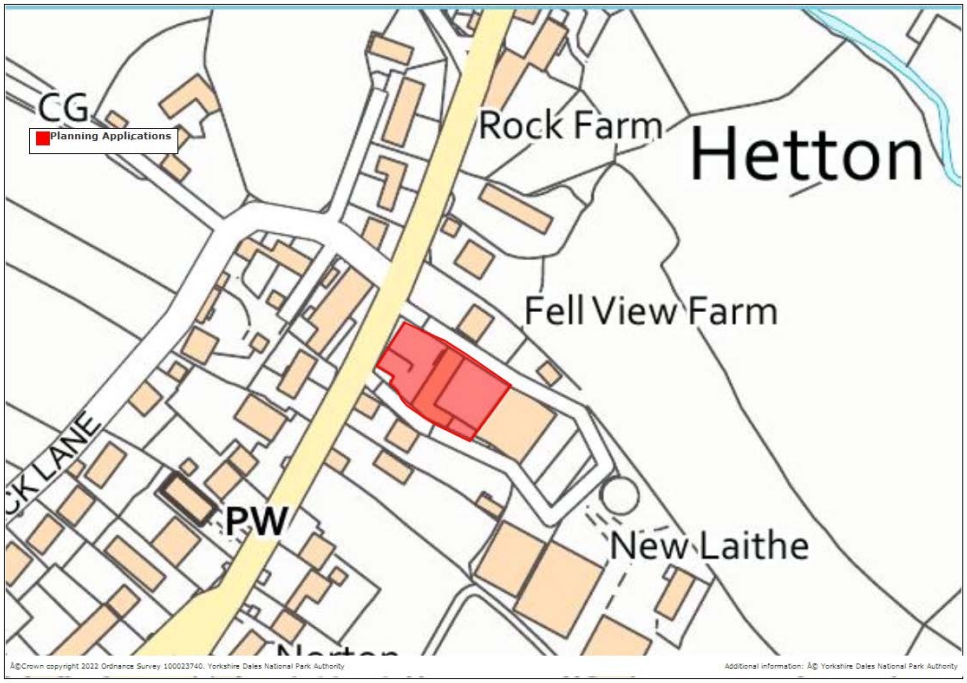
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Hetton
Date:	21 June 2022	**Officer:**	Katherine Wood
Applicant:	Wellock Estates Limited	**Application No:**	C/43/44H
Site Address:	Fell View Barn, Fleets Lane, Hetton, Skipton, BD23 6LT		
Proposal:	Full planning permission for erection of single-storey extension to provide three additional guest suites (C1 use), internal and external alterations to create two further guest suites; works to roof over and enclose the existing external storage area and provision of car parking and associated landscaping works		



REASON FOR COMMITTEE CONSIDERATION

1. 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

2. The application relates to Fell View Barn, a traditional former barn in the centre of the village of Hetton and across the road from The Angel Inn. Fell View Barn currently accommodates five en-suite letting bedrooms as an annex to The Angle Inn and a wine cellar serving the Inn.

PROPOSAL

3. This application seeks full planning permission to extend Fell View Barn to the rear and reconfigure the former barn to form a total of 10 hotel suites to remain ancillary to The Angel Inn. In addition to the five existing suites, two additional suites will be created within the existing building and a further three within the proposed extension. A new storage building is proposed along the western boundary of the rear courtyard. The courtyard, currently a car park of 17 spaces, would be retained to create 13 parking spaces and garden areas. To the front the existing car park/garden, currently 6 spaces, would be reconfigured to form 11 spaces.

4. The proposal also includes alterations to the existing building, including altering existing windows, infilling above the cartway to create a first floor and the addition of rooflights.

RELEVANT PLANNING HISTORY

5. The following applications are of most relevance:

   C/43/44B - Full planning permission was refused on the 27th September 1994 for the conversion of the barn to form ten letting bedrooms to be used as annex to The Angel Inn and the provision of a car park. A subsequent appeal against the decision of the Authority to refuse planning permission was dismissed on the 17th May 1995.

   C/43/44C - Full planning permission was granted on the 23rd October 1996 for the alteration and use of the barn as separate staff and office accommodation to serve The Angel Inn 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 and install LPG tanks and carry out landscaping. The planning permission was subject to a Section 106 agreement which restricted the use of the manager's house and staff accommodation to be used and occupied by the manager and employees of the Inn, not to permit the barn to be used independently of the Inn or to be a self-contained residential unit, ensuring it remains as an annex and incidental to the use of the Inn, and to retain the barn in the same ownership as the Inn.

   C/43/44D - Full planning permission was granted on the 21st April 2002 for alterations and the partial change of use of the barn from staff accommodation, manager's house and associated facilities to letting accommodation (5 letting rooms). The planning permission was subject to a Section 106 agreement which sought to revoke and replace the existing Section 106

agreement and restricted the use of the first floor of the Inn to employees accommodation only, the use of the barn to only be used as residential letting accommodation for the residents and customers of the Inn, not to use or occupy the barn independently of the Inn or permit its use as a self-contained residential unit, ensuring it remains as an annex of and incidental to the use of the Inn and restricting erecting or growing anything within the visibility splay of the access. This permission is the current use of Fell View Barn and the S106 agreement is still in force.

C/43/19F - Full planning permission was granted on the 9th April 2019 for internal and external alterations; erection of extension; change of use of staff accommodation to guest accommodation (C1) with associated car parking at The Angel Inn. The permission granted includes the change of use of the upper floor bedrooms of The Angel Inn from staff accommodation (6 staff bedrooms) to 6 guest bedrooms (C1 use class), a single storey flat roofed rear extension to fill in the yard area across the back of the building, a two-storey rear extension in the southwest corner of the building to replace the existing roof terrace together with other minor extensions and alterations. The car parking for 14 vehicles to the front of the Inn would remain unaltered.

C/43/44G – Full planning permission was sought for the conversion and extension of Fell View Barn to form a restaurant and guest accommodation. This was refused on the 25th April 2019 due to the lack of on-site parking provision. That proposal would have blocked access to the rear courtyard parking area whilst increasing the floor space of the Angel Inn dining facilities and accommodation. An appeal was subsequently submitted against the refusal and later withdrawn.

CONSULTATIONS

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

Wildlife Conservation Officer – No objections.

North Yorkshire County Council Highways – No objections. Access to the site is existing with good visibility with no further measures to be implemented. The new extension removes a small amount of parking area however the design of the parking area still allows for acceptable levels of parking for this application. Vehicles can easily manoeuvre within the site to be able to access and egress in a forward gear. Consequently, the Local Highway Authority recommends conditions relating to the access, parking, manoeuvring, and turning areas.

Hetton cum Bordley Parish Meeting – objects to the application on the following grounds (in summary):

1. The proposal would result in the overdevelopment of The Angel Inn.
2. Concern regarding the level of off-street parking provided and the implications for on-street parking.
3. The blocking in of the back wall and animal welfare concerns.
4. Concerns regarding lighting
5. Uncertainty regarding the opening hours of The Angel Inn
6. Absence of public consultation.

The Parish Meeting's comments can be viewed in full via Member's extranet.

Area Ranger (Wharfedale & Littondale) - Proposed development directly affects the PROW.

Fire Officer - Craven – No objections.

PUBLIC RESPONSES

7. Advertised by site notice dated 10th May 2022. 22 letters of objection have been received commenting on the following (in summary):

- Overdevelopment/disproportionate level of development
- The Angel Inn results in noise and disturbance to local residents
- Lack of parking exacerbating parking issues in the village
- Adequacy and manoeuvrability of the parking spaces
- Lack/loss of staff parking
- Confusion of the name change with the neighbouring property Fell View Farm
- Negative impact on biodiversity
- Non-compliance with the planning permission for the Inn
- The impact of lighting on dark skies
- Inaccuracies with the submission
- Disruption from building work
- The 1996 appeal was dismissed for a similar scale of development
- Back Lane is a hazardous junction opposite
- The traffic consultation submitted with the application was undertaken in winter.

ASSESSMENT

Key Issues:

- Planning policy
- Impact on character and appearance
- Impact on neighbours
- Highway considerations
- Ecology
- Public right of way
- Parish Council comments
- Equality Act

PLANNING POLICY

8. The proposed extension of hotel rooms serving The Angel Inn would be considered under T5 of the Local Plan which supports such development in principle where it is located within existing settlements, or close to existing visitor facilities. In this case, the site lies within the village of Hetton and close to the existing hotel. Policy BE1 also supports the expansion or redevelopment of existing business uses within settlements. The development would therefore meet the requirements of policies T5 and BE1 subject to considering the proposal under policies SP4 and L1 of the Local Plan.

9. Under SP4 and L1 it is considered that the three key considerations are likely to be the impact on the character and appearance of the traditional barn and the surrounding village, highway considerations (primarily parking) and residential amenity. These issues are considered in turn below;

IMPACT ON CHARACTER AND APPEARANCE

10. In accordance with paragraph 176 of the National Planning Policy Framework, great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park. The conservation and enhancement of wildlife and cultural heritage are also important considerations should be given great weight. The scale and extent of development within National Parks should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated area.

11. Fell View Barn is a traditional barn, most likely dating the 18th century and is considered to be a non-designated heritage asset. Although the building was converted in the late 1990s to form accommodation, the building retains much of its traditional former agricultural character and contributes to the character and appearance of the village. Hetton village itself has a quiet traditional rural character, albeit The Angel Inn is a dominant and busy business within the centre of the village.

12. The proposed accommodation extension will be largely screened by the existing wall. A low pitch roof will be separated from the existing wall by bank of flat rooflights. The existing wall, which separates the courtyard from the neighbouring farm, is currently a mix of stone and breezeblock. This wall will be refaced/rebuilt in stonework. The store will enclose an open sided store, in stone and slate to match the existing storage building. These two extensions will not be readily visible in public views and will be subservient in scale and design to the original building.

13. The alterations to the barn itself include altering the windows to a new simpler timber casement frames and a grey finish. The alteration of the existing window patterns and finish throughout the building has the potential to improve the appearance of the building subject to further consideration of the final detail.

14. The proposal includes remodelling of the rear and front external areas to reconfigure (and reduce) the parking to the rear and increase parking to the front. The rear courtyard is not readily publicly visible and as such the main visual impact is to the front. The front of the building forms the immediate setting of the former barn within the village and the character of the building remains apparent here, despite later alterations and additions. The proposal would be for more extensive hardsurfacing than the current arrangement and an increase in the number of parked cars that could be accommodated to the front. Both changes would have a visual impact on the setting of the former barn. However, the character of the frontage is one of a car park to serve the building. The proposed surfacing would be high quality, using traditional stone finishes of granite setts for the parking areas and Yorkstone flags to walkways. The pedestrian path in the centre would be enclosed with dry-stone walls, which will also help to break up and screen the parking areas. Some modest areas of lawn, trees and planting are proposed around the parking areas. Although the number of parking spaces to the front will increase from 6 to 11, it is considered that there will not be a significant change to the character of this frontage area and the replacement of the current planting with a more sensitive native planting scheme would in time enhance the appearance of the site and contribute more to biodiversity.

15. The increase in activity and car parking could have an impact upon the quiet rural character of the wider village. It is acknowledged that there is a short fall of 4-5 car parking spaces and that this would potentially lead to an increase in on-street parking. However, the potential increase must be balanced against the also likely reduction in restaurant day visitors to The

Angel Inn as guests staying at the new accommodation would frequently use the restaurant, displacing day visitors. The Highway Authority considers that there is sufficient highway capacity at the site for the additional accommodation without detriment to the highway. The proposed additional parking to the front car park would be much more accessible to guests and customers than the rear courtyard and as such is more likely to be used. It is considered unlikely therefore that a small number of cars parked on the highway, likely to be much less than 5 additional vehicles, would significantly harm the character of the village.

16. It is therefore considered that the proposed alterations and extensions to the building, and the changes proposed to the external areas would be sympathetic to the character and significance of the building and conserve the setting of the building and its contribution to the wider village, and the level of activity associated with the expansion could be accommodated without detriment to the character of the area, in accordance with policies SP4 and L1 of the Local Plan (2015-2030).

IMPACT ON NEIGHBOURS

17. Fell View Barn lies between Fell View Farm to the north and Croft Cottage to the south. Both properties are separated from the Fell View Barn complex by agricultural tracks and the alterations and extensions will not be readily visible from outside of the site. The roof of the guest accommodation extension will be set back from the wall and will sit low and as such would not have an impact on neighbouring amenity. The enclosure of the store to the south would be physically separated from the rear garden of Croft Cottage by the track and the boundary wall and planting along the Croft Cottage boundary. The modest additional stonework and roof would not have a significant impact on the amenity of the property.

18. The proposed additional five letting suites have the potential to result in an increase in noise and disturbance, particularly as a result from any external seating within the rear courtyard. However, the hotel rooms are limited to en-suite bedrooms, with only two small areas available for outside seating for two of the hotel suites. As such, it is considered that the use would be a relatively quiet use and would be well contained within the existing courtyard. The presence of two new extensions either side of the courtyard would also further enclose any activity within the remaining courtyard. As such it is considered unlikely to cause any significant levels of noise and disturbance to neighbouring residents.

19. It is therefore considered that the proposed development will not result in a significant impact on the amenity of neighbours in accordance with policy SP4(n) of the Local Plan.

HIGHWAY CONSIDERATIONS

20. In accordance with policy SP4, the proposed development should not prejudice highway safety and should ensure there is appropriate access and parking. Paragraph 109 of the NPPF states 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.' It is considered that policy SP4(k) reflects the statement in paragraph 109 of the NPPF in that 'appropriate parking provision' would avoid 'an unacceptable impact on highway safety' or severe residual cumulative impacts on the road network.

21. Fell View Barn serves as an annex to The Angel Inn and together the restaurant and letting accommodation should be viewed as one planning unit. This is reinforced by the Section 106 agreement which ties Fell View Barn in ownership to The Angel Inn and specifies that it shall remain as an annex to it. Therefore, the parking at the site also serves The Angel Inn and vice versa. The existing parking at the site comprises 17 spaces within the rear courtyard and 6 to the front (23 in total). An additional 14 spaces are available directly opposite the site at The Angel Inn across the road. The proposal would see an increase of one parking space to 24 at Fell View Barn (13 to the rear, 11 to the front). However, an additional 5 hotel suites are proposed. Ordinarily, North Yorkshire County Council's adopted parking standards would require one space per letting room. As such, the proposal would see a shortfall of 4-5 parking spaces. Anecdotally, local residents have expressed concerns at on-street parking levels associated with The Angel Inn. Whilst there are stretches of the road where there are no parking restrictions, there are sections with waiting restrictions on them. It is understood they were introduced following the popularity of The Angel Inn via an Experimental Traffic Regulation Order in 1996 which was then made permanent in 1999 to address the parking concerns where the road width is reduced and parking is not desirable.

22. The loss of parking and the manoeuvrability of the proposed spaces has been raised by the Parish Meeting and several local residents objecting to the planning application. This follows on from significant concerns expressed by local residents to the previously refused proposal for a restaurant and accommodation (ref. C/43/44G). In that case there was a shortfall of approximately 36 parking spaces and as a result the local highway authority considered the impact on highway safety would be severe. With the current proposal the shortfall would be 4-5 spaces and so the impact would not be classed as severe. North Yorkshire County Council as the local highway authority has been consulted on the current proposal and has raised no objections to the proposal, despite there being a shortfall in off-street parking. They have stated 'The new extension removes a small amount of parking area however the design of the parking area still allows for acceptable levels of parking for this application. Vehicles can easily manoeuvre within the site to be able to access and egress in a forward gear.'

23. SP4 also goes beyond just the safe and convenient use of the highway and also considers the impact on the general amenity of the village as a result of potentially increased parking on the highway. However, it is considered unlikely that up to an additional 4-5 cars would be significantly harmful to the amenity of the village. Furthermore, the occupants of the additional letting rooms are very likely to dine at The Angel Inn itself, thereby reducing the number of non-residential diners seeking to park in the village.

24. It is also important that the current S106 agreement which ties Fell View Barn to The Angel Inn is replicated in a new agreement in so far that it ensures the use remains ancillary to The Angel Inn and the parking remains available for the planning unit as a whole.

25. It should be noted that there was an appeal dismissed for 10 letting units at the site in 1995. However, the current position differs significantly in that at the time of the appeal, Fell View Barn had not been converted to any use associated with The Angel Inn. The Inspectorate dismissed the appeal on several grounds including the visual impact of the car parking area, poor visibility from the access, highway safety concerns resulting from parking in relation to the poor access and the impact of the proposed car park on residential amenity. All of those concerns have effectively been permitted by the 1996 and 2002 permissions which granted consent for the use of the barn for accommodation, created a safe access and car parks to the front and rear.

26. It is therefore considered that, whilst there will be increased pressure for on-street parking as a result of the expansion of the premises, the impact would not be so significant to result in an unacceptable impact on the local highway network or on the amenity of the area, in accordance with policy SP4 of the Local Plan.

ECOLOGY

27. The application is supported by a bat and bird survey which concludes that there is negligible potential for the building to support bats. However, there is nesting activity from Swallows, House Sparrow and an abandoned Jackdaw nest on site. The report recommends mitigation in the form of the timing of the works and additional bird nesting boxes and bat tiles, and a suitable lighting scheme. These can be required as a condition of any decision. The proposed development would therefore accord with policy W1 of the Local Plan (2015-2030).

28. Policy W2 of the adopted Local Plan (2015 - 2030) requires all new development that would have an impact on biodiversity to provide a proportionate on - site contribution to wildlife enhancement. It is therefore considered that additional bat and bird boxes mounted to the building and new native planting within the site would be required to ensure biodiversity enhancement and therefore satisfy the requirements of policy W2 of the adopted Local Plan. These bat and bird boxes and landscaping can be secured by way of a condition.

PUBLIC RIGHT OF WAY

29. Public right of way 05. 64/23 (Parish of Hetton cum Bordley) runs along the access to the site and down the farm track to the north of the complex. In accordance with policy SP4(j) development must not obstruct, damage or lead to an unacceptable use of a public right of way. The current route is shared with the vehicular access into the site, and is impeded by parking spaces, planting and a high gate, as such the walked route appears to unofficially use the adjacent access road from the highway. The proposal makes specific provision for a newly paved route along the northern boundary of the site. As such, whilst this would be subject to a formal diversion order, the proposed development would meet the requirements of policy SP4(j) of the Local Plan (2015-2030). An informative would be added to notify the applicant of the need to divert the right of way to the proposed route.

PARISH COUNCIL COMMENTS

30. Hetton cum Bordley Parish Meeting has objected to the proposed development on the following grounds;

    1. The proposal would result in the overdevelopment of The Angel Inn.
    It should be noted that Fell View Barn is an annex to The Angel Inn and together they form a single planning unit which operates on both sides of the road. Therefore, the impact of the expansion of Fell View Barn has been considered as an expansion of The Angel Inn, hence the reference to policy T5 of the Local Plan which supports the expansion of indoor visitor facilities, such as restaurant and hotels in existing settlements, subject to ensuring it will not reduce the special qualities of the area. It is acknowledged that The Angel Inn is a very active and relatively large business within the centre of a small rural village and that this brings a degree of conflict with local residents from noise, disturbance and increased vehicle

movements and parking. However, it is considered that the addition of five letting rooms is of a proportionate scale to the existing use and would not significantly exacerbate problems in the village for the reasons set out in the above report. It is, however, essential that the current legal agreement which retains Fell View Barn as an annex to The Angel Inn is replicated in a new legal agreement to ensure that the site remains subservient to The Angel Inn and does not escalate to an independent business.

2. Concern regarding the level of off-street parking provided and the implications for on-street parking.
This point has been considered under 'highway considerations' in the report above. The applicant has been asked to address any discrepancies.

3. The blocking in of the back wall and animal welfare concerns.
The proposal includes a new wall to the rear boundary of the car park. This is currently formed by the back wall of an adjacent agricultural building. This wall comprises vertical timber boarding with gaps between the boards, presumably to enable ventilation to livestock. The presence of a wall immediately adjacent would potentially impact on this. The applicant has clarified that the boundary wall would be 1.9m in height with a 150 mm gap behind the wall. The applicant has also stated that the wall would be dry-stone and constructed in a traditional manner which will further enable ventilation through the wall. However, whether they can legally erect a wall such as this would be a private matter to resolve between the owner of the adjacent farm building and the applicant.

4. Concerns regarding lighting
A condition is proposed to control external lighting at the site. Light spill from rooflights/roof glazing would also be controlled through the design details conditions.

5. The opening hours of The Angel Inn
The Parish Meeting has asked for clarification if The Angel Inn will be open for five nights per week. The current application does not relate to the use of The Angel Inn restaurant itself. There is no proposal to restrict the occupancy of the letting accommodation to five nights a week and it is considered unnecessary and unreasonable to do so.

6. Absence of consultation
It is understood (from the Parish Meeting comments) that the applicants presented a draft proposal to the Parish Council in advance of the formal planning submission. The applicants also undertook pre-application discussions with the National Park Authority, which included discussion with North Yorkshire County Council as the Local Highway Authority.

EQUALITY ACT

31. 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.

32. It is considered that the additional ground floor accommodation will provide level accessible accommodation for people with disabilities and as such would be beneficial towards eliminating discrimination for users of the site. 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

33. It is considered that the alteration and expansion of Fell View Barn to create an additional five hotel letting rooms would complement the existing hotel and restaurant business and would support a proportionate level of expansion of a high-quality business within the National Park. The proposed extensions and alterations to the building would be sensitive to the character and significance of the building and the wider village and would not result in an unacceptable impact on neighbouring amenity. It is considered that the parking levels proposed would not result in a significant impact on the safe and convenient use of the highway or on the character and appearance of the village and would be of an appropriate level to serve the proposed development. It is therefore considered that the proposed development would accord with policies SP1, SP2, SP4, BE1, T5, L1, W1 and W2 of the Local Plan 2015-2030 and guidance contained in the National Planning Policy Framework 2021.

RECOMMENDATION

34. It is recommended that permission is GRANTED subject to a Section 106 agreement to cover the site and all accommodation (existing and proposed) to ensure that Fell View Barn and grounds remain within the same ownership as The Angel Inn and remains as residential letting accommodation for the residents and customers of the Inn, not to use or occupy Fell View Barn independently of the Inn or permit its use as a self-contained residential unit, ensuring it remains as an annex of and incidental to the use of the Inn. Conditions are also proposed, to be based on the following;

Time Limit
Approved plans
Design details (including mitigating light spill)
Highway conditions (including retention of parking spaces for their intended purposes)
External Lighting
Biodiversity mitigation/enhancement/landscaping
Restriction on use

Informatives:
S106
Bats and birds
PROW