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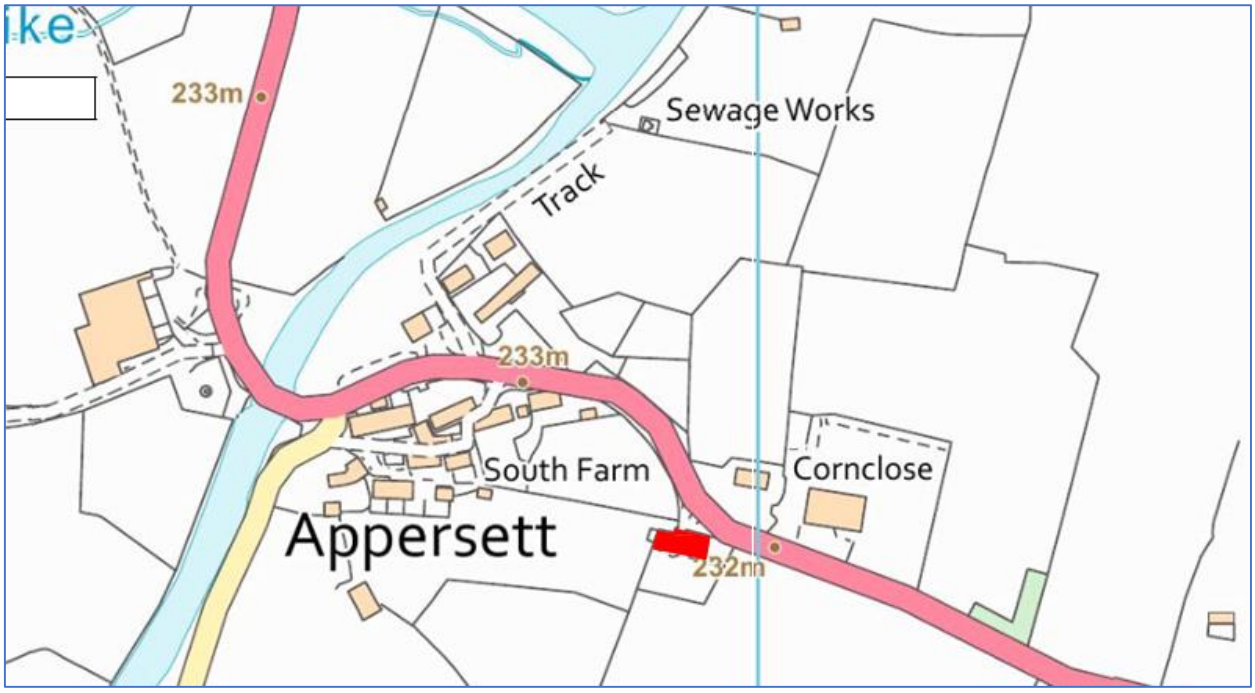
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Hawes
Date:	23rd March 2021	**Officer:**	Andrew Bishop
Applicant:	Mr & Mrs S D'Orazi Flavoni	**Application No:**	R/56/475A
Site Address:	Toms Barn, Appersett		
Proposal:	full planning permission for conversion of barn to 1 no. local occupancy dwelling or holiday let and installation of package treatment plant		



REASON FOR COMMITTEE CONSIDERATION

1. The recommendation of the Parish Council is contrary to the decision that the Head of Development Management proposes to take.

APPLICATION SITE

2. The proposal relates to a substantial traditional barn standing on the south side of the A684 at the eastern end of Appersett on the outside of a bend opposite the residential property and haulage yard at Cornclose. The application site includes the barn and the flat ground immediately adjacent to it up to the existing gateway to the highway. The field to the south of the barn rises steeply away from the road.
3. There is a large mature Sycamore tree in the corner of the field next to the eastern gable end of the barn which is protected by a Tree Preservation Order. An access into the adjoining field passes on the field side of the barn. There are four windows and three doors on the southern, main elevation facing into the field away from the road and a window on the eastern gable end. The northern and western elevations of the barn do not have any door or window openings.

PROPOSAL

4. The application is to convert the barn into a 2 bedroomed dwelling for local occupancy or short term holiday letting. No rebuilding, extensions or new window and door openings are proposed other than two rooflights, one on each roof slope. Amenity space would be within a new walled area in front of the southern elevation which faces away from the road. Parking and turning and bin storage areas would be to the western side of the barn next to the gateway to the highway.

RELEVANT PLANNING HISTORY

5. R/56/475 full planning permission for conversion of existing agricultural building to form a single dwelling or holiday accommodation unit was approved on 06/08/2019 following the decision made by Members at the 9th July 2019 Planning Committee and the completion of a Section 106.

CONSULTATIONS

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

Trees & Woodlands – No objections subject to conditions regarding compliance with the Tree Survey and Arboricultural Method Statement and no trenches or surface changes within Root Protection Zones.

Wildlife Conservation Officer – No objection subject to confirmation of mitigation for bats and installation of Barn Owl and bird boxes.

Environment Agency - In the absence of an acceptable Flood Risk Assessment (FRA) it is recommended that planning permission be refused.

CEHO - Richmondshire DC – No objection subject to condition for unexpected contamination.

Fire Officer – No comments received.

Building Control – No comments received.

Highways – No objections subject to condition that the parking and turning area has been constructed and retained.

Hawes & High Abbotside PC – The Parish Council support this application for local occupancy only as there are already many holiday lets.

Building Conservation Officer – The Heritage Significance of the barn would be affected by the raising of the lintel, rooflights, size of car park and a raised planting bed.

PUBLIC RESPONSES

7. None received.

ASSESSMENT

8. **Key Issues:**
   - planning law and policy
   - principle of the development
   - landscape impact
   - trees
   - residential amenity
   - highway safety
   - flood risk
   - protected wildlife species

Planning law and policy

9. The National Planning Policy Framework (NPPF 2019) sets out the purpose of the planning system: to contribute to the achievement of sustainable development. It directs planning authorities to avoid the development of isolated homes in the countryside unless certain circumstances apply. 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."

10. 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.

11. Policy L2 is a strategic spatial planning policy. 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.

12. 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.

13. As the northern wall of the barn forms the boundary to the A684 road it physically adjoins the highway and as such meets the locational criteria set out in Policy L2. An assessment of the impact on the landscape is set out below. The barn is not a listed building but is a traditional building of high heritage significance. The barn was constructed before 1840 and seems to be little altered from its original construction and so is considered to be a non-designated heritage asset. Policy L1 permits development that conserves the heritage significance of a barn if it is in accordance with the criteria in policy L3. The applicants have agreed to enter a Section 106 agreement that would restrict occupancy to those persons who meet the Authority's local occupancy criteria and for short term holiday letting.

14. The barn has an extant approval for conversion granted by Members at the July 2019 Planning Committee meeting. The development for the conversion of the barn has not been commenced. The approval allowed use of the barn as either a local occupancy dwelling or short-term holiday accommodation. This extant approval is a material consideration in the determination of this application. The current proposals for the conversion of the barn differ from that approved in a number of ways hence the need for a new application. The proposed details of the conversion are set out below.

Landscape impact

15. As with the previous application the proposals do not entail an extension, rebuilding or significant and adverse changes to the overall appearance of the barn. The proposed scheme is for a two-bedroom dwelling rather than a three bed as has been previously approved. The reduction in the number of bedrooms allows the living and dining space at one end to be full height. This would better retain the agricultural character of the interior. The windows and door openings are almost exclusively on the south elevation which is out of sight of the road. The proposals show the head of the central doorway being raised by 300mm. This is to facilitate entry with the internal floor level having to be raised above flood level. The approved scheme shows the head of the left-hand door being raised instead for the same reason. More detailed inspection of the stonework has found that this would entail cutting into a large corner quoin stone. The raising of the central doorway is therefore less damaging to the stonework.

16. As with the previously approved conversion the other existing window and doors would be utilised without any addition or enlargement being made to the openings. The openings would all be fully glazed with single sheets of glass. This is instead of some being partially infilled with timber boarding or having additional secondary timber shutters.

17. As with the approved scheme one small rooflight would be added to each side of the roof. The proposed conversion puts the rooflights in a different position to maximise the natural light to the interior spaces to suit the change to the internal layout. The size of the rooflights in the current scheme has been considerably reduced following negotiations with the applicant.

18. The proposed curtilage would encompass the access and parking area and a walled enclosure separating the windows and doors on the south elevation from the field. The extent of hard surfaced amenity space in front of the main southern elevation which would be enclosed by a new stone wall has been reduced. As before car parking would be just within the field gate to the road and beside the barn. The parked cars would be partially hidden from view by the barn and the adjoining field walls. An area within the car park has been identified for a covered bin enclosure and possible heat pump. Further details would be required by condition. Critcally, the TPO tree is not included within the curtilage.

19. There are existing overhead lines on the hillside behind the barn and on the other side of the road. Any new connections should be undergrounded to avoid additional poles and lines being a visual detraction in the landscape. It is considered that the proposals would maintain the simple agricultural character of the barn and not have a significant or adverse impact on the landscape.

Trees

20. There is a mature Sycamore adjacent to the barn and also Ash and other trees along the field boundary rising up the hillside above the barn. The Sycamore tree is judged to be around 170 years old and is in good health with a fairly well balanced and compact canopy. It has an estimated life expectancy of at least another 100 years and has been protected by a Tree Preservation Order (TPO). The Authority's Trees and Woodlands Officer considers that the proximity of the tree to the converted barn could give rise to pressures to reduce the size of the tree by pruning. However, the protection afforded by the Order ensures that consent would be required for any significant works.

21. The applicants have submitted a Tree Survey which includes recommendations for the protection of the Sycamore during construction. The proposals would avoid any excavation,ground level changes, surface type changes or installation of services within the root protection zone. Full details of additional tree planting and other landscaping around the barn can be secured by condition.

Residential amenity

22. The barn is surrounded by fields on three sides and the nearest dwelling is Cornclose which is located on the opposite side of the A684. The barn conversion would not create any facing windows and the separation distance of 28m would ensure that there is no significant impact on the residential amenity and privacy of the occupants of either property.

Highway Safety

23. The proposed access to the barn is the existing field gate from the A684. This is located on the outside of a bend where there are unmade tracks across the highway verge to the gateway

into the field containing the barn. At the time of the previous application a Speed Survey was carried out on the A684 as the visibility from the access was below that required by the Highway Authority. The Speed Survey showed that the achievable visibility from the access is sufficient. The Highway Authority has not objected to the current application subject to conditions to ensure that the parking area is formed and retained for that purpose.

Flood Risk

24. The application barn stands on the valley floor and it is just within Flood Zone 2 relating to the River Ure and its tributaries. The proposal represents a 'More Vulnerable' use of the barn. Amendments have been made to the submitted Flood Risk Assessment on the advice of the Environment Agency following their objection that the original submission was inadequate. The Environment Agency has been reconsulted and their further response is awaited. The Environment Agency had no objections on flood risk grounds to the previous application.

Impact on Protected Species

25. 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. The application has been supported by its own Bat Survey Report following dusk emergence and dawn re-entry surveys. It reported that two day roosts in stone masonry crevices were found on the west and east facing gable ends of the barn. These are occasional day roosts for a relatively common species of bat.

26. The Authority's Wildlife Conservation Officer considers such roosts are of relatively low conservation status and the barn can be developed with adequate mitigation. The bat report suggests crevices could be left in the stonework or alternatively integral crevice bat boxes provided. As both options would be suitable for ensuring roosting opportunities post development a condition is proposed requiring a minimum of three of each. The rest of the mitigation proposed in the ecologist's report should also be followed including the siting of a nesting box for Barn Owls.

Parish Council Comments

27. Hawes and High Abbotside Parish Council have offered support for the application but only on the basis that it would be for local occupancy and not short-term holiday letting. They consider that there is enough holiday letting in the area already. The proposed use of the converted roadside barn would be in accordance with Local Plan conservation policies. Members have previously granted permission for the barn to be used for short-term holiday letting use. That is an extant permission which the applicants could implement. There are no sustainable reasons for a refusal of planning permission on the grounds given by the Parish Council.

CONCLUSION

28. The proposed conversion of the barn to either a local occupancy dwelling or for short-term holiday letting meets the locational requirements of policy L2 and the scheme would not harm the heritage significance of the building, its landscape setting, trees, residential amenity, highway safety or protected wildlife species and would not increase flood risk. It is considered that the proposal complies with policies SP1, SP2, SP4, L1, L2, L3, W1, W2, W3 and CC2 of the Yorkshire Dales Local Plan (2015-2030) and the guidance in the National Planning Policy Framework (2019).

RECOMMENDATION

29. It is recommended that Full Planning permission is GRANTED subject to a S106 agreement for local occupancy and short-term holiday letting and conditions including those listed below:

    1. Time limit
    2. Approved drawings and documents
    3. No demolition and/or rebuilding
    4. Receipt of details of meter boxes; storage of waste and recycling bins and; external illumination
    5. Details of the position and colour of windows and door frames; rainwater goods; replacement lintels, sills and jambs; natural roofing slates; retention of architectural features; pointing; roof lights; ventilation and extraction outlets and; flues.
    6. The blasting or pressure cleaning of stonework
    7. Installation of bat, barn owl and bird boxes
    8. Residential curtilage
    9. No trenches, excavations or burning within the crown-spread of any trees
    10. No tree felling, lopping or removal of branches from trees
    11. Parking and turning area made available before occupation
    12. Unexpected contamination
    13. Removal of Permitted Development rights for enlargements, improvements or alterations and curtilage buildings and structures