

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 D Ellison**
Dr & J E Ellison

Decision No: S/01/183A

The above named Authority being the Local Planning Authority for the purposes of your application received on 15/09/2014 for full planning permission to roof over sheep pens and collecting yard at Greenwell Farm, Dent, SD714863 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/works shall be carried out in accordance with the details indicated in the following drawings/documents:-

Site location plan, date stamped received 15th September 2014.
Proposed site plan 1:500, date stamped received 15th September 2014.
Proposed block plan 1:200, date stamped received 15th September 2014.
Proposed Elevations, date stamped received 15th September 2014.
3. The roof sheets of the building hereby permitted shall be factory painted RAL Colour Range 7015 (anthracite grey) and not painted in-situ. Once installed, the roof sheets of this colour shall be retained thereafter.
4. Within three months of the building first being brought into use, all external timber shall be stained dark brown using a proprietary timber stain, not creosote. The timber shall be retained as such thereafter.
5. No external lighting is to be 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 that relate to this permission.
- 3, 4. To ensure the satisfactory external appearance of the building in the interests of visual amenity in accordance with saved policies GP2 and F1 of the adopted Yorkshire Dales Local Plan (2006).
5. In the interests of amenity to protect the qualities of the landscape in accordance with saved policy GP2 of the adopted Yorkshire Dales Local Plan (2006).

Date: 10 NOV 2014

Redacted by YDNPA

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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 <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal> or on the appropriate form obtainable from:

The Planning Inspectorate
Temple Quay House
Room 3/13
2 The Square
Temple Quay
Bristol
BS1 6PN
0303 444 50 00

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

S/01/183A

Notes to Applicant:

This 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, and the guidance 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:	S/01/183A	
District:	South Lakeland	
Parish:	Dent	
Applicant's Name:	Mr D Ellison, Dr & J E Ellison	
Grid Ref:	SD71428632	
Received by YDNP:	15/09/2014	Officer: Paul Martinson

PROPOSAL: full planning permission to roof over sheep pens and collecting yard

LOCATION: Greenwell Farm, Dent

CONSULTEES

Dent PC	Supports proposal.
Highways, Cumbria County Council	No objections
Wildlife Conservation Officer	No objections.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

F1(06) - Agricultural Buildings and Structures

EP1(06) - Protecting The Environment

GP2(06) - General Design Policy

OFFICERS' OBSERVATIONS

APPLICATION SITE

Greenwell Farm is a working livestock farm located to the north and south of Deepdale Lane in Dentdale. The farmstead occupies an isolated position surrounded by open countryside, much of which forms part of the holding. There are a mix of traditional and modern agricultural buildings, the majority of which are sited on the north side of the highway, whilst the farmhouse itself is located immediately opposite on the south side.

PROPOSAL

The application seeks planning permission to roof over a yard and sheep pens located to immediately to the south of a two storey traditional agricultural building. The proposed structure would consist of a roof supported by steel posts and would attach to the gable of the adjacent stone barn at a maximum height of 4.75m. The roof would have a shallow pitch and would be finished with anthracite coloured fibre cement sheets. The structure would have no walls and would be open to all sides although Yorkshire boarding would be provided on the south elevation above a height of 2.9m. 12no. rooflights would be installed in the roof.

RELEVANT PLANNING HISTORY

S/01/183 – Proposed agricultural building. Approved 2006.

KEY ISSUES

-Planning policy

- Agricultural justification
- Visual amenity
- Neighbour amenity
- Protected species

PLANNING POLICY

Saved policy GP2 of the adopted Local Plan states that new development should be of a kind, scale, siting, and design which is sympathetic to or enhances the landscape character or distinctiveness of the surrounding area, uses appropriate materials and does not have an unacceptable impact on neighbouring amenity.

Saved policy EP1 states that development will not be permitted where it would result in an unacceptable impact on either surface or ground water; the quality of the air, land or soil; the level of noise, dust, vibration or light; or the health and safety of the public.

Saved policy F1 permits agricultural and forestry buildings and structures subject to certain criteria, including; that it is necessary in that location and cannot be achieved by adaption of a traditional building; would not detract from the surrounding landscape, including any wildlife, archaeological or building conservation interest; it meets policies EP1 and NE1 in respect of the environment and protection of the open upland; it would not adversely affect residential amenity or a public right of way; and would not create any significant traffic problems. Where necessary an agreed landscaping scheme will be required to meet the requirements of policy GP4.

Saved policy NE7 states that development that would adversely affect protected species will not be permitted unless it is demonstrated that there is an essential need for the development that it is sufficient to override nature conservation concerns and there is no alternative solution that would lessen the impact.

AGRICULTURAL JUSTIFICATION

The roofing over of the yard is proposed as part of an existing livestock enterprise and has been the subject of a Catchment Sensitive Farming Capital Grant that is administered by the YDNPA Farm Conservation section. The open yard that forms the application site is currently in use for sheep and cow handling which, due to the mixing of animal effluent with rainwater has created potential for water pollution. The proposed structure would improve welfare and reduce the potential for pollution.

The applicant farms a substantial portion of the land surrounding the farmstead and it is considered that the proposal is justified in accordance with saved policy F1 of the Yorkshire Dales Local Plan (2006).

VISUAL AMENITY

The proposed structure would be constructed over a group of existing pens that are enclosed by stone walls. The overall footprint would be roughly similar to that of the existing stone agricultural building although the ridge height would be significantly lower. It is considered that the proposal would represent a lightweight extension to the building that would clearly read as a later addition and would therefore not detract from the character of the existing stone building. It is considered that the siting of the structure as an extension to the existing building would be well related to the existing buildings on the existing farm yard. Anthracite fibre cement roof sheets are proposed which would be reflective of the roofs of the surrounding buildings. It is recommended that a condition be imposed to paint the Yorkshire boarding a dark brown to match the adjacent agricultural building which has also been painted. As the building would be sited within the existing yard and the existing group of buildings it is not considered that the proposal would have a significant wider landscape impact. The structure would be seen from the road at close proximity to the farm but its lightweight nature and siting within the existing yard would prevent it from appearing out of place. As the building would be unlikely to have any noticeable impact on the wider landscape, it would be unreasonable to require any additional landscaping around the application site.

Overall it is considered that the proposal would not detract significantly from the surrounding landscape and would not be harmful to the character or appearance of the surrounding area.

NEIGHBOUR AMENITY

The closest residential property, Howgill House, is located approximately 60m away from the application site. As the proposal would involve the covering over of a yard that is already used for

stock handling it is not considered that the proposal would result in a significant change to the amenity of the occupiers of Howgill House in terms of the impact of noise or smells. There are no other residential properties located in close proximity to the application site. It is therefore considered that the proposal would not be harmful to neighbouring amenity.

POLLUTION

As the proposal would reduce the opportunity for rainwater to mix with effluent on the yard it is considered that the proposal would reduce the potential for water pollution in the vicinity.

ANALYSIS OF MATERIAL CONSIDERATIONS

The proposal is justified for agricultural purposes and would have an acceptable landscape impact. It would not be harmful to neighbour amenity and would reduce the potential for water pollution. The proposal would accord with saved policies GP2, EP1 and F1 of the Yorkshire Dales Local Plan (2006) and the NPPF.

RECOMMENDATION

Approve subject to conditions.

Redacted by YDNPA

Signed by Case Officer

Date 07/11/14

Redacted by YDNPA

Principal Planning Officer

Date 10.11.14.