

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 S Gaughan**

Decision No: R/52/1E

The above named Authority being the Local Planning Authority for the purposes of your application received on 03/11/2017 for full planning permission to replace timber windows with uPVC windows (Retrospective) at The Chapel Cottage, Newkin, Bainbridge, SD933900 have considered the said application and have GRANTED permission for the proposal subject to the following Conditions:

1. The development hereby permitted is that indicated in the following details and drawings:-
Application form
Location & site plan
Windows schedule (Lifetime Windows)
all received 3/11/17

Reason(s):

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

Notes to Applicant:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently granting planning permission, subject to the conditions listed above, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Date: **12 DEC 2017**

REDACTED BY YDNPA

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Designation

HEAD OF DEVELOPMENT MANAGEMENT

FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

PM

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)

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	R/52/1E	
District:	Richmondshire	
Parish:	Bainbridge	
Applicant's Name:	Mrs S Gaughan,	
Grid Ref:	SD93399008	
Received by YDNP:	03/11/2017	Officer: Kerry White

PROPOSAL: full planning permission to replace timber windows with uPVC windows (Retrospective)

LOCATION: The Chapel Cottage, Newkin, Bainbridge

CONSULTEES

Bainbridge PC	No comments received.
Addleborough Ward	No comments received.
Senior Historic Environment Officer	No objections. The replacement windows have not caused significant harm to the character of the former chapel.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

SP4(15) - Development Quality

OFFICERS' OBSERVATIONS

Procedural

The application has been publicised by: site notice dated 10th November 2017 and neighbours were also consulted (see list on file).

The application has not been amended.

Key Issues

(a) Principle of development:

The Chapel Cottage is one half of a former chapel dating from 1864. The building sits in a prominent position within the village conservation area. Consent was granted in 1975 for the chapel to be converted to a pair of semi-detached dwellings and permitted development rights removed at that time for any alterations to the appearance of the properties. The timber windows (the subject of this application) in Chapel Cottage have been replaced. The windows would have been a much simpler design when the building was in use as a chapel and the conversion allowed for a more unusual design with two horizontal openings to be installed. The replacement windows are of the same design as the windows allowed in the conversion (and still in place in the adjoining property) but they are made in upvc, this has made them appear more bulky in appearance in particular in the horizontal glazing bar details. The conservation team have been consulted and they considered that although it would be preferable to have timber windows, the installed units have not caused significant harm to the character or historic significance of the building beyond what was granted permission in the 1970's. [Policy SP4 of the adopted Local Plan 2015-2030]

Parish Council Comments

R/52/1E

Page: 1

The Parish Council have not commented on the application.

Analysis of Material Considerations

The replacement windows (retrospective) do not cause significant harm to the historic building or its setting within the conservation area in accordance with policy SP4 of the adopted Local Plan 2015-2030.

RECOMMENDATION

Recommendation

It is recommended that permission is granted.

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).

REDACTED BY YDNPA

Signed by Case Officer

Date 11/12/17

REDACTED BY YDNPA

Principal Planning Officer

Date 12/12/17