



YORKSHIRE DALES
National Park Authority

Mrs Kennedy
WBW Surveyors Limited
Skipton Auction Mart
Gargrave Road
Skipton
BD23 1UD

PLANNING PERMISSION

Town and Country Planning Act 1990

| | |
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| Application No. | C/70/8C |
| Date Received | 10 August 2020 |
| Applicant | Mrs Kennedy WBW Surveyors Limited |
| Proposal | full planning permission for change of use of barn to form camping barn accommodation and installation of package treatment plant and siting of external generator |
| Location | Low Ground Barn, Thorpe |
| Decision date | 27 April 2021 |

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) which are laid out in the order by which they must be complied with:-

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:-
Planning application forms
Bat survey
Received 10th August 2020



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Planning statement and visitor management plan
Details of solar panels
Proposed site layout
Existing and proposed elevations and site plan
Received 18th November 2020

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

3. Prior to the first occupation of the building, the conversion shall be completed in accordance with the following details and shall be retained as such thereafter:
 - (i) The window and door frames shall be recessed by a minimum of 150 mm from the external face of the wall in which they are set;
 - (ii) Window frames and external doors shall be made of wood and shall be painted black or similar;
 - (iii) The existing natural stone roofing slate shall be retained as the exterior roof covering of the building. Any additional slates required shall be reclaimed natural stone slate of the same kind, dimensions and colour as those on the existing building at the date of this notice;
 - iv) All rainwater goods including fixings shall be coloured black and fixed directly to the masonry of the building using rise and fall brackets ;
 - v) Any replacement stone slates to be used for the roof covering of the barn shall be reclaimed natural stone slate of the same kind, dimensions and colour as those on the existing barn at the date of this notice;

Reason: To ensure that the building retains its intrinsic agricultural character in accordance with policies L1, L3 and SP4 of the Yorkshire Dales Local Plan (2015-2030).

4. No part of the buildings shall be demolished and/or rebuilt, except strictly as indicated on the approved details. Those areas identified for rebuilding shall be built up reusing the existing stone and shall be laid and pointed to match in type, style, colour and mortar mix, the external walls of the existing building. Any additional materials required shall be reclaimed natural stone of the same kind, dimensions and colour as those on the existing building at the date of this notice.

Reason: To enable continued control over the development having regard to the purposes of the National Park and policies SP1, SP4 and L3 of the Yorkshire Dales Local Plan (2015-2030).



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5. 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 existing prior to works to convert the building.

Reason: To ensure that the masonry retains its patina of age which is an important element of the character and appearance of these traditional buildings, in accordance with policies SP2, SP4, L1 and L3 of the Yorkshire Dales Local Plan (2015-2030).

6. The solar panels hereby approved shall be coloured black with a non-reflective coating and the supporting framework shall be coloured/finished matt black. The solar panels shall be fitted flush with the adjoining roof surface. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

7. When the solar panels, the subject of this permission, cease to be used for the purpose for which they were installed, they shall be removed from the site, together with all ancillary equipment to leave the building/site cleared.

Reason: To remove equipment and other features which have ceased to be used for energy generation at Low Ground Barn and in order for the Local Planning Authority to retain control over the land in accordance with policies SP1, SP4 and L1 of the Yorkshire Dales Local Plan (2015-2030).

8. Within 6 months of the completion of the development hereby permitted 2 x bat or wild bird boxes shall have been installed on the barn. 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).

9. Notwithstanding the details submitted with the application the building shall be used for short stay, communal, holiday accommodation [camping barn] only and no individual person or persons shall occupy the premises exclusively or use the facilities provided for more than 7 consecutive nights or for more than 28 days in any twelve month period. The building shall not be used or occupied as a dwellinghouse. To ensure that the



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building is used for its permitted use in furtherance of the aims and strategy of the Yorkshire Dales Local Plan (2015-2030) (policies SP1,SP2,T4,L2) which seeks to improve the quality and variety of visitor accommodation and provide appropriate uses for traditional field barns in remote and scenic locations within the National Park.

Reason: To ensure that the building is used for its permitted use in furtherance of the aims and strategy of the Yorkshire Dales Local Plan (2015-2030) (policies SP1,SP2,T4,L2) which seeks to improve the quality and variety of visitor accommodation and provide appropriate uses for traditional field barns in remote and scenic locations within the National Park.

10. Notwithstanding the provisions of Classes A,B,C,D,E and F of Part 2 and Classes J,K,L and M of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order,no development of the description in these classes including any means of enclosure,means of access,painting,electrical charging points or security cameras or the installation,alteration or replacement of solar PV,solar thermal equipment,ground source heat pump,water source heat pump shall be carried out on this site,except in accordance with a planning permission granted by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is acceptable,having regard to policy SP4 of the Yorkshire Dales Local Plan (2015-2030).

11. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015,or any Order revoking and re-enacting that Order,or the details submitted with the application,no consent is hereby granted for installation of external lighting. Prior to the installation of any external lighting,a lighting scheme containing the following details shall first be submitted to and approved in writing by the Local Planning Authority:

- manufacturers details;
- level of luminosity;
- position and height of lighting on the building/lighting column;
- method of down lighting.

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

Reason: In the interests of retaining the landscape setting of Low Ground Barn in accordance with policies SP4,L1 and L3 of the Yorkshire Dales Local Plan (2015-2030).



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12. Should any unexpected significant contamination be encountered during the course of construction of the approved development, it shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the relevant part of the development is resumed or continued.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of policy SP4 of the Yorkshire Dales Local Plan (2015-2030).

Informatives

1. 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.

2. The planning permission should be read in conjunction with the S106 legal agreement dated 30th March 2021 which does not allow or authorise the construction of overhead service lines (power or telecommunications) to this development.

Standard Note(s) to Applicant:



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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 April 2021



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.