the conversion works and the proposed extension would individually and cumulatively have a significantly adverse impact on the character and significance of the traditional building. It is considered that the alterations are not necessary to bring the building back into a viable new use and there are no clear public benefits associated with the particularly harmful interventions. The proposed development would therefore fail to meet the requirements of Policies SP1, SP2, SP4, L1, L2 and L3 of the Local Plan (2015-2030) and guidance contained within the adopted Yorkshire Dales National Park Design Guide (2017), paragraph 176, Chapter 16 of the National Planning Policy Framework (2024) and s72 of the Town and Country Listed Building & Conservation Areas Act 1990.

Recommendation

36. It is recommended that permission be REFUSED based on the following:

In the opinion of the Local Planning Authority, the proposed conversion works and extension and the proposed change of use of land to domestic use, individually and cumulatively, would detract from the character and significance of the two traditional buildings. The works proposed are not the minimum necessary and are not sensitive to the traditional character and appearance of the buildings. The works would also adversely affect the wider landscape setting of the buildings. The proposal is therefore contrary to policies SP1, SP2, SP4, L1, L2 and L3 of the Yorkshire Dales Local Plan (2015-2030), guidance contained within the adopted Yorkshire Dales National Park Design Guide (2017) and paragraph 176 and Chapter 16 of the National Planning Policy Framework (2024).

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Yorkshire Dales National Park Authority

Committee: Planning

Date: 15 April 2025

Applicant: Mr L Anderson

Parish: Embsay with Eastby

Officer: Joanne Wood

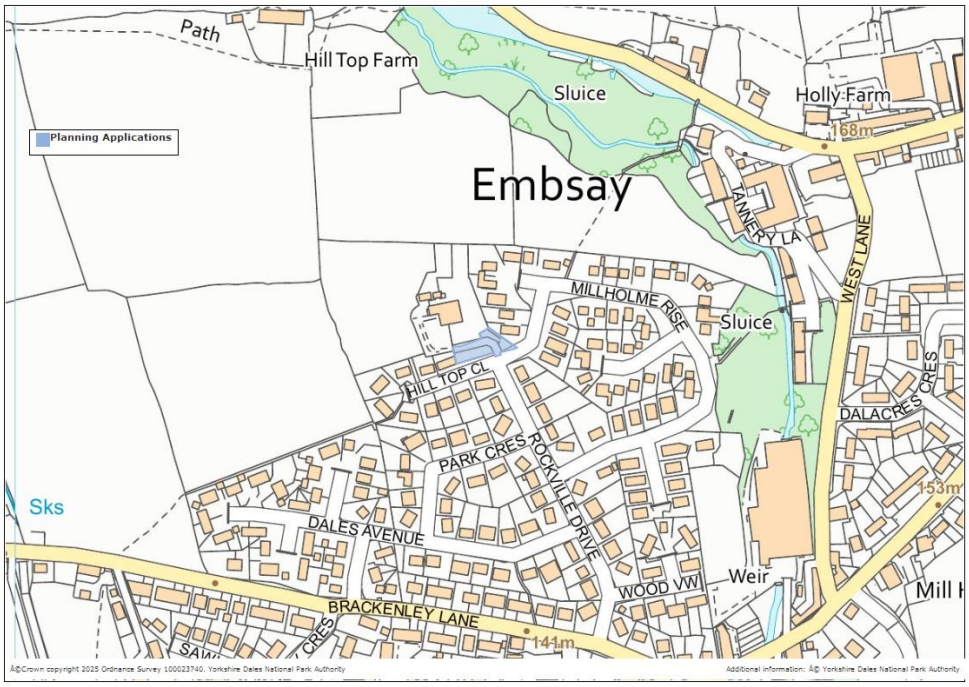
Application No: C/26/776D

Site Address: Rockville, Rockville Drive, Embsay, Skipton, BD23 6NX

Proposal: Outline planning permission (with some matters reserved) for construction of 1no. dwelling with associated external works

Purpose of Report

1. That Members APPROVE 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. The application relates to a parcel of land located to the south of Rockville, which is a substantial detached two storey dwelling located at the north end of Rockville Drive. The application site bounds the highway to the south, and residential properties on Millholme Rise and Hill Top Close to the east and west respectively. Access into the site is taken directly from the highway to the south.

4. To the left hand side of the access sits a small parcel of unmade ground, upon which the dwelling is proposed to be sited. The ground gently rises up towards Rockville Drive and sits at a lower than the neighbouring property to the east, no. 54 Millholme Rise.

5. The surrounding area features mostly single storey and 1.5 storey dwellings with a stone and render finish.

Proposal

6. Outline planning permission is sought for construction of 1no. dwelling with associated external works. Matters relating to access and layout are to be considered at this stage, appearance, scale and landscaping being reserved for subsequent approval.

7. The application was originally submitted for the construction of 2no. dwellings on the site, however the scheme has now been revised in line with Officer advice to propose only 1no. dwelling on the site due to concerns regarding impact on the street scene and on the amenity of the neighbouring property to the east.

8. A site plan has been submitted to show the proposed layout for 1no. dwelling on the site. The application form indicates that this would be a 3 bedroom property. 2no. parking spaces would be provided within the curtilage, immediately to the north of the proposed dwelling. Private amenity space is proposed to the west of the dwelling.

Relevant Planning History

9. There is no relevant planning history.

Consultations

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

Trees & Woodlands - No objection providing that the tree protection measures outlined in the Tree Survey and Arboricultural Impact assessment are detailed in an arboricultural method statement and tree protection plan, and conditioned as part of any consent.

Fire Officer - Craven - No objection/observation to the proposed development.

Chief Environmental Health Officer CEHO – No objection, subject to conditions relating to the control of noise disturbance and dust.

Chief Environmental Health Officer CEHO - In respect to the above mentioned application, there are no known contaminated land implications regarding the proposed development.

Chief Technical Officer CTO - Craven - All work is to be carried out, to ensure compliance with the Building Regulations 2023.

Highways - Craven DC – No objection, subject to conditions requiring details of parking and turning, and requiring the parking area to be prior to occupation of the dwelling being imposed.

Embsay-with-Eastby PC

Comments on the original proposal (an objection) are available on the Authority's website.

Comments on the amended proposal:

Objects to this revised application despite the additional information amending the original, on the following grounds:

- Access - The Parish Council has raised concerns about this 4- way junction with Rockville Drive, Hilltop Close and Millholme Rise on several occasions. North Yorkshire Highways has previously taken the view that the layout at this junction is satisfactory and has dismissed the concerns. It must be noted, however, that since the last traffic survey was carried out in 2017 there has been a considerable change in the age demographic of Hilltop Close towards younger residents. There are ten dwellings in the cul-de-sac - including a number of extensions to existing properties and a marked increase in vehicular movement – both by residents, contractors and delivery vehicles. There is now the likelihood of additional vehicles should this application be approved. It remains the Parish Council's contention that the original traffic count survey was wrongly placed and it therefore requests that the Officer commission an up-to-date survey, positioned on Rockville Drive below this junction – and not on Millholme Rise. Hilltop Close continues to be, in effect, a blind junction and increased vehicular movement from the proposed development would do nothing to relieve this.The Parish Council would go so far as to state that even the present arrangements are unacceptable from a safety point of view, and would request that, if necessary, the Planning Officer exercises the right to override the Highway's view of 'risk'. If the development were to be granted, then controls must be put in place, at the applicants' expense.
- Need - It is the Parish Council's view that, at the present time, there is no perceived need for any additional new development within the parish.Should the Officer decide to allow the proposal then the Council would request a permanent 106 agreement be made for any occupant.
- Infrastructure - whilst the application refers to a tree survey, conducted in October 2024, several unmentioned trees were removed from the frontage in early November causing

exposure and damage to the undocumented gas main – requiring urgent repair by the utility company, in addition to damage to the adjoining frontage. Despite the access statement asserting that there would not be any effect on existing services the Parish Council requests that British Gas is contacted – particularly considering the 'unknown' route of the supply, in relation to the proposed build site. There has, in addition, been a number of problematic incidents regarding water and sewage disposal on Hilltop Close and the Parish Council is concerned that any additional builds could aggravate this further – and would ask that the Officer seeks comment from the utility providers.

- Impact - as this application is for outline planning only the Parish Council's view is that any unspecified development in this area is unacceptable – given the proximity to and possible impact on neighbouring properties. There is a particular concern regarding the overall look of the street scene and the possible overlooking onto Nos 1 and 2 Hilltop Close and the rear garden of No 10 Hilltop Close, by this proposed new build. It is noted that the proposal states an intention to plant two trees to replace the four trees identified as needing removal - although these would need to be incorporated within any final planning scheme should this application be approved.

Public Responses

Public responses received at the time of writing: 4

11. A site notice was displayed on 8th January 2025. 4 letters of objection have been received raising the following issues:
    - Impact on residential amenity of the surrounding properties
    - Impact on highway safety in the surrounding area
    - Noise disturbance during construction phase
    - Increase in surface run off
    - No need for additional housing in the area
    - Pressure of local services and infrastructure
    - Siting of dwelling over a gas mains pipe

Assessment

Key Issues:

- Principle of development
- Visual Impact
- Impact on Residential Amenity
- Highway Safety
- Biodiversity Enhancements
- Parish Council comments
- Equality Act

Planning Policy

12. Local Plan Policy SP3 states that new build housing will be permitted inside the housing development boundaries of local service centres and service villages listed within Table 1 of that policy, and requires on sites of up to five dwellings that new housing be restricted to local

occupancy (as defined in Appendix 5 of the Local Plan). Policy C1 also directs new housing development to allocated sites or within the defined boundaries of local service centres and service villages.

13. Table 1 of Policy SP3 identifies Embsay as a service village. The proposal therefore meets the locational requirements set out within Policy SP3 and Policy C1 of the Local Plan, and the applicant has confirmed their agreement to enter into the required occupancy restriction. The principle of the proposed development is therefore acceptable.

Visual Impact

14. Local Plan Policy SP2 stipulates that development must further the National Park statutory purposes, the first of which is the conservation and enhancement of natural beauty, wildlife and cultural heritage. Policy SP4 sets out a range of development quality requirements for all forms of development, including design expectations, transport-related considerations, safety and amenity issues and environmental safeguarding.

15. Matters relating to appearance and scale are reserved for subsequent approval, and therefore the only matter to be considered under this application in respect of the visual impact of the dwelling is the layout, with a proposed site plan being submitted in support of the application.

16. The proposed dwelling would be located to the western part of the site, and would sit alongside 10 Hill Top View, but separated by the amenity space which would serve the proposed dwelling. It is considered that the dwelling proposed would be proportionate to the size of the application, and its siting and footprint would be in keeping with the established character of the surrounding area.

17. Details regarding the scale of the dwelling have been requested from the applicant in the form of indicative street scene plans to show how the dwelling would sit alongside the other surrounding properties in terms of its height and massing, and also sections through the site to show the site levels due to the sloping nature of the site. However, the applicant has declined to provide this information.

18. Although the application does not bring forward any design details, it is considered that the site could be developed for one dwelling as shown on the proposed site plan without any material adverse impact on the surrounding area, however there are concerns regarding the potential scale of the dwelling as the surrounding properties along Hill Top Close and Millholme which the proposed dwelling would sit alongside are all single storey or 1.5 storey with first floor accommodation within the roofspace. Therefore, a condition is recommended to require the submission of the site finished floor levels, ridge and eaves height of the dwelling. The condition would be worded to require the submitted level details to be measured against a fixed datum and show the existing and finished ground levels, eaves and ridge heights of surrounding properties in order to ensure it would be in keeping with the properties within the surrounding street scene and would not appear obtrusive.

19. Subject to a condition to restrict the height of the dwelling brought forward under a reserved matter application to be in keeping with those in the immediate surrounding area, it is considered that the site could accommodate 1no. modest sized dwelling without any significant adverse impact upon the street scene, or on the character or appearance of the surrounding area, in accordance with Policy SP4 of the Local Plan.

Impact on Residential Amenity

20. Although matters relating to appearance and scale are not to be considered at this stage, the proposed layout of the site demonstrates that a dwelling can be achieved within the site without adversely impacting upon the residential amenity currently enjoyed by any surrounding occupiers.

21. The proposed dwelling would be located approximately 18 metres from the nearest dwelling to the east. This neighbouring property is located at a higher ground level and at an oblique angle to the proposed dwelling and as such there would be no loss of light, outlook or privacy to the occupiers of this property as a result of the proposed dwelling. The neighbouring property directly to the north is also set at a higher ground level and is located over 25 metres from the proposed dwelling and as such the proposal would raise no issues of amenity for the occupiers of this dwelling.

22. The proposed dwelling would sit alongside the neighbouring property to the west, 10 Hill Top Close. This dwelling does not feature any habitable room windows at ground floor level, and only a rooflight above the first floor of the property to the east elevation facing towards the proposed dwelling. As the rooflight is located within a steep roofslope, it is not considered that the proposed siting of a 1.5 storey dwelling would impact upon the light, outlook or privacy currently enjoyed by the occupiers of this dwelling.

23. Concerns have been raised by the occupier of 10 Hill Top Close that the proposed dwelling would be sited up to the common with no access around the proposed dwelling. However, this is not the case, and the proposed dwelling would in fact be sited away from the boundary with an area of garden space serving the property separating the dwelling itself from the boundary with no. 10.

24. Concern has been raised by the Parish Council regarding the impact of the proposed dwelling on the amenity of the occupiers of 1 and 2 Hill Top Close which face the application site. However, the proposed layout plan shows that the dwelling would follow the existing established building line within the street and therefore would replicate the separation distances between the existing properties along the north and south side of Hill Top Close. Subject to careful consideration being given to the siting of openings as part of any subsequent reserved matters application, the proposal would not impact upon the amenity of these properties.

25. Therefore, it is considered that a 1.5 storey dwelling could be accommodated on the site without resulting in an adverse impact upon the amenity of the surrounding properties. Careful consideration would need to be given to the scale of the property and the siting of openings at the reserved matters stage to ensure that the amenity of the surrounding occupiers is protected. Furthermore, conditions would be attached to any grant of permission to control the hours of construction and deliveries to the site during the construction phase in order to reduce any noise disturbance.

26. A small private amenity space would be provided to the south of the dwelling. The proposed layout would therefore ensure the dwelling has an adequate level of amenity space which is commensurate with the size of the dwelling. Therefore, the proposal would also achieve a good standard of amenity for its future occupants, and would accord with the provisions of Policy SP4.

Highway Safety

27. Policy SP4 of the adopted Local Plan requires that development does not prejudice highway safety or cause unacceptable levels of traffic that would harm the environment or capacity of the local road network, should contain adequate provision for connection to public transport and should have appropriate access and parking provision.

28. The application proposes parking for 2no. vehicles directly to the east of the proposed dwelling. Access to the site would be taken directly from Hill Top Close to the south of the site using an existing access which currently serves Rockville to the north. Following consultation, the Highway Authority has raised no objection to the proposals, subject to conditions requiring submission of access, parking and turning details and the parking area to be implemented prior to the occupation of the dwelling. The proposal is therefore considered acceptable in terms of parking provision and impact on highway safety, in accordance with Policy SP4 of the Local Plan.

Biodiversity Enhancement

29. The proposal is exempt from the requirement to submit a Biodiversity Net Gain Metric as the application proposes a self build dwelling.

30. Local Plan Policy W2 sets out 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 and the Yorkshire Dales Supplementary Design Guide.

31. The application proposes the removal of 4no. trees and the replanting of 2no. trees as well as the retention of trees. Following consultation, the Trees and Woodlands Officer has raised no objection to the proposals subject to a condition being attached to any grant of permission requiring the submission of an Arboricultual Method Statement and Tree Protection Plan detailing the tree protection measures outlined in the Tree Survey and Arboricultural Impact Assessment for approval prior to the commencement of development.

32. A condition would be imposed to secure biodiversity enhancements in the form of bird or bat boxes and hedge planting to ensure that the proposal complies with Policy W2 of the Local Plan.

Parish Council Comments

33. Embsay Parish Council has objected to the proposed scheme for 1no. dwelling on the grounds of impact on highway safety, impact on the surrounding area in terms of amenity and infrastructure, and as they consider there to be no need for further residential development in Embsay.

34. With regards to the impact on highway safety, the application proposes only one additional dwelling within the street and therefore it is not considered that this would result in a significant increase in vehicular movements to and from the site. Paragraph 116 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. In this case, it is not considered that the proposal for 1no. dwelling, which the Highways Authority has confirmed is acceptable in terms of parking provision and access, for result in an unacceptable impact on highway safety, and therefore would not warrant refusal of the application on these grounds.

35. In respect of the concerns raised regarding the impact of the proposal on infrastructure in the area, as the application proposes on 1no. modest dwelling it is not considered that this would result in a significant impact to warrant of the application. With regards to the existence of a gas pipe within the site and damage caused to this prior to the application being submitted, this a not a matter for consideration through the planning process.

36. The Parish Council also raised concerns regarding the impact on the amenity of surrounding residents, in particular those on the opposite side of Hill Top Close facing the application site, and the neighbouring property to the west 10 Hill Top Close. The impact upon these properties has been addressed within the above section considered the impact on residential amenity, and it has been concluded that the proposed dwelling on the site would not result in an adverse impact upon residential amenity in the area.

37. Finally, the Parish Council objected on the grounds that there are sufficient homes in Embsay and therefore additional housing is not needed. However, the housing requirements identified within the Local Plan are a minimum target and not a ceiling figure to prevent additional housing coming forward. As set out earlier in this report, Policies SP3 and C1 of the Local Plan allow for new residential development within service villages, which Embsay is recognised within the Local Plan as being. Therefore, there is no provision within the Local Plan to resist the principle of 1no. new dwelling in this location.

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 proposal would deliver a small scale residential development on a sustainable brownfield site in an appropriate location within an established service village in accordance with the provisions of Policy SP3. The dwelling would be restricted by a s106 agreement to meet the local occupancy requirements.

41. The provision of 1 new local occupancy home would help meet the aims of Policy C1 of the Local Plan without detriment to the provisions of Policy SP4 in respect of siting, transport, impact on amenity and environmental safeguarding.

42. The proposed dwelling would be sufficiently distanced from neighbouring properties to ensure there would be no adverse impact upon the amenity currently enjoyed by the occupiers of the surrounding properties.

43. The proposed dwelling would achieve adequate off street parking provision and would not impact upon the highway safety within the area.

44. There will be no adverse impact upon the existing trees or ecology within the site, with conditions proposed to ensure a suitable uplift in the provision for both.

45. It is therefore considered that the proposal would accord with Policies SP1, SP3, SP4, C1, L1 and W2 of the Yorkshire Dale Local Plan (2015-2030), the guidance set out within the Yorkshire Dales National Park Design, and the provisions of the National Planning Policy Framework (2024).

Recommendation

46. It is recommended that outline permission is GRANTED subject to conditions including the following:

- Standard time limits for submission of reserved matters
- Accordance with approved plans
- Biodiversity enhancement (nest boxes and hedging)
- Removal of permitted development rights
- Submission of Aboricultural Method Statement and Tree Protection Plan
- Submission of site levels and finished floor levels of dwelling
- Details of access, turning and parking
- Parking area to be implemented prior to occupation
- Restriction on external lighting

Yorkshire Dales National Park Authority Item 6

Planning Committee

15 April 2025

Confirmation of Tree Preservation Order No 4 (Cracoe) 2024, With Modification

Purpose of the Report

1. To seek authority from members to confirm Tree Preservation Order No.4 (Cracoe) 2024 with modification

Reason for Committee Consideration

2. Delegated authority to officers does not extend to confirming TPOs **with modification**

Recommendation

3. That Tree Preservation Order No.4 (Cracoe) 2024 be confirmed subject to the modifications set out in the report; namely the removal of the parcel of land identified in **Appendix 2** and specification of the trees protected individually rather than by area (as set out in **Appendix 3**)

Strategic Framework

4. The information and recommendation contained in this report is consistent with the Authority's statutory purposes and support the strategic planning framework:

    - Corporate plan Objective 23: Provide an efficient development management service that supports appropriate opportunities for economic and community development whilst helping to conserve and enhance the special qualities of the National Park.

Background

5. A Tree Preservation Order (TPO) was made on 17 December 2024 to protect an area of woodland and wood pasture at Cracoe Green, adjacent to the B6265 and Fell Lane, on the Easterly aspect of the Village of Cracoe (see appended copy of the sealed TPO in **Appendix 1**).

6. The Trees and Woodlands Team had been contacted by an owner of land in Cracoe, enquiring about the possibility to 'sell trees' growing on this land. The landowner

confirmed the location of the trees as being in an area of land known as Cracoe Green and also clarified that the intention was to sell the timber. Despite several subsequent attempts to contact the landowner, all communication on the landowner's part stopped. The trees were not protected.

7. Given that the owner expressed an interest in felling the trees for their timber value, and the trees were not protected, they were immediately considered under threat.

Reason for making the TPO

8. A Tree Evaluation Method for Preservation Orders (A systemised assessment tool for TPO suitability) was undertaken, with the results demonstrating that the trees had significant amenity value and were highly suitable for protection by Tree Preservation Order. They are clearly visible from the main road through Cracoe village – the main route between Skipton and Grassington.

9. The parcel of land contains a small band of mixed deciduous woodland and field trees. The field trees are of particular importance as they are significantly old and are starting to show characteristics of becoming veteran trees.

10. The treescape of Cracoe village is characterised by stand alone and small groups of trees, and these trees are of particular importance due to their age, size, ecological and historical importance, and visual aspect within the village, highly visible to users of the main road.

11. Some of the trees in the surrounding landscape are ash and will in time be lost to ash dieback. Therefore, it is important that as many trees as possible are retained, for both biodiversity and landscape value. The village is not a conservation area and as such the trees do not benefit from any protection

12. Generally, the Authority will make a TPO if the tree/s fulfil all the following criteria:

    - The tree/s make a significant contribution to the environment now or will in the future;
    - The tree/s appears to be under threat;
    - The tree/s is expected to live longer than 10 years barring unforeseen circumstances;
    - The tree/s will grow where they are without causing unacceptable nuisance (in the legal sense) now or in the future.

13. It was the Trees and Woodlands Officers' opinion that these trees met the above criteria and that it was expedient to make a Tree Preservation Order to protect them and ensure that appropriate management is undertaken and considered in the future. A TPO was authorised under delegated powers and issued on 17th December 2024.

What has happened since the TPO was made

14. During the making of the Order, Land Registry documents confirmed that the area of land protected by the TPO was registered under four potential ownerships (one parcel of land being 'unregistered').

15. During the 28 day consultation/objection period Officers were approached by the owners of the strip of woodland that had been included in the Order, adjacent to Fell Lane

(Appendix 2). A site visit confirmed that this group of trees were currently under good management and not under threat.

16. The Authority has had no correspondence with the additional landowners up to date, including the original enquirer.

17. The Authority has received no formal objections, and the consultation period has now ended.

Rationale for confirming the TPO with modification

18. Given that both the Senior Trees and Woodlands Officer and the Trees and Woodlands Officer are confident that the trees in the parcel of land identified in Appendix 2 are under good management, and therefore no longer considered to be 'at threat', it is considered appropriate to remove this parcel of land from the Order.

19. As there has been no correspondence from the land owners of the remaining trees, it is appropriate that they should still receive protection, as they are still considered to be under threat from felling and the loss of these trees would be to the detriment to the amenity value of the area.

20. At the time of making the Order, time pressures and limitations for site visits did not allow the mapping of individual trees, and so an Area TPO was created. However, as the species of all individual trees have now been identified (excluding the land in Appendix 2), it is more appropriate to modify the Order, to protect and list the trees individually, rather than an Area TPO (Appendix 3 and 4).

21. Government guidance with regard to the use of area classifications for Tree Preservation Order's states:

> *'When should the area category be used?*
>
> *The area category is one way of protecting individual trees dispersed over an area. Authorities may either protect all trees within an area defined on the Order's map or only those species which it is expedient to protect in the interests of amenity.*
>
> *The area category is intended for short-term protection in an emergency and may not be capable of providing appropriate long-term protection. The Order will protect only those trees standing at the time it was made, so it may over time become difficult to be certain which trees are protected. Authorities are advised to only use this category as a temporary measure until they can fully assess and reclassify the trees in the area. In addition, authorities are encouraged to resurvey existing Orders which include the area category.*
>
> *Paragraph: 029 Reference ID: 36-029-20140306*
>
> *Revision date: 06 03 2014'*

Financial Implications

22. None

Legal Implications

23. The TPO is effective for a period of six months from the date it was made during which time it may be confirmed with or without modification. If it is not confirmed within the six month period the TPO will lapse.

Equality, Diversity and Inclusion Implications

24. None

Conclusion

25. It is considered that the trees identified in appendix 3 merit the continued protection of a TPO and that modifying the TPO to refer to the trees individually rather than by area is supported by government guidance.

Report Author: Meghann Mezzanotte
Report Author Job Title: Trees and Woodlands Officer

1. **Appendix 1** Copy of sealed Tree Preservation Order No.4 (Cracoe) 2024
2. **Appendix 2** Official Copy (Title Plan) NYK346454
3. **Appendix 3** Proposed modified TPO No.4 (Cracoe)
4. **Appendix 4** Proposed modified TPO No.4 (Cracoe) 2024 aerial map

Background papers: none

To the owners and any occupiers of land at Cracoe Green

TOWN AND COUNTRY PLANNING ACT 1990

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Tree Preservation Order No. 4 (Cracoe) 2024

The Yorkshire Dales National Park Authority, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No. 4 (Cracoe) 2024

Interpretation

2.—(1) In this Order "the authority" means the Yorkshire Dales National Park Authority

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of, any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

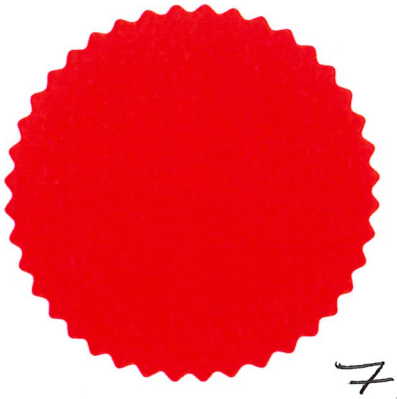
Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 17th day of December 2024

The **COMMON SEAL** of the)
YORKSHIRE DALES NATIONAL)
PARK AUTHORITY was hereunto)
Affixed in the presence of)

CG



735

SCHEDULE

Specification of trees

Trees specified by reference to an area

(within a dotted black line on the map)

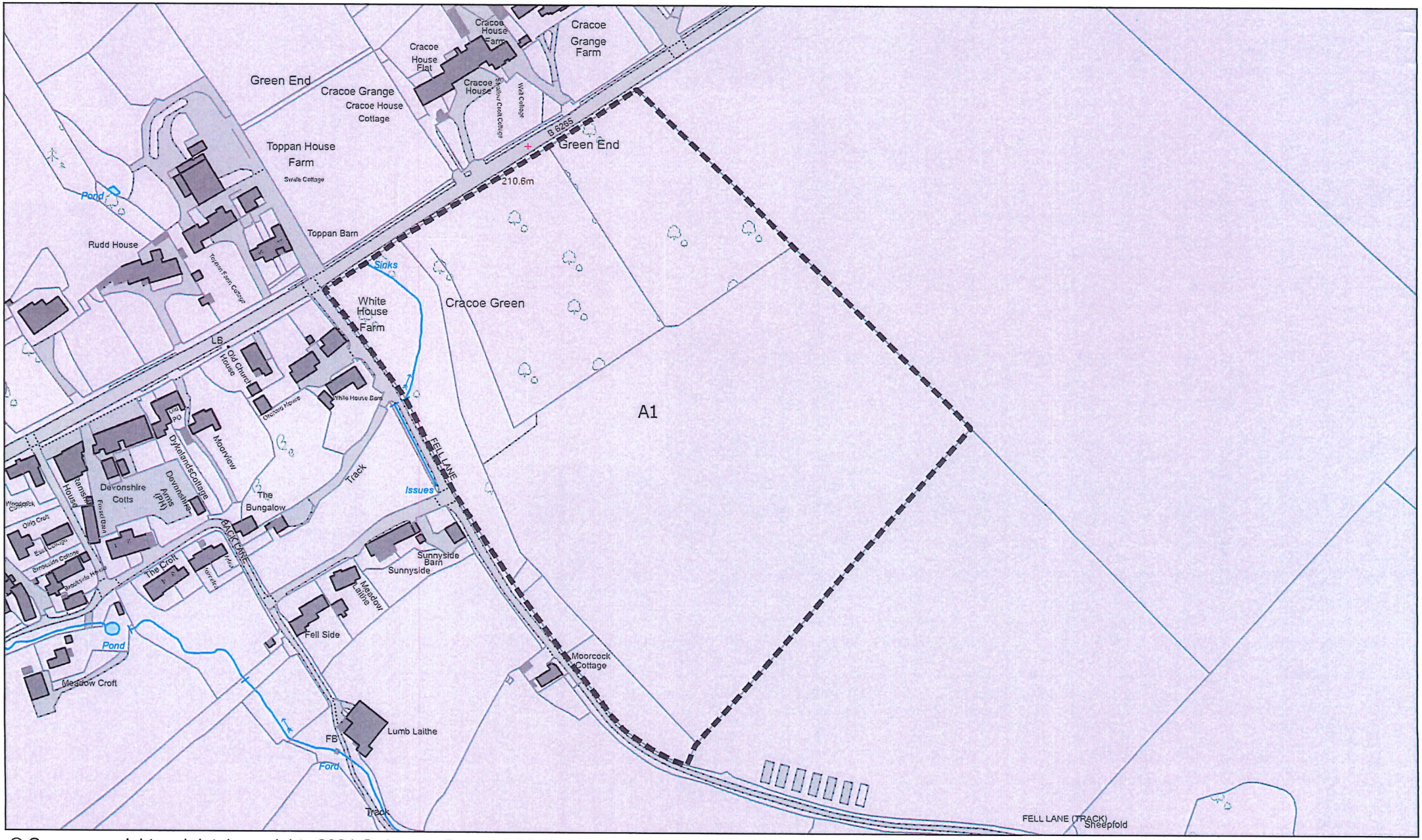
Reference on map	Description	Situation
A1	Area of mixed deciduous trees	Growing in the field named Cracoe Green, adjacent to the B6265 and Fell Lane. Grid Ref SD98056008

Tree Preservation Order No 4 (Cracoe) 2024

Cracoe Green, Cracoe

Scale 1:2,500

YORKSHIRE DALES
National Park Authority



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Compiled by Matthew.Beedle on 27/11/2024

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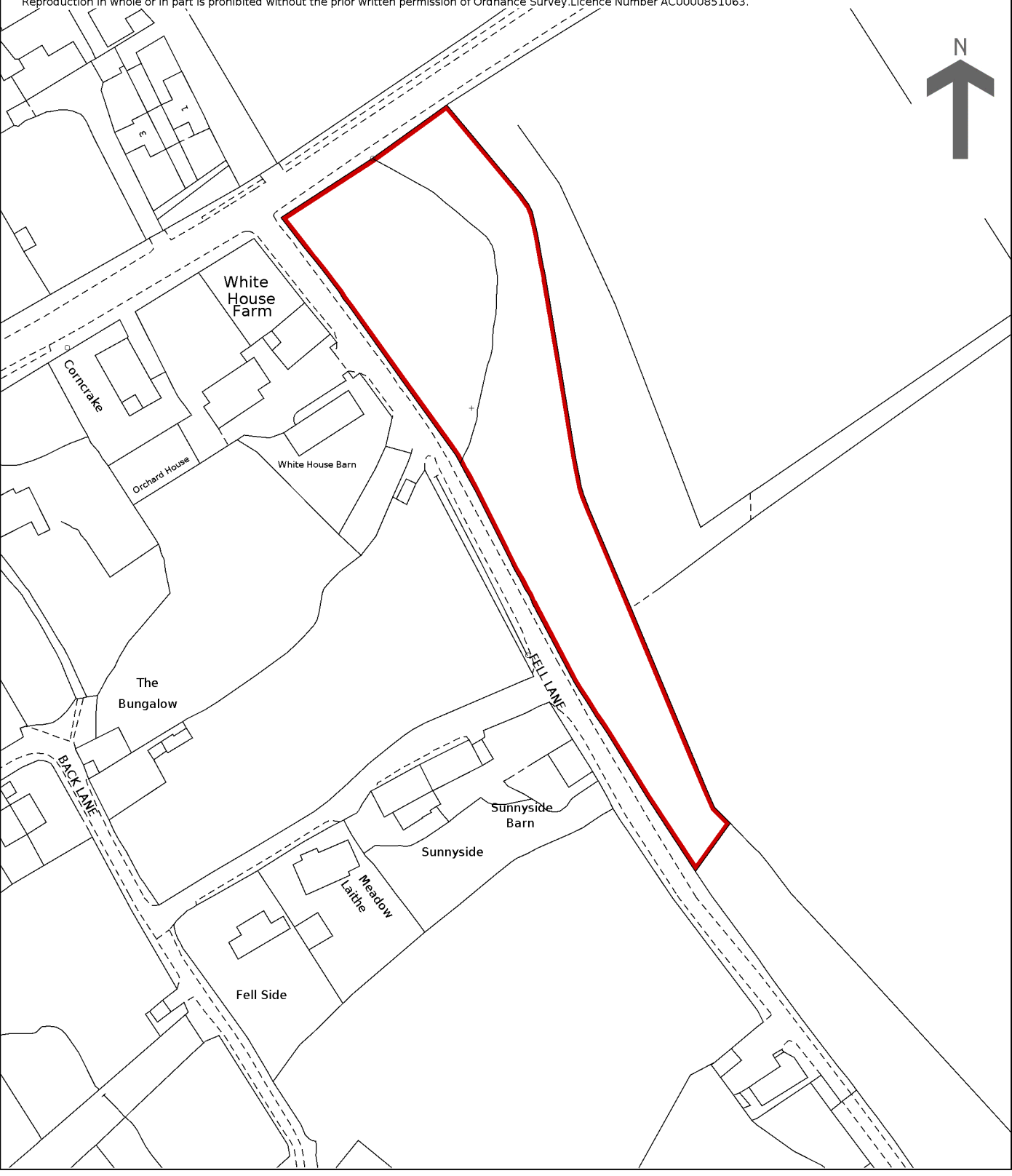
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This title is dealt with by the HM Land Registry, Durham Office .

HM Land Registry
Official copy of title plan

Title number **NYK346454**
Ordnance Survey map reference **SD9760SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **North Yorkshire**

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Tree Preservation Order No. 4 (Cracoe) 2024

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

Reference on map	Description	Situation
T1	Oak	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98135998
T2	Oak	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98135999
T3	Oak	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98145999
T4	Ash	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98176012
T5	Oak	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98126013
T6	Sycamore	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98126016
T7	Sycamore	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98096014
T8	Sycamore	Growing in the field adjacent to Cracoe Green and the B6265. Grid Ref: SD98076019

T9	Sycamore	Growing in the field adjacent to Cracoe Green and the B6265. Grid Ref: SD98066023
T10	Sycamore	Growing in the field adjacent to Cracoe Green and the B6265. Grid Ref: SD98056025
T11	Sycamore	Growing in the field adjacent to Cracoe Green and the B6265. Grid Ref: SD98036024
T12	Oak	Growing in the field adjacent to Cracoe Green and the B6265. Grid Ref: SD98046018
T13	Oak	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD98016018
T14	Horse Chestnut	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD97986018
T15	Oak	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD97976020
T16	Sycamore	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD97956019
T17	Sycamore	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD97946018
T18	Oak	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD97976016

T19	Sycamore	Growing in the field known as Cracoe Green, adjacent to the B6265 Grid Ref: SD97976012
T20	Horse Chestnut	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD97996009
T21	Beech	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD97996005
T22	Beech	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98006001
T23	Oak	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98006000
T24	Oak	Growing in the field adjacent to Cracoe Green, and Fell Lane. Grid Ref: SD98075992

Trees specified by reference to an area

(within a dotted black line on the map)

None

Groups of trees

(within a broken black line on the map)

None

Woodlands

(within a continuous black line on the map)

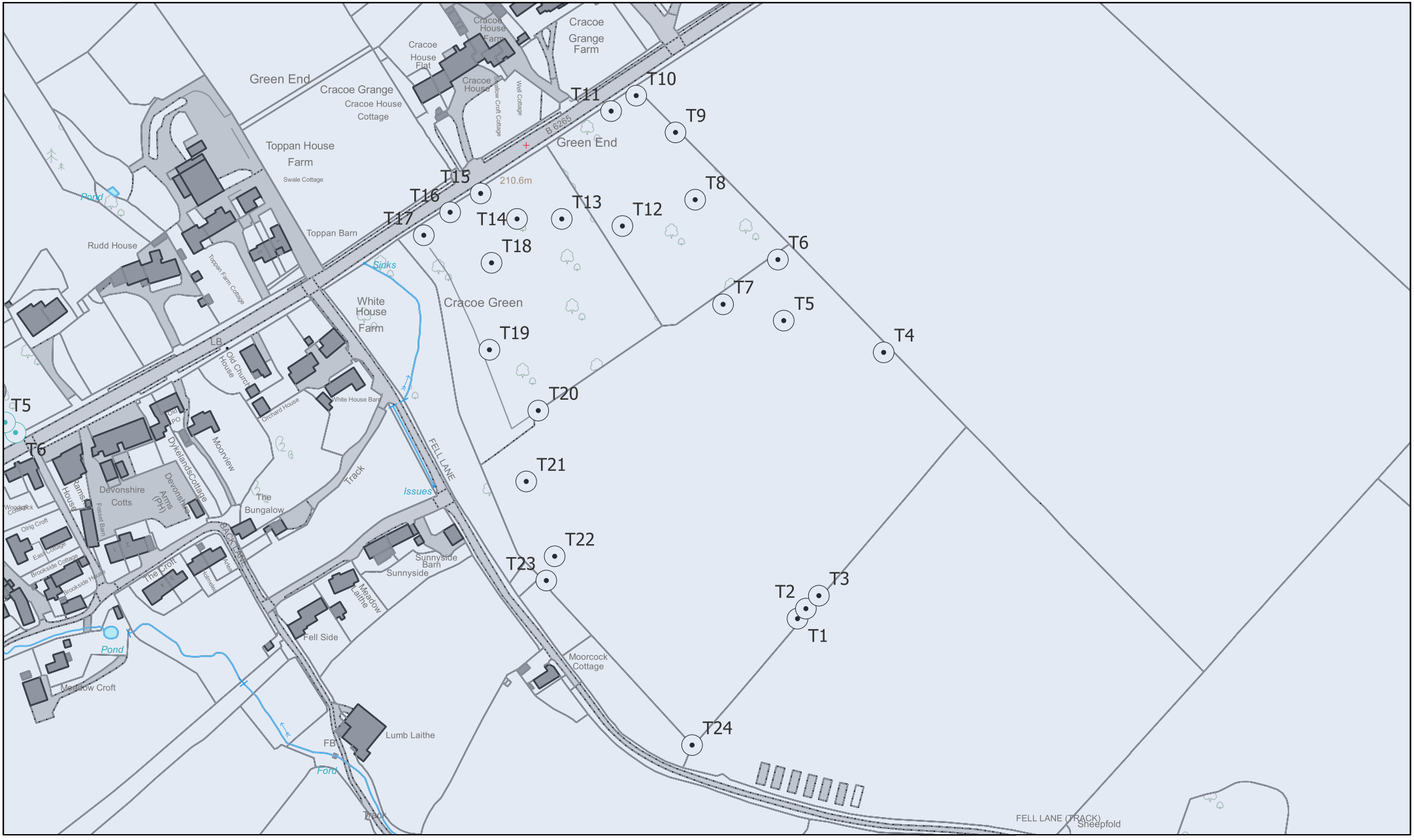
None

Tree Preservation Order No 4 (Cracoe) 2024

Cracoe Green, Cracoe

YORKSHIRE DALES National Park Authority

Scale 1:2,500



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Compiled by Matthew.Beedle on 19/02/2025

Tree Preservation Order No 4 (Cracoe) 2024

Cracoe Green, Cracoe

Scale 1:2,500

YORKSHIRE DALES National Park Authority



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Yorkshire Dales National Park Authority **Item 7**

Planning Committee

15 April 2025

Planning Enforcement Closures Report

Purpose of the report

1. To inform members of cases resolved under delegated powers since 7 January 2025. NB Reports explaining the closure reasons for the cases considered inexpedient to pursue are available on request.

2. To inform members of enforcement notices issued under delegated powers since 7 January 2025.

3. NB The next report will be to the 15 July 2025 meeting.

Recommendation

4. That the information listed on the attached Annex be noted.

   A Cases closed as no breach or breach regularised
   B Cases closed as being inexpedient to pursue

Richard Graham
Head of Development Management

NB: If any member wishes to enquire about a specific case, would they please contact the Head of Development Management prior to the meeting.

31 March 2025

ENFORCEMENT CLOSURES QUARTERLY REPORT

A - Cases closed as no breach or breach regularised

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Craven District					
EC/20/48A	09 January 2025	Unauthorised change of use of annex to holiday accommodation - Old Hall Laithe, Kilnsey, Skipton, BD23 5PS	29 January 2025	No Breach	3
EC/38/12	13 June 2023	Erection of stable building - Langerton House, Hartlington, Skipton, BD23 5EE	14 January 2025	Application Received	83
Reason for Delay:	This case was delayed due to negotiations regarding the submission of an application. The application has now been submitted and the case can be closed.				
EC/44/78A	08 August 2023	Alleged Unauthorised siting of a residential caravan on land adjacent to fishing lake at Helwith Bridge - Land at Helwith Bridge	31 March 2025	Rectified	86
Reason for Delay:	This case was kept open to monitor to ensure that the caravan was removed and did not come back to the site.				
EC/48/38B	27 August 2024	Retention of Stable Buildings following dismissal of appeal - Land on the West Side of Pike Lane, Langcliffe, Settle	26 February 2025	Rectified	26

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
EC/68/28B	19 December 2024	Alleged Erection of Unauthorised stable buildings - HOWSONS LTD, Kirksteads Westhouse, Ingleton, Carnforth, LA6 3NJ	29 January 2025	Application Received	6

Richmondshire District

ER/48/61	18 October 2023	Agricultural building not located in accordance with plans approved under R/48/122B - Croft Farm, Hardraw	04 March 2025	No Breach	72

Reason for Delay: Case investigated and resolved in 5 days - 15 to 20 October 2023. Administrative error resulted in delay to Agile closure.

ER/48/62	23 May 2024	Breach of conditions of planning permission R/48/156A - Stags Fell Barn (Barn to rear of Jaysander), Sedbusk	04 March 2025	Planning Application Received	41

Reason for Delay: Case resolution delayed by nesting birds, roosting bats and time taken by the owner to submit an application.

ER/56/173	29 January 2025	Unauthorised installation of shed adjacent to A684 - 2, Halfway Houses, Hawes	04 March 2025	Rectified	5
ER/60/3F	25 July 2024	Demolition of potting shed and erection of unauthorised two storey structure - Tupgill Park Estate, Coverham, Leyburn, North Yorkshire, DL8 4TJ	14 January 2025	Application Received	25
ER/89/11	14 September 2023	Unauthorised erection of cabin for residential purposes - Cabin at Braithwaite Cottage, East Witton, DL8 4SY	04 March 2025	Application Received	77

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Reason for Delay:	Delay in resolution caused by length of time taken for owner to submit a valid application.				
ER/91/63	08 November 2022	Breach of Condition 3iv of R/91/168 in that the building is occupied before access track and parking have been constructed - Barn to rear of Pond House, Main Street, West Witton	04 March 2025	Regularised	121
Reason for Delay:	Resolution delayed through time taken by owner to submit application for matters not raised as enfordement complainants.				

South Lakeland District

ES/01/125A	22 August 2024	Unauthorised use of land for campsite and associated operational development; construction of 3 no. conctrete bases and erection of 3 no. timber structures - Land west of Barth Bridge, Gawthrop, Dent	31 March 2025	Application Received	32
Reason for Delay:	The owner submitted an application on 14/3/25 allowing the case to be closed after discussions with the planning case officer.				
ES/01/174	09 February 2024	Unauthorised works to a listed building - Hackergill Farm, Dent, Sedbergh, LA10 5RQ	04 March 2025	No Breach	56
Reason for Delay:	Discussions with agent resulted in methodology for work to proceed on a repairs and maintenance basis rather than as a breach needing to be regularised				

B - Cases closed as being inexpedient to pursue

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks

Craven District

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
EC/06/8A	10 October 2022	Erection of decking and pergolas around static caravans - Howgill Campsite Ltd, Howgill Lodge, Howgill Lane, Barden, Skipton, BD23 6DJ	31 March 2025	Not Expedient	129

Reason for Delay: This matter was waiting for either an application to be submitted or the structures removed, it was a low priority case and as such took time to resolve as more pressing cases were being dealt with.

EC/71/57	23 November 2023	Alleged Erection of Polytunnel - Moor Close, Skirethorns, Threshfield, BD23 5NU	31 March 2025	Not Expedient	71

Reason for Delay: This case was kept open to monitor the removal of the polytunnel.