# Yorkshire Dales National Park Authority

Application Code: C/43/44G
Committee Date: 12/02/2019
Location: Angel Inn Wine Cave, Hetton

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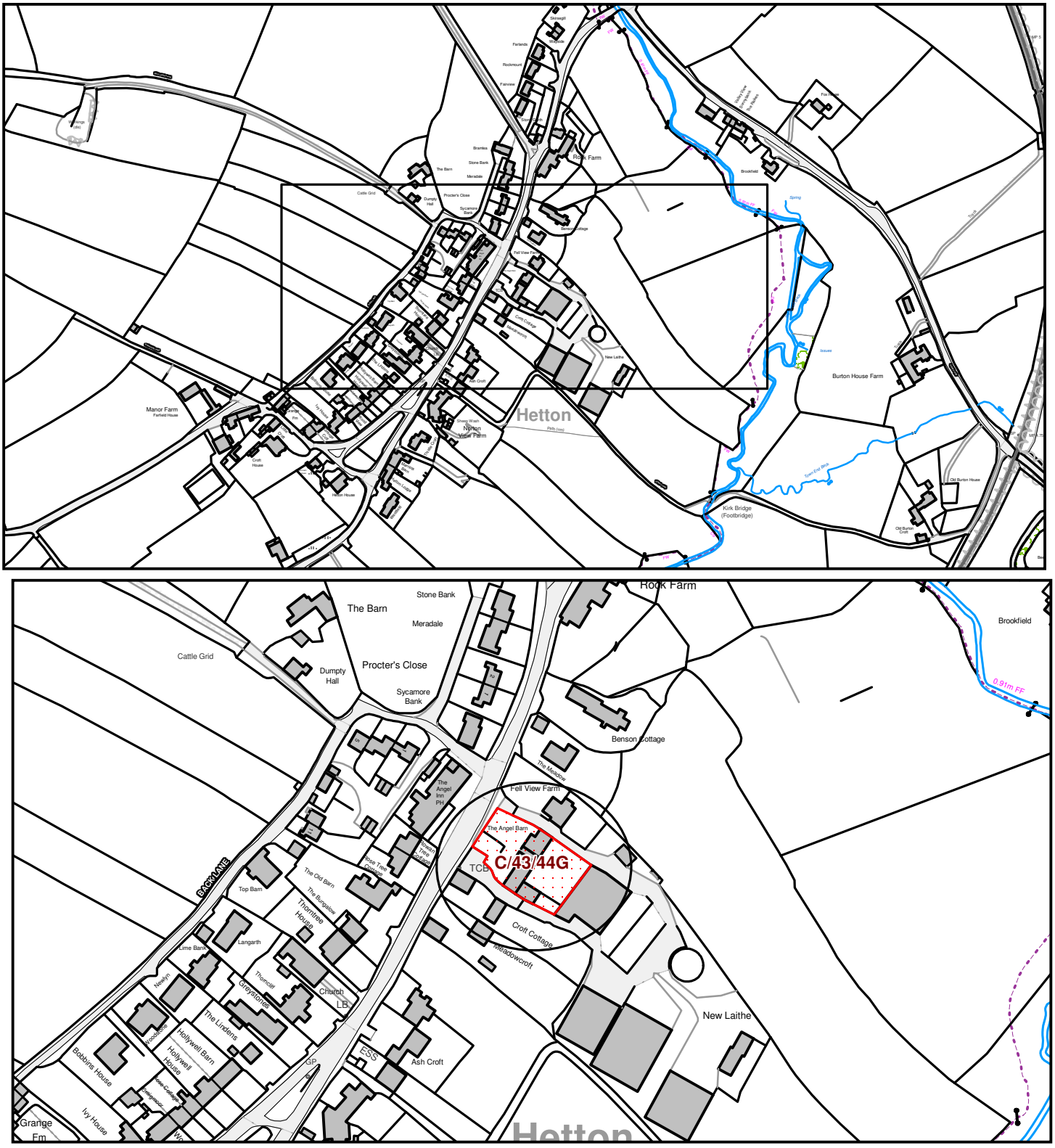


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## Schedule No:4

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| **Application No:** | C/43/44G | | |
| **District:** | Craven | | |
| **Parish:** | Hetton | | |
| **Applicant's Name:** | Wellock Property Ltd | | |
| **Grid Ref:** | SD96215884 | | |
| **Received by YDNP:** | 04/10/2018 | **Officer:** | Andrew Moxon |

**PROPOSAL:** **full planning permission for change of use of wedding reception venue (D2) with guest accommodation (C1) to restaurant (A3) and guest accommodation (C1) including internal and external alterations; rear extension and associated car parking**

**LOCATION:** **Angel Inn Wine Cave, Hetton**

**CONSULTEES**

**Hetton cum Bordley PM**

At the Hetton cum Bordley Parish meeting, held on the 16th October, Rural Solutions presented proposals for the redevelopment of both the Angel Inn and the Wine Cave. Following a question and answer session and subsequent meeting discussions it was unanimously agreed by the 34 attendees that the Parish should formally object to the application on the grounds of a loss of existing on site parking and a significant increase in on street car parking on Fleets Lane and the rest of the village of Hetton. In this instance the impact of the two applications in terms of car parking should also be considered together as the impacts are directly related.

With specific reference to the Wine Cave application. cTc consultants undertook a two day survey on 14th and 15th September 2018 which consisted of counting the number of cars in a number of zones identified in their report during every 15 minute time slot.

This is then asserted to be the current parking demand generated by the Angel Inn.

Future parking numbers for the Angel has then been calculated by multiplying the above numbers by the ratio of the increase in floor area post renovation to the current floor area.

The report makes reference to the Wine Cave generating a further 10 vehicles, although this number appears light over the course of an evening service.

Following discussions it was agreed that there are a number of significant flaws in this approach.

• The Angel is currently very quiet compared with

historic activity, so using current demand as a baseline for street parking is extremely misleading.

• On the weekend of the survey some visitors remarked that the Angel seemed very quiet, despite the fact that a message had been posted on Facebook that they were booked up. It seems evident that the survey was not carried out during a representatively busy period.

• The parking spaces behind the Wine Cave - of which there are 17 - are not identified anywhere in the documents, and on the days of the survey none of the cars parked there were counted. Section 4.2 of the cTc survey states “The internal parking area to the rear of the Wine Cave was not surveyed as, although this will be lost as part of the proposed development, so will the associated demand. Parking demand of the proposed uses of The Wine Cave building(s) have been explicitly calculated below, hence to include existing parking demand would be to double the demand associated with this use”

The above assumption is flawed, as the Wine Cave was not in use during the time of the survey, so any vehicles parked there would be either those of staff or customers at the pub, and would be displaced to the other zones if this facility was lost.

• Further to the previous point, on a quiet Friday recently at 4pm, when the Angel was closed, there were 12 cars in this area alone. Taken with the previous point these assumptions have reduced the perceived demand for on street parking, possibly by up to 17 vehicles. Inclusion of these vehicles alone would increase peak demand by over 65%.

• This effect is exacerbated by the date and time that the study was undertaken -activity in the village is not at a peak in September. The demand for parking from walkers, churchgoers, and cyclists on a Saturday or Sunday in school holidays would produce very different results.

• Sunday Services and special events at the chapel on evenings and weekends bring many more visitors to the village.

• In winter a number of residents have to park on the road, as access to their properties is impossible in icy conditions.

• The bus stop is not as identified in the correct place on the report , nor does it provide services to where it is stated in the report. There is no relevant bus service in the evenings which would be suitable for the fine dining experience described.

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| | • When the Angel previously secured approval for the Wine Cave the car parking provided to the rear was provided to prevent an increase in on street car parking. To now propose to build on the site and remove this parking to the road would appear in direct contravention of what was previously approved.<br>• This is a very small village with an existing traffic problem the pub alone is sufficient as an eating and meeting place.<br>• There has been no consideration for the adjacent Reeday farm that is next to the wine cave. This farm is at least 7 generation farm that has been a part of village life and is what the Yorkshire Dales is about and we don't want to effect their livelihood.<br>• The Angel Inn which will see their patronage increase, will struggle to cope with the car parking situation as it is, so putting additional 'Fine Dining" experience at the Wine Cave, will exacerbate an existing difficult parking situation.<br>On this basis a resolution was put to the meeting, which was unanimously passed to formally object to the proposed planning application for redevelopment of the Wine Cave. We urge the applicants to develop plans utilising the existing footprint or else focus their efforts on the Angel across the road. |
| **Area Ranger (Wharfedale & Littondale)** | Proposed development indirectly affects the PROW The development work is close to the public footpath. |
| **Wildlife Conservation Officer** | No objection subject to conditions. |
| **Highways North Yorkshire** | Condition 4 of the previous permission C/43/44D states that 'the existing car parking provision at Fell View shall be retained'. From the information provided this appears to be not the case. Consequently, the Local Highway Authority recommends that Planning Permission is REFUSED for the following reasons:<br><br>The Planning Authority considers that in the absence of adequate on-site parking space the proposed development would be likely to result in vehicles being parked outside the site on the County Highway to the detriment of the free flow of traffic and road safety.<br><br>Comments from 26/10/2018:<br>In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:<br>Visibility is acceptable. Consequently the Local Highway Authority recommends that the application be |

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| | permitted |
| **Fire & Rescue Service** | Water supplies and access satisfactory. |
| **CEHO Craven** | No objection subject to conditions. |
| **Harrogate Police Station** | No objection. |
| **Senior Listed Building Officer** | •Moving the car parking from the rear to the front may have a negative impact on the barn, streetscene and surround buildings incl. the listed farmhouse.<br>•Concern over extension to the rear. |

**PUBLIC RESPONSES**

20+ letters of representation have been received in relation to the application. All representations are availabe to view on the extranet and are summarised below:

•Concrn over the impact on the highway network, parking and access.
•ars already park on Fleet Lane and make parking for residents difficult.
•The Chapel is well attended and carries out functions during the week and attendees park on the road.
•Cyclists/walkers and residents all park on the road.
•The Transport Statemenflawed and does not give a true reflection of the parking situation in Hetton. The dates when the survey was carried out is not reflective of the normal situation.

A letter of support from Welcome to Yorkshire commenting that the business will be a huge draw for visitors to the area which will bring additional revenue to the local and wider economy.

**RELEVANT PLANNING POLICIES**

T5(15) - Indoor visitor facilities

BE1(15) - Business development sites

SP1(15) - Presumption in favour of Sustainable Development

SP2(15) - National Park Purposes

SP4(15) - Development Quality

**OFFICER OBSERVATIONS**

REASON FOR COMMITTEE CONSIDERATION
The application is reported to Committee because the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

APPLICATION SITE
The application concerns the Wine Cave, formerly Fell View Barn in Hetton. The application building is located on the eastern side of Fleets Lane and opposite the Angel Inn. To the north and east of the site is Fell View Farm and to the south is Croft Cottage. A public right of way runs along the northern boundary of the site from Fleets in a south easterly direction towards Rylstone.

The subject building is a converted barn that is presently used as a wedding reception venue and accommodation. The building is set back from the highway with a yard area to the front where there is presently space for 6 cars to be parked. The barn has an archway

through to the rear courtyard where there is space for a further 16 cars to be parked.

Historically the barn was part of Fell View Farm. Adjacent to the site is Fell View Farmhouse which is a Grade II Listed Building and dates from the late 17th century and the barn may well date from a similar age, although the history of the barn has proved difficult to establish.

The barn was converted in the 1990s to staff and office accommodation for the Angel. Permission was granted in 2002 change the use to letting rooms and has been used as a wedding reception venue with guest accommodation for the past few years.

RELEVANT PLANNING HISTORY
Planning applications include:

C/43/44B Full planning permission for conversion of barn to form ten letting bedrooms to be used as annex to Angel Inn and provision of car park and Fell View Barn. REFUSED 27 September 1994. An appeal against this decision was dismissed.

C/43/44C Full planning permission to alter and use barn as separate staff and office accommodation to serve the Angel Hotel and to provide in that connection supporting storage and workshop space, also, to reposition two points of vehicular and pedestrian access, layout 23 car parking spaces with related means of enclosure, install LPG tank(s) and carry out works of landscaping. PERMITTED 23rd October 1996

C/43/44D Full planning permission for alterations and partial change of use from staff accommodation, managers house and associated facilities to letting accommodation. PERMITTED 21st April 2002

The application the subject of this report should be considered with reference to C/43/19F at the Angel 'full planning permission for internal and external alterations; erection of extension; change of use of staff accommodation to guest accommodation (C1) with associated car parking.' that is also on this agenda.

PROPOSAL
The proposal comprises a rear extension to the barn to create a dining area, the infilling of the archway with glazing to create an entrance and reception area, the landscaping of the yard to the rear to change it from a car park to a courtyard and an altered parking arrangement to the front of the building. The use of the building would alter from a wedding reception venue to a restaurant with accommodation. The number of letting rooms proposed reduces from 6 to 4.

KEY ISSUES:
-principle
-design
-transport issues
-amenity of neighbours
-biodiversity
-parish council comments

PRINCIPLE OF DEVELOPMENT
The National Planning Policy Framework (2018) [NPPF] advises that planning decisions should enable "the sustainable growth and expansion of all types of business in rural

areas" and "sustainable rural tourism and leisure developments which respect the character of the countryside." [para.83]

The National Park Management Plan (2019-2024) includes objective E2, viz: "Improve the quality, variety and marketing of the tourism 'offer' to encourage more overnight stays and more visitors in the quieter months, so that the value of tourism grows by at least 5% in real terms by 2024."

This objective for the local economy is carried forward in the Yorkshire Dales Local Plan (2015-2030) in strategic policies SP1 'Sustainable development' and SP3 'Spatial strategy' and in policies BE1 'Business development sites' and T5 'Indoor visitor facilities'.

Policy BE1 permits the expansion of existing business premises to include new business uses subject to satisfying the requirements of policy SP4 'Development quality'.

Policy T5 'Indoor Visitor Facilities' states "Development of indoor facilities aimed at visitors but not reliant on the special qualities of the National Park, will only be supported where it is located within existing settlements." In the justifying text (para. 6.32) restaurants and hotels are listed as an 'indoor visitor facility'.

In simple terms the general thrust of these policies is to support the expansion of existing tourism related businesses providing the proposal is acceptable on design, transport and amenity grounds (ref. SP4).

The current use of the Wine Cave is as a wedding reception venue with guest accommodation (Use class D2). The proposal is for a different type of business use, a restaurant with guest accommodation (A3).

The proposal will create employment with 15 full time equivalent posts working at the Wine Cave directly (kitchen staff, front of house and housekeeping) and a further 4 in administration and maintenance.

DESIGN
The building has maintained much of its agricultural character despite conversion and it makes a significant beneficial contribution to the character and appearance of this part of the village.

The proposed alterations to the building are restricted primarily to the rear. The rear extension is designed to be light weight so it does not compete with the primacy of the barn or challenge its architectural integrity. It includes a flat roof so that it does not interfere with the first floor windows and with its glazed walls and bronze metal fascia is overtly modern in appearance. The amended plans show that the extension is set in from the northern boundary meaning that the boundary wall itself is unaltered by the proposed development.

The glazing of the arch opening would likewise retain much of the buildings existing features.

The adjacent building to the north, Fell View Farm house, is a Grade II listed building and the impact on the setting of the listed building has to be considered. Although the barn has historically been associated with the farm house, the farm house has its own distinct curtilage and the high boundary wall dividing the two would ensure that the extension does not intrude on the setting of the listed building.

The proposal includes a flue in the roofslope of the rear elevation which is not in obvious public view and would not cause any significant harm to the character or appearance of the building.

The glazing of the archway means that the parking area in the rear yard is removed and the altered layout of the front yard to create parking spaces would have a neutral impact on the street scene. The front area is already laid out with hard surfacing and limited planting and this would not significantly change. There is scope to improve the soft landscaping to the front of the site and this is suggested by condition.

TRANSPORT ISSUES
There are currently 16 parking spaces in the rear courtyard of the Wine Cave that are accessed through the archway. The proposed development would see these spaces removed. The area to the front of the building is shown as having parking for 9 vehicles. With 30 covers it is likely that, at times, customers would need to park on Fleets Lane or surrounding roads.

The NPPF provides the following guidance (para.109):

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

A Transport Statement has been submitted with the application that includes a highway survey carried out on Friday 14th September 2018 between 14:00 and 22:00; and Saturday 15th September 2018 between 14:00 and 22:00.

The parking numbers referred to in the Transport Statement combine both the Angel Inn and the Wine Cave. However, there are two applications and neither is reliant on the other. Using the combined parking available to the Angel Inn, and the Wine Cave, the proposals would amount to 13(+1) spaces at the Angel Inn, 9 at the Wine Cave and a total of 18 on Fleets Lane which gives a total of 40(+1). Although the Transport Statement has a number of shortcomings or flaws, as the Parish Meeting point out, it nevertheless calculates that the peak demand across both sites is 25 on Friday and 23 on Saturday.

The Transport Statement also points out that Hetton is served by no. 72 bus service from Skipton to Buckden which runs Monday to Saturday via Hetton but does not actually travel through the village. The route is along Raikes Lane and Fleet Lane with the nearest bus stop around 200m to the north of the Angel Inn. It is the case that apart from local residents visiting the Wine Cave the majority of patrons will drive to it.

It is also the intention for the Wine Cave to operate a taxi service for customers as a way of reducing the need to for patrons to drive to the Wine Cave. Such an enterprise cannot be required as part of any permission and so should not be given significant weight in the consideration of the application.

The Highways Authority initially did not raise any objections to the proposal, however updated comments from the 28th November 2018 recommend refusal:

"…… in the absence of adequate on-site parking space the proposed development would be likely to result in vehicles being parked outside the site on the County Highway to the

detriment of the free flow of traffic and road safety."

It is your Officers opinion that the above reason for refusal has not been substantiated. It is agreed, and the Transport Statement confirms, that the proposal will likely result in cars parking on Fleets Lane. That, in and of itself, can not be considered to be detrimental to the free flow of traffic or road safety or the wider amenity of residents of Hetton, without some analysis to substantiate it. The application has to be judged against policy SP4 and the NPPF with specific reference to the cumulative impact of the development on the road network having to be severe in order to justify refusal of planning permission.

It is noted that planning permission C/43/44D, approved on 21 April 2002 included the following condition "The existing car parking provision at Fell View Barn shall be retained". The reason for this condition is "to ensure satisfactory on-site car parking provision." At the time this condition was considered necessary to make the proposal acceptable.

In this instance, the proposal is for a different use of the building and so whilst the planning history of the site is relevant, it is not a determining factor in the consideration of this application. The proposal has to be considered in relation to the proposed use, the information submitted and the relevant current policies.

Permission should only be refused if it can be sustained on appeal by evidence. The Highway Authority has not provided any technical evidence (despite requests) to challenge the conclusions presented by the applicant's consultants.

AMENITY OF NEIGHBOURS
The Wine Cave sits between residential properties: Fell View Farm to the north east and Croft Cottage to the south west. The proposal does, therefore have the potential to affect the living conditions of nearby residents.

The use of the rear yard as a formal courtyard for patrons to utilise has the potential to cause low level disturbance. However it is possible to ensure that the courtyard does not become a formal dining area, or that amplified music is played outside, through the imposition of appropriate conditions.

The current use of the building is as a wedding venue with guest rooms and is likely to generate some noise and disturbance to neighbours during such large events. The use of the building as a 'fine dining' restaurant with guest rooms could have a lesser effect with the most disturbance arising from customers coming and going. With parking removed from the rear activity would therefore be largely concentrated in the front and street.

The courtyard is not visible directly from the neighbouring properties. There would not, therefore, be any overlooking or loss of privacy caused by the proposed development.

The glazed walls of the extension does mean that during the hours of darkness it is likely that light will shine out of the extension into the yard area. The light will be, primarily, restricted to the yard and contained by the high boundary walls. A limited amount of light spilling will occur during the evening hours but it is not considered that this would result in significant harm to amenity or the living conditions presently experienced by neighbouring residents.

It is noted that there is a cattle building tight to the rear (south eastern) boundary of the site. A timber screen is proposed along this boundary, however, noises and odours from

the cattle shed would likely still be noticeable when stood in the courtyard. That is a matter for the applicant to consider and manage as they see fit. The plans show a 2.1m high timber fence would be erected along the rear boundary.

The kitchen is shown as being in the north end of the building. An extraction flue is proposed on the rear roof slope and it is noted that the operation of the extraction system could generate noise. However, the installation of a suitable system (including noise assessment) and its proper maintenance to the satisfaction of the Environmental Health Officer could be secured by condition

The plans show that the waste bins would be stored in front of the road side elevation behind a stone wall. It is not envisaged that this would impact negatively on the amenity of nearby residents or be deleterious to the appearance of the building.

IMPACT ON BIODIVERSITY
Policy W2 of the Yorkshire Dales National Park Local Plan (2015-2030) requires new development that would have an impact on biodiversity to make a proportionate on-site contribution to wildlife enhancement, in accordance with Table 7 on page 89 of the Local Plan. In this case, nesting boxes are recommended and a condition is suggested requiring their installation. Further details on this can be found in Section B.3 of the Yorkshire Dales National Park Design Guide (2017).

PARISH MEETING COMMENTS
Hetton cum Bordley Parish Meeting object to the proposed development on the ground of a significant increase in on street car parking, highway safety and a flawed delivery strategy.

The thrust of these comments are considered above. It is acknowledged that the applicant's Transport Statement could have included more comprehensive survey data and has some shortcomings or flaws, as the Parish Meeting point out, but in the absence of any evidence to challenge the Transport Statement it is considered that it is unlikely to be tenable to refuse permission on an unsubstantiated assertion that the proposal would have a severe impact on the road network or highway safety.

ANALYSIS OF MATERIAL CONSIDERATIONS
It is considered that the proposed extension and glazed archway would not harm the character or heritage significance of the building and that the setting and significance of the listed Fell View farm house would not be affected by the proposals.

The proposal is unlikely to cause any significantly greater disturbance to the amenity of neighbours than the current use and aspects of the use of the rear courtyard can be controlled unlikely to ensure that it is only used in an informal, low-key way.

The proposal will result in a reduction in off-street parking by the removal of spaces in the rear courtyard. Although 9 off street spaces would be provided at the front of the site that is insufficient for a restaurant of 30 covers and some patrons will park on the street.

Nevertheless it has not been demonstrated that the cumulative impact of the Wine Cave and Angel Inn proposals would result in an impact on the highway network that could be considered to be ‘severe’ which is the test applied in the National Planning Policy Framework.

It is acknowledged that the proposal would provide significant benefits to the local economy

through spending by visitors staying or eating/drinking at the Wine Cave and through employment of a significant number of local people in the business.

**RECOMMENDATION**

It is recommended that permission is granted subject to conditions that include the following:

-standard time limit
-development in accordance with drawings
-parking spaces to remain for vehicle parking
-off road parking for contractors vehicles to be made available during construction works
-sample stone and roofing material of extensions to be agreed
-no outdoor dining or formal events in the rear yard
-no outside amplified music
-details of external lighting
-landscaping
-parking spaces retained
-approval of extraction system including noise assessment
-Odour Management Plan required in relation to the flue