

**TOWN AND COUNTRY PLANNING ACT 1990**  
**YORKSHIRE DALES NATIONAL PARK AUTHORITY**  
**(Local Planning Authority)**

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR:  
PERMISSION TO CARRY OUT DEVELOPMENT**

To: Mrs K Shuttleworth  
Windle Beech Winthrop

Decision No: C/04/689

**The above named Authority being the Local Planning Authority for the purposes of your application received on 08/08/2017 for full planning permission for erection of extension to existing agricultural building at Old Hall Farm, Feizor, SD788676 have considered the said application and have GRANTED permission for the proposal subject to the following 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.
2. The development shall be carried out in accordance with the details indicated in the following drawings/documents:  
Location Plan received on 8 August 2017;  
Site Plan drawing number BoothW-SO161 page 2 of 2 received on 8 August 2017;  
Elevations drawing number BoothW-SO161 page 1 of 2 received on 8 August 2017;  
Farm Building Questionnaire received on 8 August 2017; and Right of Way Statement received on 8 August 2017.
3. The materials used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing building.
4. Within 6 months of the completion of the development hereby permitted two bat or wild bird boxes shall have been installed on the approved extension or the original building. The bat or wild bird boxes shall be retained as such thereafter, unless details of alternative biodiversity enhancement measures are first submitted to and agreed in writing by the Local Planning Authority.
5. There shall be no external lighting erected on the building hereby permitted.

Reason(s):

1. To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990 (as amended).
2. To define the plans/details to which this permission relates.
3. To ensure that the proposal has a satisfactory appearance in accordance with Policy SP4 of the Yorkshire Dales National Park Local Plan (2015-2030).

Date: **2 8 SEP 2017**

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Designation

HEAD OF DEVELOPMENT MANAGEMENT

**FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF**

## RIGHTS OF APPEAL

1. If an applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State for the Environment (The Planning Inspectorate) in accordance with Section 78 of the Town and Country Planning Act 1990, within 6 months of the date of this notice. **NB this reduces to within 12 weeks of the date of this notice if it is a refusal of a Householder or Minor Commercial application (this would be shown at the top of the notice).** The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (including reference to office and industrial development) to the provisions of the development order, and to any directions given under the order.
2. 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.
3. 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:

If you wish to exercise your right of appeal as mentioned above, you can do so 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 on tel: 0303 444 5000.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). 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.

*(approval/refusal)*

Continuation Sheet 1

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4. To provide for wildlife protection and enhancement in accordance with Policies W2 and SP4 of the Yorkshire Dales National Park Local Plan 2015 - 2030.
5. In the interests of visual amenity and to protect the National Parks dark skies in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015 - 2030).

**Notes to Applicant:**

This Authority has acted positively and proactively in dealing with this application by providing constructive advice throughout the application process and the application has been determined in accordance with local plan policies and the presumption in favour of sustainable development set out in the National Planning Policy Framework.

This permission does not authorise the doing of anything which interferes with Public Right of Way Number 5 which passes close to the site. In so far as the carrying out of this development may affect the right of way you are reminded that the right of way must remain free of obstruction and be available for use at all times.

If it is necessary to prevent walkers using the route, for reasons of building or health & safety, then the applicant must contact the Area Ranger (Rob Ashford 01729 833 204 robert.ashford@yorkshiredales.org.uk), as a temporary closure order will be required, at least 6 weeks prior to the intended start of the closure period. There is a cost to this process which the applicant will need to cover.

**NOTE:-**

*No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.*

DCPermitRpt

# YORKSHIRE DALES NATIONAL PARK AUTHORITY

<b>Application No:</b>	C/04/689	
<b>District:</b>	Craven	
<b>Parish:</b>	Austwick	
<b>Applicant's Name:</b>	Mr D Booth, WA & A Booth	
<b>Grid Ref:</b>	SD78896760	
<b>Received by YDNP:</b>	08/08/2017	<b>Officer:</b> Peter Eggleton

**PROPOSAL:** full planning permission for erection of extension to existing agricultural building

**LOCATION:** Old Hall Farm, Feizor

## CONSULTEES

**Austwick PC  
Area Ranger  
(Lancashire,  
Ribblesdale &  
Malhamdale)**

No comments

The development of Old Hall Farm in Feizor is very close to a bridleway. The access point onto the bridleway is adjacent to the proposed development, off the main road in Feizor, so care should be taken while work is ongoing to not endanger any members of the public accessing the public right of way. The bridleway should be free from obstruction by any materials, plant, scaffold, vehicles, barriers or anything else associated with the development. The public footpath must remain free for use at all times and obstruction of the route may result in legal action being taken by the National Park Authority. The work site should be fenced, in order to ensure the health & safety of public footpath users and site personnel.

In addition footpath 56, opposite the proposed development and part of the same farm, should not be obstructed throughout development of Old Hall Farm and be subject to the same guidelines stated above for bridleway 5.

**Wildlife Conservation  
Officer**

None received

## PUBLIC RESPONSES

None to date.

## RELEVANT PLANNING POLICIES

W2(15) - Biodiversity enhancement

BE2(15) - Rural land-based enterprise

SP1(15) - Presumption in favour of Sustainable Development

SP2(15) - National Park Purposes

SP4(15) - Development Quality

### **OFFICERS' OBSERVATIONS**

#### PROCEDURAL

The application has been publicised by a site notice dated 21/08/2017. Neighbours were not consulted as they are some distance from the building.

The proposal has not been amended.

#### PROPOSAL

The proposal would result in the extension of a steel portal framed building by 3.66 metres. It would maintain its existing form but the new element would extend further towards the road and replace an area of hardstanding that is currently used for storage of machine parts. The extension is proposed to increase the straw storage capacity of the building.

#### Principle of development

The works would increase the capacity of this existing building and would utilise the existing developed area. It would be a logical addition that would minimise new development and make an efficient use of the site. In these circumstances, the principle of extending an existing set of barns to support the agricultural business would not conflict with National Park purposes or sustainability objectives set out in Policies SP1 and SP2 of the Yorkshire Dales National Park Local Plan 2016 (LP). Policy BE2 accepts such development where it is necessary to serve the needs of the enterprise.

#### Character and appearance

The extension of the building over the yard would ensure that the overall impact of the development would be kept to a minimum. The extension would follow the form and materials of the existing building. It would however bring the building, which is already close to the road, closer to it. The road passes through this farm as it enters Feizor. The buildings and yard area dominate the character of the entrance to the village. This proposal would marginally increase the prominence of the building but as it would be within the area that is already dominated by large steel portal framed buildings and a substantial stone barn, it would not materially alter its character. The design would continue that of the existing building and would replace an area that is currently used for storage of trailers or machinery and which does not contribute positively to the appearance of the area. It may therefore tidy up this part of the site and overall, the proposal would satisfy the design requirements of Policy SP4.

#### Impact on amenities

The proposal will not alter the operation of the farm or the building. The nearest dwelling is about 50 metres away to the west but the alteration will not change the existing relationship. There will not therefore be any conflict with Policy SP4 (n).

#### Highway impact

The proposal will not materially alter the access arrangements to the barn. The building works may have some impact on the adjacent bridleway but these would be short term and its operation would remain the same once constructed.

#### Biodiversity

The proposal would have limited impact on existing biodiversity given that it would cover the existing concrete yard. Bird or bat boxes could be required by condition to provide benefits to biodiversity and satisfy Policy W2.

### **RECOMMENDATION**

It is recommended that permission is granted subject to conditions.

Determination of this application is within powers delegated to Officers by virtue of the Authority's Scheme of Delegation and Committee Terms of Reference January 2015 (section C7).

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Signed by Case Officer

Date 27/9/17

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Principal Planning Officer

Date 28/9/17