

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 S Craven
Stephen Craven Building Design Ltd

Decision No: C/23/47G

The above named Authority being the Local Planning Authority for the purposes of your application received on 20/11/2017 for Section 73 application to vary Condition 2 of C/23/47F in respect of re-alignment of roofs of extension and outbuilding to simplify internal wall arrangement at Brookside Cottage, Back Lane, Cracoe, SD977600 have considered the said application and have GRANTED permission for the proposal subject to the following Conditions:

2. The development hereby permitted shall be carried out in accordance with the details submitted with the application, including the following plans and drawings:
 - Bat survey report received 5/1/17
 - Location Plan (drawing no 9 revision A)
 - Proposed Elevations (drawing no 07 revision D)
 - Proposed Floor Plans (drawing no 05 revision D)
 - Proposed Sections (drawing no 06 revision C)all received 20/11/17
3. The external stone walls of the extensions hereby approved shall be constructed in local natural stone laid and pointed to match in type, style, colour and texture the existing walls of Brookside Cottage, Cracoe as at the date of this permission and shall be retained as such thereafter.
4. All new lintels, sills and jambs shall be of natural stone and shall match those surviving original examples within the existing building at the date of this notice, in terms of type of natural stone, colour, dimensions, surface texture and tooling to the external finish. The surrounds shall be retained as such thereafter.
5. The window frames and doors shall be constructed from timber and recessed by a minimum of 100 mm from the external face of the wall in which they are set. The window frames and doors shall be retained as such thereafter.
6. The materials to be used as the exterior roof covering of the extensions and alterations hereby permitted shall be local natural stone of the same size, texture, colour and coursing as those existing on Brookside Cottage, Cracoe at the date of this permission and shall be retained as such thereafter.

Date: 15 JAN 2018

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

C/23/47G

7. All rainwater goods and other external pipework, including fixings, shall be coloured black and shall be fixed direct to the masonry of the building using rise and fall brackets or equivalent fixings and shall be retained as such thereafter.
8. The rooflights in the approved development shall be of 'conservation style', fitted flush with the adjoining roof surface and shall not project above the plane of the roof. The rooflights shall be retained as such thereafter.
9. Notwithstanding the provisions of Classes A, B, C, D, E, G & H of Part 1 and Class C of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking, re-enacting or modifying that Order, no development of the description in these classes including enlargements, improvements or alterations, addition or alteration to the roof, porch, the installation of gas or oil container, a microwave antenna or flue shall be carried out on the site except in accordance with a planning permission granted by the Local Planning Authority.
10. Notwithstanding the provisions of Classes A, B, E, F and G 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 this description in these classes including the installation, alteration or replacement of solar pv or solar thermal equipment on the dwellinghouse hereby approved or a building situated within the curtilage shall be carried out on this site, except in accordance with a planning permission granted by the Local Planning Authority.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that order), no windows [other than those expressly authorised by this permission] shall be inserted into the dwelling hereby approved.
12. Within 6 months of the completion of the development hereby permitted 2 x bat or wild bird boxes shall have been installed on the approved extension or the original dwelling. 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.
13. The conservatory doors on the south west elevation shall be aluminium bi-fold doors with powder coated finish in grey (as indicated on the Proposed Elevations Plan drawing no 07 revision D) and should be recessed by a minimum of 100mm and remain as such thereafter.

Reason(s):

2. To define the plans and information to which permission relates.
- 3, 4, 5, 6, 7, 8, 13. In the interests of visual amenity in accordance with policies SP2 and SP4 of the adopted Yorkshire Dales National Park Local Plan (2015-2030).
9. In the interests of visual and neighbouring amenity with regard to the potential impact of further 'permitted development' relating to the extension and alteration of a substantially extended dwellinghouse, in accordance with policies SP2 and SP4 of the adopted Yorkshire Dales National Park Local Plan (2015-2030).

Continuation Sheet 2

C/23/47G

10. In the interests of visual and neighbouring amenity with regard to the installation and alteration of renewable energy technology and appliances within the curtilage of a traditional building, in accordance with policies SP2 and SP4 of the adopted Yorkshire Dales National Park Local Plan (2015-2030).
11. In order to protect the amenity of neighbouring properties and the character of the traditional building in accordance with policies SP2 and SP4 of the adopted Yorkshire Dales National Park Local Plan (2015-2030).
12. In the interests of ecological enhancement in accordance with policy W2 of the adopted Yorkshire Dales National Park Local Plan (2015-2030).

Notes to Applicant:

Bats & birds - No disturbance to any part of the roof structure, or external or internal wall surface adjacent to it, shall take place if protected species (bats & birds) are found to be present. In the event of bats and birds being present then the owner should contact Natural England or the National Park Authority for further advice.

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

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	C/23/47G	
District:	Craven	
Parish:	Cracoe	
Applicant's Name:	Mr & Mrs S Walton,	
Grid Ref:	SD97756000	
Received by YDNP:	20/11/2017	Officer: Harriet Foster

PROPOSAL: Section 73 application to vary Condition 2 of C/23/47F in respect of re-alignment of roofs of extension and outbuilding to simplify internal wall arrangement

LOCATION: Brookside Cottage, Back Lane, Cracoe

CONSULTEES

Cracoe PM	No response received.
Wildlife Conservation Officer	No objection to the substitution of different plans for those referred to in Condition 2 of application C/23/47F, but recommended that the wording relating to bats is retained in a new condition.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

W1(15) - Wildlife sites, species and networks
W2(15) - Biodiversity enhancement
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: site notice dated 21/11/17 and neighbours were consulted.

The proposal was not amended from the original.

Key Issues

(a) Principle of development:

The proposal is for the variation of Condition 2 of C/23/47F in respect of re-alignment of roofs of the extension and outbuilding to simplify the internal wall arrangement. The roof re-alignment refers to the extension and outbuilding conversion to the south-east and south-west elevation.

(b) Impact on residential amenity of neighbours:

Brookside Cottage is surrounded by other residential properties. The built form of the properties and

layout of the site means the houses are relatively close together. With regard to residential amenity and as identified in the previous application (C/23/47F) Officers Report, the most directly affected properties would be East Cottage to the north of the property, and Brookside House which is located to the south. In addition the extensions to the south west of the property would be seen from Olrig Croft (a dwelling situated to the north west of Brookside Cottage) and from Fosset Barn to the north east.

With regards to this application for the alteration of the previously approved application (C/23/47F), the re-alignment of the outbuilding/extension roofs does not pose any greater impact on residential amenity as what was previously identified. As stated in the Officers Report for application no C/23/47F (decision dated 6/3/17), 'Despite a close physical relationship, the extensions to the south west of the property would not because of their scale and similarity to the existing sunroom size cause any undue adverse impact upon either Olrig Croft or Brookside House in terms of any loss of privacy, physical overbearing affects or loss of existing outlook'. The proposal therefore is in accordance with policy SP4 of the Yorkshire Dales National Park Local Plan (2015-2030).

(c) Impact on character and appearance of the area:

With regards to the re-alignment of the roofs of the extension and outbuilding, the proposed alteration does not impact upon the character and appearance of the area with the re-alignment being a simple and minimally visual change. The proposed design is appropriate with regards to materials and also in ensuring the outbuilding/extension remain respectful and subservient to the existing building (SP4).

(d) Impact on ecology

A protected species survey report was submitted with the previously approved application (C/23/47F), with the report confirming that following the fire at the property there was no longer potential for the building to support bat roosting due to the damage to the ceiling and roof. The single storey outbuildings and conservatory to be altered have limited potential for supporting bat roosts or other activity. No evidence of bat activity, or other protected species was found when the site was inspected. Despite of this, an advice note has been added to this permission to ensure that if bats or birds are found to be present the owner should contact Natural England or the National Park Authority for further advice which is in accordance with the recommendation made by our Wildlife Conservation Officer.

Policy W2 of the Yorkshire Dales National Park Local Plan (2015-2030) requires new development that would have an impact on biodiversity to make a proportionate on-site contribution to wildlife enhancement, in accordance with Table 7 on page 89 of the Local Plan. In this case, the enhancement measure should be in the form of nesting/roosting boxes for wild birds or bats. Any condition can be worded to allow scope for alternative wildlife habitat enhancement should the applicant desire an alternative provision.

Parish Council Comments

No response was received.

Analysis of Material Considerations

The proposal for the re-alignment of the outbuilding and extension roofs is not considered to impact upon the residential amenity of nearby neighbours. The character and appearance of the building and thus impact on the surrounding area remains as minimal with the proposed design and materials used being sympathetic and respectful. The proposal does not give rise to any undue impacts upon protected species and so therefore satisfies the objectives and accords with policies SP2, W1, W2 and SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

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).

REDACTED BY YDNPA

Signed by Case Officer

REDACTED BY YDNPA

Date

15/1/18

Date

15/1/18

Principal Planning Officer