Yorkshire Dales National Park Authority

Application Code: R/01/147A
Committee Date: 12/02/2019
Location: The Old Butcher's Shop, Langthwaite, Reeth

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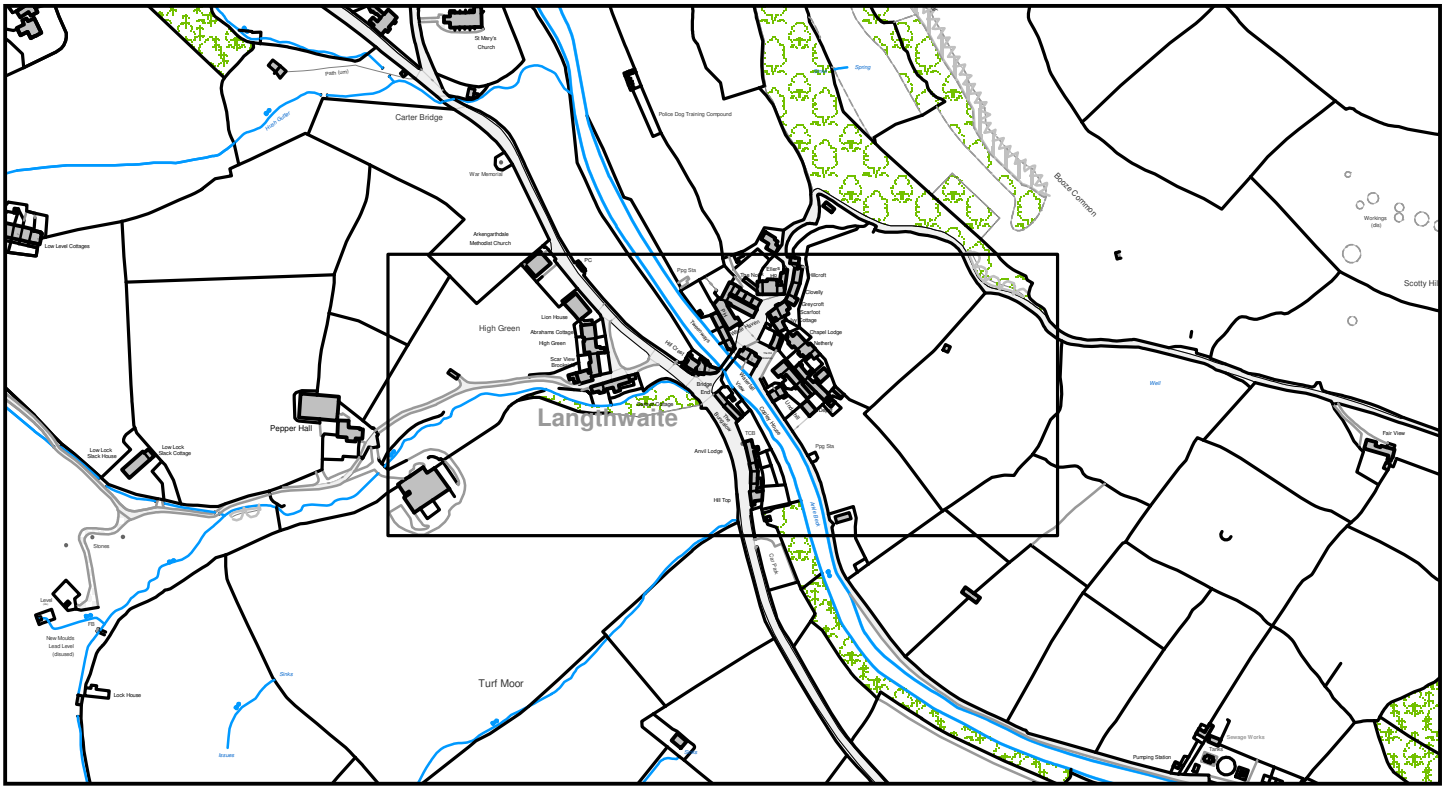

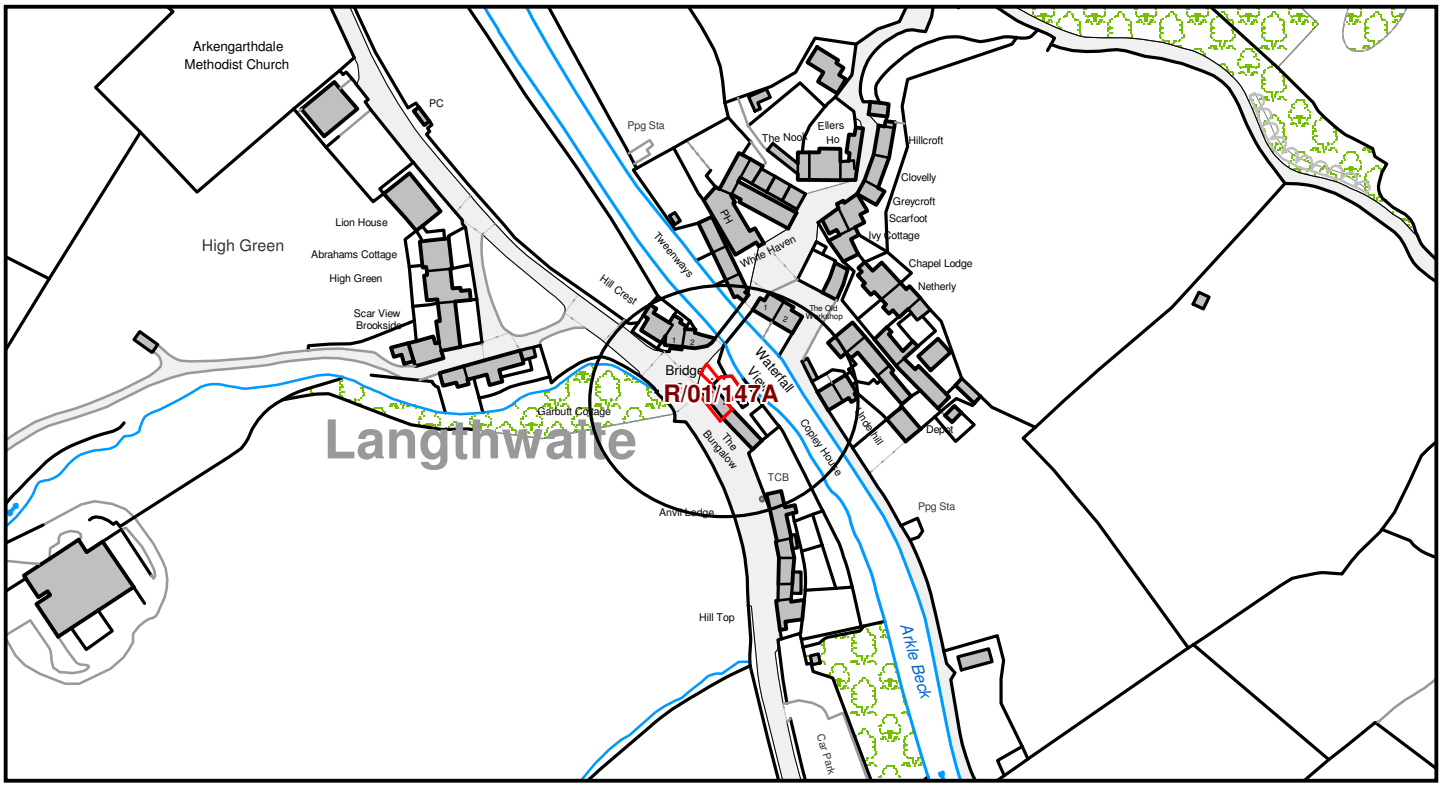

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Schedule No:6

Application No:	R/01/147A		
District:	Richmondshire		
Parish:	Arkengarthdale		
Applicant's Name:	Mr R Wright,		
Grid Ref:	NZ00480243		
Received by YDNP:	03/04/2018	**Officer:**	Andrew Bishop

PROPOSAL: **full planning permission for conversion of butcher's shop to local occupancy dwelling**

LOCATION: **The Old Butcher's Shop, Langthwaite, Reeth**

CONSULTEES

Arkengarthdale PC	The parish council support this application.
Reeth and Arkengarthdale Ward	No comments received.
NYCC - Area 1 Richmond Highway Depot	No objections subject to conditions.
North Yorkshire Building Control	No comments received.
Senior Listed Building Officer	No objection subject to conditions.
Wildlife Conservation Officer	No objections subject to provision of bat box.
Environment Agency	No objection subject to FRA flood proof and resilience measures being implimented.
Trees & Woodlands	No objections.

PUBLIC RESPONSES

Two correspondents have stated that they are pleased that the building is being developed sympathetically and that the tree is being retained.

RELEVANT PLANNING POLICIES

L1(15) - Heritage assets

L2(15) - Conversion of traditional building - acceptable uses

L3(15) - Conversion of traditional buildings - building treatment

W1(15) - Wildlife sites, species and networks

W2(15) - Biodiversity enhancement

W3(15) - Protecting trees, hedgerows and walls

CC2(15) - Flood risk

SP1(15) - Presumption in favour of Sustainable Development

SP2(15) - National Park Purposes

SP4(15) - Development Quality

OFFICER OBSERVATIONS

REASON FOR COMMITTEE CONSIDERATION
This application is reported to the Planning Committee for the following reason: in the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by the Committee.

APPLICATION SITE
The application site is a traditional stone building at the centre of the settlement of Langthwaite. It stands beside the junction of the main Arkengarthdale road with the minor road over the Arkle Beck Bridge into the square with the Red Lion Public House. The building is attached to a traditional dwellinghouse, The Bungalow, and there are terraces of houses lining the same side of the main dale road. The building has the character of a bank barn with the upper storey elevation fronting onto the road and a two-storey elevation facing the beck across a rear yard. A large Sycamore tree is growing on the alignment of the retaining wall above the beck.

PROPOSAL
The application is to convert the building into a local occupancy dwelling.

RELEVANT PLANNING HISTORY
The building was granted conditional planning permission for conversion to a dwellinghouse under delegated powers in October 2014 following completion of a S106 agreement. That permission has lapsed without being implemented.

KEY ISSUES
-principle of the development
-impact on character and appearance of the building and its setting
-trees
-residential amenity and privacy
-flood risk
-highway safety
-protected wildlife species
-parish council comments

PRINCIPLE OF THE DEVELOPMENT
The National Planning Policy Framework (NPPF 2018) sets out the purpose of the planning system: to contribute to the achievement of sustainable development. The circumstances listed include - "the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets" and "the development would re-use redundant or disused buildings and enhance its immediate setting."

The Yorkshire Dales Local Plan (2015-30) aims to deliver sustainable development in the National Park context. It aims to achieve the conservation and enhancement of traditional buildings (heritage assets) by allowing them to be adapted or converted to new uses,

providing the building and its landscape have the capacity to absorb them.

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.

Policy L2 is a strategic spatial planning policy (ie. it governs where development 'should go'). It 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 only allowed in isolated buildings where there would be no material alteration to the exterior of the building or its surroundings.

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.

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

The application building is of traditional stone construction and dates from the 19th century. The building is not listed but its age and construction make it worthy of being considered as a non-designated heritage asset. 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 Policy L1.

The building's roadside position at the heart of Langthwaite means that it is a sustainable location for development as required by policies SP1, SP2 and SP3. It also meets the locational criteria for conversion to a dwelling under local plan Policy L2. That the building has a lapsed planning approval for conversion to a dwelling is also a material planning consideration. The building can therefore be considered for conversion to a residential use but must be assessed against Policy L3 which sets out considerations to be taken into account to achieve an acceptable development.

The applicant has agreed to enter into a Section 106 agreement that would restrict occupancy to those persons who meet the Authority's local occupancy criteria. It is considered that the conversion of this traditional building to a local needs housing unit is acceptable in principle.

IMPACT ON CHARACTER AND APPEARANCE OF THE BUILDING AND ITS SETTING
The application building is at a prominent location due to its position at a road junction in the centre of Langthwaite. The upper floor level is seen from the road in the context of the adjoining house and the others grouped around Bridge End. The rear of the building is seen from the dwellings and public areas on the other side of the Arkle Beck. The Old Butcher's Shop is not within the Arkengarthdale Barns and Walls Conservation Area but it faces open fields on the opposite side of the road that are within its designated boundary.

The amended conversion scheme would have two bedrooms and a bathroom on the ground floor which has doors and windows facing the beck. The kitchen and living room

would be on the upper floor level where the openings face onto the road. The existing doors and windows are adequate for the conversion without any addition except for two rooflights on the rear roof slope and one on the front. Two of these are for the kitchen which would not otherwise have any natural light. A staircase would be fitted to link the floor levels and new doorways made through internal dividing walls to allow circulation.

No extensions or additional buildings are proposed. A structural report confirms that the roof timbers would be repaired or replaced and walling tops consolidated, otherwise the building is capable of conversion without rebuilding. Externally the hard surfacing of the rear yard, the beck side wall and Sycamore tree would all be retained as they are. The converted building would have a connection to the public sewer in the adjoining road and already has an electricity supply. No new servce line is therefore required.

The conversion scheme would not cause any harm to field walls and barns for which the conservation area has been designated. The development would be a sympathetic conversion of the existing building without the need for its extension or creation of addditional openings. Its relationship in views to or from the conservation area would essentially remain as they are. The conversion scheme would maintain the external appearance and character of the existing building and not harm the setting of the conservation area and is therefore acceptable under policies L1 and L3.

TREES

The large Sycamore tree at the rear is growing on the edge of the retaining wall above the Arkle Beck. The height of this tree means that it has visual amenity value as it is seen from surrounding public areas. Two correspondents are pleased that the tree is being retained as part of the scheme. A plan has been provided showing that it will be protected by fencing and its roots cushioned by wood chip and boarding laid in the yard for the duration of the conversion works. The Trees and Woodlands Officer has inspected the tree and has no objections to the proposed development and the methods for its protection. The proposals would not have any significant adverse impact on the tree and meet the requirements of policy W3.

RESIDENTIAL AMENITY AND PRIVACY

The upper road facing windows do not face any dwellings. The only ground floor windows and doors on the rear face across the Arkle Beck towards properties which are at a distance of some 28m. This distance assisted by the intervening mature tree and boundary walls would ensure adequate residential amenity and privacy. The converted building would have the use of the rear yard for its own domestic activities and parking. The attached house has a right of access across the yard which would not be obstructed. No objections have been received on amenity grounds and two correspondents are pleased that the building is being developed sympathetically. It is therefore considered that the proposal would not be significantly detrimental to residential amenity and privacy and complies with policy SP4.

FLOOD RISK

The proximity of the building to the Arkle Beck places it within Flood Zone 3 where it theoretically is at risk of flooding. Following submission of a detailed Flood Risk Assessment and a site visit by the Environment Agency the it is accepted that the building is not likely to flood due to the lower bank level on the other side of the beck. The Environment Agency has no objection as it is accepted that the converted building would not be vulnerable to flooding or increase flooding elsewhere. The scheme complies with policy CC2.

HIGHWAY SAFETY
There is room for two car parking spaces on the private driveway leading to the rear yard. The Highway Authority has no objections subject to the parking area being retained and that doors and windows on the building do not open over the public highway. The scheme is acceptable in terms of highway safety and in accordance with policy SP4.

PROTECTED WILDLIFE SPECIES
Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2010. 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.

An up-to-date Bat Scoping Survey Report has been submitted. The bat survey report indicates that there are no bats using the property but that they are active in the vicinity. The Senior Wildlife Conservation Officer considers that no mitigation for bats is needed as a result of the conversion. The provision of bat boxes on the building would improve opportunities for them to roost. Subject to this requirement the scheme meets the requirements of policies W1 and W2.

PARISH COUNCIL COMMENTS
Arkengarthdale Parish Council supports the application.

ANALYSIS AND MATERIAL CONSIDERATIONS
The application relates to a traditional building which is of heritage significance located in the village of Langthwaite where its conversion to a local occupancy dwelling can be considered acceptable in principle. The proposed conversion scheme would maintain the character and appearance of the building and not harm its setting in the village and landscape and is acceptable in terms of impacts on residential amenity, trees, flood risk, highway safety and enhancement of biodiversity and is in accordance with Yorkshire Dales Local Plan (2015-2030) policies SP1, SP2, SP4, L1, L2, L3, W1, W2, W3 and CC2 and the National Planning Policy Framework (2018).

RECOMMENDATION

It is recommended that permission is granted subject to the completion of a S106 agreement restricting occupancy to those that meet the local needs criteria set out in Appendix 5 of the Yorkshire Dales National Park Local Plan (2015-2030) and the following conditions:
-time limit
-specified plans
-no demolition
-specification of conversion work including roof slates, cills and lintels, pointing, windows and doors, rooflights, rainwater goods, vents and flues
-no sand blasting
-tree protection measures
-external lighting
-flood resilience measures
-highway authority conditions
-in accordance with Bat Survey report, Flood Risk Assessment, Structural Survey and Method Statement
-removal of permitted development rights for extensions, alterations and curtilage buildings.