

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(Local Planning Authority)**

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR:
LISTED BUILDING CONSENT**

To: Mr A Reaks
AFR Design

Decision No: R/67/52B/LB

The above named Authority being the Local Planning Authority for the purposes of your application received on 03/01/2017 for listed building consent for new first floor window to en-suite and new S & V pipe to rear elevation, and internal alterations to property at Elm Tree Farm, Carlton, SE062845 have considered the said application and have GRANTED Listed Building Consent for the proposal subject to the following Conditions:

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this notice.
2. The works shall be carried out in accordance with the following plans and information:
-site location plan;
received 3 Jan 2017.

-amended plans, elevations and sections (drawing ref: AFR/P1210/D2 Rev. C);
received 26 Apr 2017.

-window details (drawing ref: AFR/P1210D3 Rev. D);
received 28 Apr 2017.
3. The external grill of the extractor systems serving the ensuite, utility and bathroom shall be formed from horizontally laid natural slates fitted flush with the external face of the building.
4. The en-suite window shall be installed in accordance with drawing ref: AFR/P1210/D3 Rev. D with a glazing thickness of no greater than 14mm and painted to match the existing windows in the dwelling.
5. Any additional stone flags required to form the floor following the removal of the pantry wall shall be local natural stone flags to closely match the existing.
6. No works shall be carried out to the existing timber floorboards in the dining room without a method statement for the works having first being submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the method statement thereafter.

Reason(s):

1. To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 (4) of the Planning and

Date: **17 MAY 2017**

Redacted by YDNPA

Designation

HEAD OF DEVELOPMENT MANAGEMENT

FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

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RIGHTS OF APPEAL- LISTED BUILDINGS

NOTES

1. 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 further approval has been obtained.
2. Attention is drawn to Section 8 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that DEMOLITION MAY NOT BE UNDERTAKEN (despite the terms of the consent granted by the Local Planning Authority) UNTIL NOTICE OF THE PROPOSAL HAS BEEN GIVEN TO HISTORIC ENGLAND ARCHITECTURAL INVESTIGATION SECTION, 37 Tanner Row, York, YO1 6WP, (using Form Stat E) and they have subsequently have either been given reasonable access to the building for at least one month following grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.
3.
 - (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent for the proposed works or to grant consent subject to conditions, they may, by notice served within 6 months of the date of this notice, appeal to the Secretary of State for the Environment (The Planning Inspectorate) in accordance with Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and they will exercise their power in cases where they are satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.
 - (2) If Listed Building Consent 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 works which have been or would be permitted, he may serve on the Local Planning Authority a Listed Building Purchase Notice requiring that council to purchase his interest in the land in accordance with the provisions of Chapter III of the Planning (Listed Buildings and Conservation Areas) 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 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

(listed building)

Continuation Sheet 1

R/67/52B/LB

Compulsory Purchase Act 2004)

2. To define the plans relating to this consent.
- 3, 4, 5, 6. 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).

NOTE:-

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DCPermitRpt

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	R/67/52B/LB	
District:	Richmondshire	
Parish:	Carlton Town	
Applicant's Name:	Mr C Tratalos,	
Grid Ref:	SE06208458	
Received by YDNP:	03/01/2017	Officer: Paul Martinson

PROPOSAL: listed building consent for new first floor window to en-suite and new S & V pipe to rear elevation, and internal alterations to property

LOCATION: Elm Tree Farm, Carlton

CONSULTEES

Carlton Town PC

Carlton Town Parish Council have received no objections to the above planning proposal and at their meeting held on Thursday 26th January the councillors agreed that they are minded to support the application.

Penhill Ward

No response received.

Senior Listed Building Officer

No objections following amendments to the application.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

L1(15) - Heritage assets

OFFICERS' OBSERVATIONS

PROCEDURAL

The application has been publicised by way of a site notice dated 16th January 2017.

The application was amended on 26th April 2017 to remove the demolition of the front pantry wall which was likely to have been the original external wall of the dwelling and therefore has a high level of significance.

Additional detail in respect of the new window and the ventilation grills was provided on 28th April 2017.

KEY ISSUES

(a) Impact on significance of heritage asset

Elm Tree Farm 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 application proposes the installation of a new first floor window. This would be in place of a formerly blocked opening and would match the style of the existing window at ground floor. It would

