



YORKSHIRE DALES
National Park Authority

Mr J R Wharton
Craven House
Brook View
Carleton
Skipton
North Yorkshire
BD23 3EX

PLANNING PERMISSION

Town and Country Planning Act 1990

Application No.	C/04/60B
Date Received	15 June 2021
Applicant	Mr & Mrs John Hickson
Proposal	Full planning permission for conversion of barn to form local occupancy dwelling or holiday let
Location	Newfield Barn, Wharfe, Austwick, Lancaster, North Yorkshire, LA2 8DG
Decision date	12 April 2022

The Yorkshire Dales National Park Authority has considered this application under the Town and Country Planning Act 1990 (as amended) and **Grants Planning Permission** for the development described above.

This permission is granted subject to the following Condition(s) and Reason(s):

Conditions

1. The development hereby permitted shall be begun (as defined by Section 56 of the Town and Country Planning Act 1990) before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the details indicated in the following drawings/documents:-
 - Foul Drainage Assessment Form;
 - Preliminary Bat Roost Assessment Report;
 - Occupancy Restriction Statement;



received 15 June 2021.

- Heritage Statement;

received 3 August 2021.

- Structural Inspection;

received 27 August 2021.

- Location Plan;

- Site/Roof Plan (proposed);

- Elevation Plans;

- Floor Plans;

- Section Plan;

received 25 November 2021.

Reason : To define the plans/details to which this permission relates.

3. Notwithstanding the approved plans, the development shall be carried out in accordance with the following design details and retained as such thereafter:
 - i. The window frames and door details shall be made from timber and shall be recessed back from the external face of the wall by a minimum of 150mm. All external timber shall be painted a colour first submitted to and agreed in writing with the Local Planning Authority;
 - ii. All flues hereby permitted shall be factory finished in a matt black prior to installation;
 - iii. Rainwater goods shall be coloured black aluminium or cast iron and fixed directly to the masonry of the buildings using rise and fall brackets;
 - iv. All new lintels, sills and jambs shall be of natural stone and shall match the original examples on the buildings at the date of this notice in terms of type of natural stone, colour, dimensions (including lateral projection from the wall surface), surface texture and tooling;
 - v. The existing natural roofing slates shall be retained as the exterior roof covering of the buildings. Any additional slates shall be reclaimed natural slate of the same kind, dimensions and colour as those on the buildings at the date of this notice;
 - vi. All architectural features of the buildings existing at the date of this notice shall be retained in situ unless otherwise indicated on the approved plans;
 - vii. All pointing (including re-pointing) of historic, solid-wall stonework shall be carried out using a traditional lime mortar mix of 1 lime to 2.5 or 3 sharp, graded sand (aggregate), with added pozzolan if necessary. No other additives or cement shall be included. The pointing shall be flush with the stonework, and the aggregate exposed by tamping the initially set lime mortar with a stiff brush. The colour of the fully set lime mortar shall be off-white or buff;
 - viii. Prior to the erection of any external lighting, its details shall be submitted to and approved in writing by the Local Planning Authority. External lighting shall be erected in accordance with the approved details;
 - ix. Prior to their installation details of the means of mitigating light emissions from all new and replacement rooflights shall be submitted to and approved in writing by the Local



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PLanning Authority. All new and replacement rooflights shall be of 'conservation style,' fitted flush with the adjoining roof surface and shall not project above the plane of the roof;

- x. The external masonry of the buildings shall not be sand or shot blasted, pressure cleaned or otherwise treated to remove, cover, paint or render the surface layer of the masonry such that the surface of the masonry retains its weathered appearance existing prior to works to convert the buildings;
- xi. Prior to the installation of any such fixtures to the buildings or within the site and notwithstanding the details on the approved plans, full details of the proposed extraction, ventilation and pipework for the shower rooms/WCs and kitchen, including their position and external appearance, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works preserve the appearance and character of the buildings and their setting and any features of special heritage significance which they possess in accordance with policies L1, L2, L3, SP2 and SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

- 4. The residential curtilage of the dwelling hereby approved shall be carried out in accordance with the following design details and retained as such thereafter:
 - i. The curtilage shall be limited to the area shown on the drawing 'Site/Roof Plan (proposed)' (received 25 November 2021);
 - ii. Prior to the first occupation of the dwelling, all new walling shown on the drawing 'Site/Roof Plan (proposed)' and 'Ground Floor Plan' (both received 25 November 2021) shall be erected and shall match in construction and appearance existing drystone boundary walls at the application site;
 - iii. The curtilage shall include provision for waste and recycling bin storage within the enclosed area;
 - iv. Prior to the first occupation of the dwelling, details of all new surface materials within the curtilage of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The surface materials shall be completed in accordance with the approved details. For the avoidance of doubt, the new surface materials include the stone cobbled crossing to the highway and the patio and parking areas.

Reason: To ensure that the works preserve the appearance and character of the buildings and their setting and any features of special heritage significance which they possess in accordance with policies L1, L2, L3, SP2 and SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

- 5. The development shall be carried out in strict accordance with the following approved documents and information and retained as such thereafter:
 - i. Planning permission is not granted for the demolition and/or rebuilding of any parts of the buildings other than those areas identified on the drawing 'Ground Floor Plan'



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(received 25 November 2021) and within the 'Structural Inspection' (received 27 August 2021) and 'Heritage Statement' (received 3 August 2021). Prior to any rebuilding of the western gable of the barn, a detailed method statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall detail the exact area to be rebuilt and the method of rebuilding to ensure that the heritage significance of this part of the building is retained. The works shall be completed in accordance with the approved details;

- ii. Any areas of rebuilding shall be with the existing stone laid and pointed to match in type, style, colour and mortar mix, the external walls of the existing building at the date of this notice. Any additional materials required shall be reclaimed natural stone of the same kind, dimensions and colour;
- iii. Any new openings shall be shaped internally using natural stone, to match the existing stone walls.

Reason: To ensure that the works preserve the appearance and character of the buildings and their setting and any features of special heritage significance which they possess in accordance with policies L1, L2, L3, SP2 and SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

6. Prior to the first occupation of the dwelling hereby approved, splays must be provided giving clear visibility of 90 metres measured along both channel lines of the major road from a point measured 2 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be retained clear of any obstruction and retained for their intended purposes at all times.

Reason: To ensure the development does not have a harmful impact on highway safety in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

7. The crossing of the highway verge and/or footway shall be constructed in accordance with the following:
 - i. Any gates or barriers must be erected in line with the existing wall or at least 2 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway;
 - ii. The part of the access extending 6 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1 in 20;
 - iii. The final surfacing of any private access within 6 metres of the public highway must not contain any loose material that is capable of being drawn on the existing or proposed public highway;
 - iv. Measures to enable vehicles to enter and leave the site in a forward gear.

Reason: To ensure the development does not have a harmful impact on highway safety



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in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

8. Prior to the first occupation of the dwelling hereby approved, the related parking facilities must be constructed in accordance with the drawing 'Ground Floor Plan' (received 25 November 2021). The parking facilities shall be retained for their intended purposes at all times.

Reason: To ensure the development does not have a harmful impact on highway safety in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

9. No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between:
 - 7:30am and 7:00pm Monday-Friday
 - 7:30am and 1:00pm on Saturdays
 - Not at any time on Sundays or Bank Holidays.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

10. The works shall be carried out in accordance with the Preliminary Bat Roost Assessment Report, including the Barn Owl Mitigation Recommendations. For the avoidance of doubt, within 6 months of the completion of the development hereby approved, five Schwegler Swallow Cups and a Tawny Owl Nest Box shall have been installed on the barn or within the site.

Reason: To prevent harm to the conservation status of a European Protected Species and to provide for biodiversity enhancement in accordance with policies W1 and W2 of the adopted Yorkshire Dales Local Plan (2015-2030).

11. Should any significant contamination be encountered during development, the Local Planning Authority shall be notified in writing immediately. A Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to and approved in writing by the Local Planning Authority. The site shall not be brought into use until such time as all the validation data has been approved in writing by the Local Planning Authority at the agreed timescales. The Remediation Strategy and Validation Report shall be prepared in accordance with current best practice.



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Reason: To protect residential amenity due to the historical use of the agricultural building in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

12. Notwithstanding the provisions of Classes A, C, D, E, F, G & H of Part 1, Classes A, B, C, D, E & F of Part 2 and Classes A, B, C, D, E, F & G of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking, re-enacting or modifying that Order, no development of the description in these Classes shall be carried out on the site except in accordance with a planning permission granted by the Local Planning Authority.

Reason: To ensure that the works preserve the appearance and character of the buildings and their setting and any features of special heritage significance which they possess in accordance with policies L1, L2, L3, SP2 and SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

Informatives

1. S106 Agreement - This planning permission should be read in conjunction with the S106 Agreement dated 6 April 2022, which restrict occupation of the dwelling to local-occupancy and short-stay holiday let.

Protected species - There is the possibility that the stone buildings could provide habitat for bats or other wildlife species given its form of construction and location. All bats, birds and a number of other species are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. Care will need to be taken when undertaking works involving the removal or disturbance to the roof covering and to the stone walls of the buildings. Under the requirements of the Conservation of Habitats and Species Regulations 2017 it is a criminal offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England. Natural England will only grant such licences if they are satisfied that the requirements of Article 16 of the Directive are met. Should any protected wildlife species be found whilst carrying out the works you are advised to stop work immediately and contact Natural England for advice. If the development hereby approved is commenced within the bird nesting season (February to August inclusive), a prior check should be made for nesting birds within the development site. Development should not commence until the site is clear of all nesting birds.

Dust - The applicant shall identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.



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Standard Note(s) to Applicant:

1 This permission applies only to that required by the Town and Country Planning Acts and does not include any permission or approval under any other enactment, bylaw, regulation or under the Building Regulations.

2 Your attention is drawn to the attached notes explaining your rights of appeal regarding this decision.

3 The permission to which this notice refers MAY contain the requirement to comply with certain conditions BEFORE any works are commenced, as well as conditions to be met DURING and AFTER the completion of the development. You are hereby advised that non-compliance with ANY condition may render this permission invalid and the development itself UNLAWFUL and could lead to enforcement action and/or prosecution. It is YOUR responsibility to ensure that all conditions are complied with. If you are in any doubt as to the requirements of any condition attached to this permission, you are strongly advised to contact the Yorkshire Dales National Park Authority's Development Management team (01969 652345) for clarification BEFORE the commencement of any works.

4 The approval of details reserved by any condition(s) (discharge of condition(s)) is now treated as a formal application and as such requires separate discharge of conditions application to be submitted which can take up to 8 weeks to be determined. Please contact the Yorkshire Dales National Park Authority's Development Management team should you require further information or go to: <https://www.yorkshiredales.org.uk/planning/applying-for-planning-permission/discharging-conditions-or-amending-permissions/>

5 In reaching the decision the Authority has worked with the applicant in a positive and proactive manner by determining the application in accordance with local and national policy.

REDACTED BY YDNPA

Richard Graham BA (Hons) MRTPI

Head of Development Management

Date: 12 April 2022



TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. You must do so **within 6 months of the date of this notice**, however, if this is a decision to refuse planning permission for a **HOUSEHOLDER APPLICATION OR FOR A MINOR COMMERCIAL APPLICATION** you must do so **within 12 weeks of the date of this notice**.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an **ENFORCEMENT NOTICE**, issued within the two years before the date of the planning application, if you want to appeal against your local planning authority's decision on your application, then you must do so within **28 days of the date of this notice**. If the Enforcement Notice issued on the appeal site in question was not issued within the two years before the date of a Full Planning Permission then the period to submit the appeal would be **six months from the date of the LPA refusal decision notice**. The Planning Inspectorate's Procedural Guide sets it out on page 8 at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/937642/Procedural_Guide_Planning_appeals_version_11_-_Final_1_.pdf
- If an **ENFORCEMENT NOTICE** is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within **28 days of the date of service of the enforcement notice**, or **within 6 months (12 weeks in the case of a HOUSEHOLDER appeal) of the date of this notice**, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by **INQUIRY** then you must **notify the Local Planning Authority and Planning Inspectorate at least 10 days before submitting the appeal**. Further details are available on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>
- If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Local Planning Authority a purchase notice requiring the Council to purchase their interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



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- In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her. The circumstances in which such compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

NOTE:

The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.



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START NOTICE

Where relevant, this form, or an email giving this information, should be submitted before you start work to planning@yorkshiredales.org.uk

C/04/60B

Newfield Barn,Wharfe,Austwick,Lancaster,North Yorkshire,LA2 8DG

Full planning permission for conversion of barn to form local occupancy dwelling or holiday let

Before you start work and/or submit this form, please make sure you have complied with or had approved any pre-commencement conditions, also note further conditions which may need approval.

I confirm that work commenced/will commence on the above application on:

..... / /
(date)

Name (please print):

Signature: