

**YORKSHIRE DALES NATIONAL PARK AUTHORITY**

**PLANNING COMMITTEE 13 AUGUST 2019**

**Late Consultations Summary Sheet**  
**(Received by 09 August 2019)**

**Members can view late consultations in full on the Members' Extranet**

**Item 05**

<p><b>01</b></p>	<p><b>C/45/152G</b> Natural England</p>	<p><b>Falls Park, Oddies Lane, Ingleton</b> Natural England were reconsulted on a Foul Drainage Assessment form and have stated 'The form provides the required amount of detail and assures us that there will be no impact to Thornton and Twisleton Glens SSSI resulting from the foul drainage system. As such, we no longer require you to secure mitigation in the form of a plan for the operation of foul waste at the site.'</p> <p>Planning Officer comment – the condition requiring the submission of details regarding the operation of foul waste disposal systems is no longer necessary</p>
<p><b>04</b></p>	<p><b>E/03/40</b> Applicant</p> <p>2 emails from local residents</p>	<p><b>1 Stepping Stones, Maulds Meaburn</b> 1 email from the applicant clarifying that there has been no public objection to the application at any Parish Council meeting.</p> <p>reiterate comments made on the original application regarding the principle of the development, access, flooding and land ownership. In relation to the latter matter it is clarified that the planning system entitles anyone to apply for permission to develop any plot of land, irrespective of ownership. This does not however override any civil rights, which can preclude development from being implemented, if the consent of the owner is not obtained. The land ownership records from Land Registry indicate that the applicant owns the land to which the application relates.</p>
<p><b>09</b></p>	<p><b>S/03/616A</b> Agent</p> <p>Principal Planning Officer</p>	<p><b>6 Finkle Street, Sedbergh</b> Agent submitted a late submission document including an email from YDNPA from 2013 which stated the change of use of the upper floors to a residential use would be permitted development. It stresses that the change of use of the upper floors to a flat reinstates the previous use of the property on these floors. A local occupancy restriction will set an undesirable precedent on the business community and have financial repercussions on the owner of the property.</p> <p>The 2013 response from YDNPA stated that planning permission was not required as the change of use of</p>

the upper floors to residential use was permitted development. This was based on the understanding that the premises were in retail use (A1 use class). In 2016 planning permission was approved for the change of use of the first floor to a café (A3 use class). This approval was implemented. As such, the current application to change the use of the first floor café to residential use is not permitted development and requires planning permission. Furthermore, the ground floor alterations proposed, including a new doorway and connecting corridor, also prevent the proposed change of use falling within the scope of permitted development and therefore the scheme as currently proposed requires planning permission.

Failure to impose a local occupancy restriction would not accord with Local Plan Policy and may set a harmful precedent which could undermine one of the Authority's key objectives of seeking to provide residential accommodation for local people at an affordable price.

**Richard Graham**  
**Head of Development Management**