

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: Mr I Harrison
The Plan Shop Architects

Decision No: R/66/78A

The above named Authority being the Local Planning Authority for the purposes of your application received on 21/04/2017 for full planning permission for erection of glazed link between main house and detached outbuilding; conversion of domestic outbuilding to create ground floor office, WC and accommodation above for use as annexe to main dwelling at Moorlands, Main Street, Horsehouse, SE047813 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 following plans and information:
 - site location plan;
 - proposed floor plans (drawing ref: YDNP/5113/03);
 - elevations and sections as proposed (drawing ref: YDNP/5113/04 Rev E); received 21 Apr 2017.

 - detailed construction patent glazing;
 - section details;
 - window details (drawing ref: YDNP/5113/06 Rev. A); received 12 Jun 2017.
3. The stonework of the external walls of the east elevation and south elevation of the outbuilding shall remain as the external finish of these walls once they are contained within the glazed link hereby approved and they shall not be plastered or painted. The stonework of the walls shall be retained as such thereafter.
4. The outbuilding hereby approved for conversion to ancillary living accommodation shall only be used for purposes ancillary to the main dwellinghouse and shall not be sold separately or occupied as a separate dwelling.
5. Within 3 months of the first use of the outbuilding hereby approved for conversion, 2 x bat boxes shall be installed on the south, east or west elevation of the outbuilding unless otherwise agreed in writing with the local planning authority.

Reason(s):

1. To comply with the requirements of Sections 91-93 of the Town and Country Planning Act

Date:

15 JUN 2017

REDACTED BY YDNPA

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

R/66/78A

- 1990 (as amended).
2. To define the plans that relate to this permission.
 3. In the interests of the significance of the Grade II Listed building. In accordance with policy L1 of the Yorkshire Dales Local Plan (2015-2030).
 4. To avoid the creation of a new dwelling in a location that could impact on the amenity of future occupiers of Moorlands. In accordance with policy SP4 of the Yorkshire Dales Local Plan (2015-2030).
 5. In the interests of biodiversity enhancement. In accordance with policy W2 of the Yorkshire Dales Local Plan (2015-2030).

Notes to Applicant:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	R/66/78A	
District:	Richmondshire	
Parish:	Carlton Highdale	
Applicant's Name:	Mr & Mrs M Baldwin,	
Grid Ref:	SE04728130	
Received by YDNP:	21/04/2017	Officer: Paul Martinson

PROPOSAL: full planning permission for erection of glazed link between main house and detached outbuilding; conversion of domestic outbuilding to create ground floor office, WC and accommodation above for use as annexe to main dwelling

LOCATION: Moorlands, Main Street, Horsehouse

CONSULTEES

Carlton Highdale PM	No response received.
Penhill Ward	No response received.
Wildlife Conservation Officer	No objections but recommend a condition requiring biodiversity enhancement in line with Policy W2. In this instance this should take the form of bird or bat boxes mounted on the house or in the vicinity.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

L1(15) - Heritage assets
W1(15) - Wildlife sites, species and networks
W2(15) - Biodiversity enhancement
SP4(15) - Development Quality

OFFICERS' OBSERVATIONS

PROCEDURAL

The application has been publicised by way of a site notice dated 27th April 2017.

KEY ISSUES

(a) Principle

The application proposes the incorporation of a detached outbuilding into the living accommodation of the dwelling forming an office and W.C. at ground floor with a bedroom at first floor. The outbuilding is small and would be linked through a glazed structure to the main dwelling, which is immediately adjacent to. There is therefore such a close relationship with the main house that it is considered highly unlikely that the outbuilding could be separated off from the main house to form an independent dwelling in the future and therefore in this instance a s.106 agreement to tie the main dwelling to the outbuilding is not considered necessary. Subject to a planning condition preventing the outbuilding from being occupied separately to the main dwelling it is considered that the proposed

conversion and link would be acceptable in principle.

(b) Impact on significance of heritage asset

Moorlands is a Grade II listed building and is therefore protected in the national interest for its special historic or architectural interest. Section 16 of the Planning (Listed buildings and conservation areas) Act 1990, requires the planning authority to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" when considering proposals for development.

The proposed works seek to provide a glazed link between the main Grade II listed dwelling and an adjacent detached outbuilding which is considered to be curtilage listed. The outbuilding would then be used as an annexe to the main dwelling. The glazed link would link the rear door of the dwelling with the first floor doorway of the existing outbuilding which is accessed by an existing flight of stone steps. The steps would be retained and the glazed link which would be formed from non-reflective glazing with grey aluminium framing would be constructed around this. The link would infill a relatively narrow area between the two buildings which, with the link being wholly glazed, and the existing stone steps and doorways retained, would continue to be read as two distinct buildings.

The proposed replacement windows would reflect the existing windows in the outbuilding and the 2 conservation rooflights in the rear roofslope would represent an improvement over the existing large plastic rooflights.

Overall it is considered that the proposal would represent a sensitive means of linking the two structures without resulting in the loss of historic fabric or impacting on the significance of either building.

[Policy L1]

(c) Impact on residential amenity

The application relates to the conversion of an existing outbuilding which is located sufficient distance from the boundaries of the site to avoid any harmful impact on the amenity of the neighbouring dwellings from overlooking. The proposal would therefore not impact on residential amenity.

[Policy SP4]

(d) Impact on Protected Species

Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2010. Regulation 9 of the Regulations provides that the local planning authority in the exercise of their functions, shall have regard to the requirements of the Habitats Directive. The application has been supported by a protected species survey. No evidence of bat activity was found within any part of the dwelling. The report concludes that the risk of disturbance to bats is minimal. The Authority's Wildlife and Conservation Officer has been consulted and has no objection to the proposals.

[Policy W1]

(e) In the interests of biodiversity enhancement it is recommended that a condition be imposed requiring the installation of 2 bat boxes on the south, east or west elevation of the building. Once installed, this would help to maintain the population of bats in the area and provide net gains to biodiversity in accordance with policy W2 of the Local Plan and the NPPF.

[Policy W2]

PARISH COUNCIL COMMENTS

No comments have been received.

ANALYSIS OF MATERIAL CONSIDERATIONS

The proposal would provide a sensitive link between the two buildings that would help to safeguard the future of the outbuilding. The proposal would not have a harmful impact on the significance of the Grade II listed building and would not impact on residential amenity. The proposal would not have an adverse impact on Protected Species. Subject to specific details being provided through condition and a condition controlling the occupancy of the outbuilding it is considered that the proposed development would be acceptable and would comply with policies, SP4, L1, W1 and W2 of the Yorkshire Dales Local Plan (2015-2030).

RECOMMENDATION

