



YORKSHIRE DALES
National Park Authority

Miss Joanna Wilson,
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Skipton
North Yorkshire
BD23 1UD

PLANNING PERMISSION

Town and Country Planning Act 1990

Application No.	C/44/297
Date Received	02 September 2021
Applicant	-
Proposal	Full planning permission for conversion of traditional agricultural barn to dwelling for local occupancy or short term holiday lets, together with installation of package treatment plant
Location	Swash Barn, Newhouses, Horton in Ribblesdale, Settle, North Yorkshire, BD24 0JE
Decision date	23 October 2023

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:-

Location plan



**INVESTORS
IN PEOPLE**



YORKSHIRE DALES
National Park Authority

Proposed and existing block plan / roof plan Drg No 422/21/PE/BPRP/A2 (AMENDED)

Proposed elevations, plans and sections Drg No 422/21/PEPS/A2 (AMENDED)

Received 4th November 2021

Planning application forms

Bat survey report and method statement

Received 2nd September 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 for the barn conversion 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 Sage Green RAL no 6019 or similar
 - ii. The external doors and door frames for the barn conversion shall be made from timber and shall be recessed back from the external face of the wall by a minimum of 300mm. All external timber shall be painted Sage Green RAL no 6019 or similar.
 - iii. Rainwater goods shall be coloured black aluminium or cast iron and fixed directly to the masonry of the building using rise and fall brackets;
 - iv. Notwithstanding the details contained within the application, all new external lintels, sills and jambs shall be of natural stone and shall match the original examples on the building 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. All architectural features of the barn existing at the date of this notice shall be retained in situ unless otherwise indicated on the approved plans;
 - vi. The existing roofing slates shall be retained or reinstated following works to the roof. If removing any existing slates from a roof surface, they shall be stored / stacked in sequential order according to each course, so they can be put back into their existing locations, reinstating the correct number of courses and manner of their graduation on each roof surface. Any additional slates required for replacement of defective slates shall match the existing natural stone slates in stone type / colour / texture and dimensions. Replacement slates shall be nationally sourced; no foreign imports will be permitted.
 - 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 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 Planning Authority. All new and replacement rooflights shall be of 'conservation



YORKSHIRE DALES
National Park Authority

style, ' fitted flush with the adjoining roof surface and shall not project above the plane of the roof;

ix. The external masonry of the barn 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;

x. Prior to the installation of any such fixtures to the barn 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 building and its setting and any features of special heritage significance which it possesses in accordance with policies L1, L2, L3, SP2 and SP4 of the Yorkshire Dales Local Plan (2015-2030).

4. The residential curtilage of the dwellings 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 'Proposed and existing block plan roof plan' received 4th November 2021
 - ii. Prior to the first occupation of the dwelling, all new hard and soft landscaping shown on the drawing 'Proposed and existing block plan roof plan' received 4th November 2021 shall be constructed and laid out in accordance with that plan.
 - iii. The curtilage shall include provision for waste and recycling bin storage within the enclosed area;

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 Yorkshire Dales Local Plan (2015-2030).

5. Prior to the installation of any such fixtures to the building or within the site, details of any external lighting shall have been submitted and approved by the Local Planning Authority. The details shall include the purpose, number, position, type, size, specification and luminance of the lighting and the means of directing or use of cowling / shielding to prevent upward light spill. Any external lighting shall accord with the approved details thereafter and no additional lighting installed other than as approved.

Reason: To ensure that the character of the traditional building is retained and its external appearance is acceptable and the development protects the dark skies of the



YORKSHIRE DALES
National Park Authority

National Park, having regard to policies SP4, L1 and L3 of the Yorkshire Dales Local Plan (2015-2030).

6. No part of the barn shall be demolished without the prior written approval of the Local Planning Authority. Any existing prominent stones (such as quoins, still, lintels, through-stones, etc.) need to be recorded and numbered on their bedding side, so they can be put back into their existing locations, in their existing orientation. The areas approved for rebuilding, including the reinstatement of existing openings, shall be constructed reusing the existing stone, and shall be bedded in and pointed with the approved lime mortar. All rebuilt walling shall be in a traditional solid-wall construction (two external stone leafs with rubble core), to match the existing in appearance with regard to manner of stone coursing / pattern.

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

7. Notwithstanding the provisions of Part 1 (excluding B), 2 (excluding D & E) and 14 (excluding H & I) 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 parts including the erection of any new building, extension or alteration of the buildings, modification or the addition of new windows, the installation of renewable energy equipment, the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus or the provision or replacement of a hard surface within the curtilages of the dwellings shall be carried out on the site except in accordance with a planning permission granted by the Local Planning Authority.

Reason: In the interests of visual amenity and for the avoidance of doubt in accordance with policies SP4, L1 and L3 of the Yorkshire Dales Local Plan (2015 - 2030).

8. 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



YORKSHIRE DALES
National Park Authority

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.

Reason: To enable the local planning authority to ensure that unexpected contamination at the site will not present significant environmental risks and that the site will be made 'suitable for use' in accordance with Policy SP4 of the Yorkshire Dales Local Plan (2015-2030).

9. The development hereby approved shall be carried out in accordance with the bat mitigation measures contained in the submitted Bat Survey and the additional bat boxes shall be installed within six months of the completion of the development.

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 Yorkshire Dales Local Plan (2015-2030).

10. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Swash Barn, Newhouses, Horton-in Ribblesdale have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with Policy SP4 of the Yorkshire Dales Local Plan (2015-2030).

Informatives

1. The planning permission should be read in conjunction with the S106 legal agreement dated 17th October 2023 which restricts the occupancy of the dwelling hereby approved to a local occupancy dwelling as set out in Appendix 5 of the Yorkshire Dales Local Plan (2015-2030) and to holiday let use only and for the undergrounding of service and utility cables.
2. There is the possibility that the stone barn / building 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 building.

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.

3. The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at North Yorkshire Council's website.

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



YORKSHIRE DALES
National Park Authority

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.

Richard Graham BA (Hons) MRTPI

Head of Development Management

Date: 23 October 2023



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/appeal-planning-decision>. 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.



YORKSHIRE DALES
National Park Authority

- 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.



YORKSHIRE DALES
National Park Authority

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/44/297

Swash Barn, Newhouses, Horton in Ribblesdale, Settle, North Yorkshire, BD24 0JE

Full planning permission for conversion of traditional agricultural barn to dwelling for local occupancy or short term holiday lets, together with installation of package treatment plant

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: