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BD23 1UD

PLANNING PERMISSION

Town and Country Planning Act 1990

Application No.	C/23/120
Date Received	26 July 2024
Applicant	Gam Farm Rare Breeds
Proposal	Full planning permission for conversion of barn to local occupancy dwelling/holiday accommodation together with the installation of a package treatment plant
Location	Hill Top Laithe (GR: 398232, 459870), Cracoe, Skipton
Decision date	27 February 2025

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:-

Site Location Plan reference OT200-1, prepared by WBW;
BNG Baseline Assessment Plan reference OT200-2, prepared by WBW;
BNG Enhancement & Creation Plan reference OT200-3, prepared by WBW; and

Site / Roof, Location, Elevations, Section and Floor Plans contained on drawing reference 3121 Rev B, prepared by JW.

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

3. The works hereby permitted shall be carried out in strict accordance with the mitigation methods and recommendations within the Bat Survey Report and Method Statement 'Reasonable Avoidance and Mitigation Measures' prepared by Dave Anderson dated 17 July 2024, including the timing and extent of any works to the site (including any works to the building(s)).

Reason: To ensure protected species are not affected by the works to the existing building in accordance with policy W1 of the adopted Yorkshire Dales Local Plan(2015-2030).

4. The works hereby permitted shall be carried out in strict accordance with the BNG Enhancement and Creation plan prepared by WBW Chartered Surveyors, date stamped 7 November 2024, and shall be maintained as such thereafter.

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) A non-technical summary;
- b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) The timescale(s) for the implementation of the habitat creation and enhancement works;
- e) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- f) The monitoring methodology and frequency in respect of the created or enhanced habitat;

has been submitted to and approved in writing by the Local Planning Authority.

The habitat creation and enhancement works set out in the approved Biodiversity Net Gain Plan shall be completed in accordance with the HMMP and the timescales approved therein.

Notice in writing shall be given to the Authority when the:

- g) HMMP has been implemented; and
- h) Habitat creation and enhancement works as set out in the Biodiversity Net Gain Plan have been completed, within 3 months of the completion of those works (or such other timescale that may be agreed in writing).

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

The created and/or enhanced habitat specified in the approved Biodiversity Net Gain Plan and HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To provide biodiversity net gain and biodiversity enhancement in accordance with policy W2 of the adopted Yorkshire Dales Local Plan (2015-2030) and Schedule 7A of the Town and Country Planning Act 1990.

5. The development shall be carried out in accordance with the following details and retained as such thereafter;
 - i) No part of the building shall be demolished and/or rebuilt except strictly as indicated on the approved drawings. Any existing prominent stones (such as quoins, cill, lintels, through-stones, etc.) that need to be moved during the approved development shall be recorded and numbered on their bedding side so they can be put back into their existing locations, in their existing orientation.
Any 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. No new openings shall be created except as indicated on the approved drawing(s). Any approved new opening(s) shall have walled-up reveals using the dismantled stone from the new opening created; all new lintels, sills and jambs shall be of natural stone and shall match those surviving original examples within the existing building at the date of this notice in terms of type of natural stone, colour, dimensions (including extent of lateral projection beyond the sides of the opening and forward projection from the wall surface), surface texture and tooling to the external finish. The stonework of the approved new opening(s) shall be bedded in and pointed with the approved lime mortar.
 - ii) All pointing (including re-pointing) of historic, solid-wall stonework shall be carried out using a traditional lime mortar mix 1 lime to 2.5 or 3 sharp, graded sand (aggregate), with added pozzolan if necessary. Natural Hydraulic Lime can be used providing it is no harder when set than NHL 3.5. 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.

iii) The external masonry 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 as existing prior to works to convert the building.

Reason: To ensure that the character of the traditional building is retained and its external appearance is acceptable, having regard to policies L1 and L3 of the adopted Yorkshire Dales Local Plan (2015-2030).

6. Notwithstanding the details shown on the approved plans, prior to their installation within the building the following details, shown on scale drawings or as a sample, shall be submitted to and approved in writing by the Local Planning Authority:

- i) The design, dimensions, glazing thickness and profile of any new or replacement window frames and external doors. For the avoidance of doubt, the window frames and external doors shall be made of solid timber. The reveals/recess of all windows and external doors shall be recessed a minimum of the existing recesses,
- ii) The treatment and finish of all external woodwork,
- iii) Full details of any new extraction, ventilation and pipework for the bathroom and kitchen, including their position and external appearance. Any new external wall vent coverings shall be fitted with stone slate slithers. All rainwater goods including fixings shall be coloured black and fixed directly to the masonry of the building using rise and fall brackets,
- iv) Details of the means of mitigating light emissions from the rooflights. The rooflights (where new or replacement) shall be retained as conservation type, fitted flush with the adjoining roof surface and shall not project above the plane of the roof,
- v) Existing stone roof slates shall be retained with any additional / replacements to match the existing.

The development shall be carried out in accordance with the details thereby approved and retained as such thereafter.

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

7. Notwithstanding the details on the approved plans or the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking, re-enacting or modifying that Order, prior to any resurfacing or new surfacing or the construction of any boundary treatment, details of the following shall be submitted to and approved in writing by the Local Planning Authority;

- i) All surfacing materials including the access, parking, turning and any paths and patios,
- ii) The proposed bin storage areas including position and any means of enclosure,
- iii) All boundary treatment, including fencing and walls, along with the repair and retention of any existing dry-stone walls indicated for retention on the approved site plan.
- iv) The stone from the wall removed to facilitate the new field gate access shall be reused in the construction of the new boundary walls to the residential garden.

The surfacing, bin storage areas and boundary treatments shall be carried out in accordance with the details thereby approved prior to the first occupation of the building and retained as such thereafter.

Reason: To ensure the character and setting of the traditional building is retained and in the interests of the wider amenity, in accordance with policies SP4 and L3 of the adopted Yorkshire Dales Local Plan (2015-2030).

8. Notwithstanding the detail included on the approved drawings, 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 and design of the lighting.

All lighting used shall be fully shielded to angle the light downward, be no more than 500 lumens, have a colour temperature less than 2700K, be fitted with proximity sensors so they are switched off when not needed (dusk-till-dawn sensors shall not be used) and be installed at the lowest possible height to achieve lighting levels required.

Any external lighting shall accord with the approved details thereafter. No additional lighting shall be installed other than as hereby approved.

Reason: To ensure that the general amenity of the area is retained, wildlife is protected and the development protects the dark skies of the National Park, having regard to policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

9. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the property shall not be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority, as shown on the approved Site Plan (dwg no. 3121 Rev B). Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety in accordance with policy SP4 of the adopted

Yorkshire Dales Local Plan (2015-2030).

10. Within 6 months of the completion of the development hereby permitted the 6 x bat / wild bird boxes identified on the approved plans shall have been installed at the Application Site. The bat or wild bird boxes shall be retained as such thereafter, unless details of an alternative biodiversity enhancement measure are first submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of wildlife enhancement in accordance with policy W2 of the 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 and 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.

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 adopted Yorkshire Dales Local Plan (2015-2030).

12. No construction or demolition work or felling of trees, shrubs and hedgerows in association with the development hereby permitted, shall be carried out between 1st March and 31st August inclusive.

Reasons: In the interests of nature conservation to protect birds/avoid disturbance during their breeding season in accordance with policy W1 of the adopted Yorkshire Dales Local Plan (2015-2030).

13. 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 building, modification or the addition of windows, the provision of a hard surface or formation, laying out and construction of an access, the installation of renewable energy equipment, the provision rearrangement or

replacement of a sewer, main, pipe, cable or other apparatus within the curtilage of the building, 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 adopted Yorkshire Dales Local Plan (2015 - 2030).

Informatics

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Yorkshire Dales National Park Authority.

There are statutory exemptions which mean that the biodiversity net gain condition does not always apply: Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk) Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2. This permission shall be read in conjunction with the S106 agreement dated 11th February 2025 that restricts occupation of the property to either short term holiday let or as a local occupancy dwelling and that restricts the construction of overhead service lines (power or communication).
3. The site shall be provided with a water supply sufficient in all respects to meet all reasonable demands by site users. All water supplies shall be provided and maintained in accordance with all current regulatory requirements. The supply will require risk assessing and sampling prior to completion for which charges will apply. The supply will also require water treatment which must include a pre-filter, fail safe UV steriliser along with any other treatment deemed necessary.

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: 27 February 2025



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.

- 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.

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/23/120

Hill Top Laithe (GR: 398232, 459870), Cracoe, Skipton

Full planning permission for conversion of barn to local occupancy dwelling/holiday accommodation together with the installation of a 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: