

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/55/42L

The above named Authority being the Local Planning Authority for the purposes of your application received on 01/09/2017 for full planning permission for alterations to north wing to re-configure existing bedroom accommodation, install en-suites to bedrooms and form a wheelchair accessible bedroom and shower room to ground floor at North Wing, Malham Tarn House, Malham Moor, SD893672 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:
 - location & block plan (drg.no.19/2017/07)
 - proposed ground floor plan (drg.no.19/2017/04)
 - proposed first floor plan (drg.no.19/2017/05)
 - proposed elevations and sections (drg.no.19/2017/06)
 - proposed roof plan (drg.no.19/2017/08)
 - Method Statement
 - Planning Statement
 - Daylight scoping and emergence survey
 - sunpipe detailreceived 01 September 2017.
3. The windows shall be timber and painted white; the doors shall be vertically boarded timber and painted maroon to match the windows and doors in the existing buildings and the stonework to the infill walling in the north elevation arched recess shall be a natural stone to match the existing building in type, coursing and external appearance.
4. The existing window surround on the north elevation lean-to shall be retained in-situ with the exception of the cill, in accordance with the proposed elevation detail shown on drg.no.19/2017/06) dated 1 September 2017.

Date: 16 OCT 2017

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: <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/55/42L

5. For the avoidance of doubt and to accord with the requirements of the bat daylight scoping and bat emergence survey dated 1 September 2017:
1. Works must not take place either between 1 May to 31 August or 1 December to 1 March,
 2. A tool-box talk should be given to contractors by a bat ecologist to explain what is to be done in the event of bats being discovered during works,
 3. A supervising ecologist must be present during removal of any roofing materials, if this is to take place,
 4. Prior to the start of works a hibernation box will be installed nearby should any bats be disturbed and require a safe refuge.

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 and information that relate to this permission.
- 3, 4. In the interests of visual amenity in accordance with policies SP4 and L1 of the Yorkshire Dales Local Plan (2015-2030).
5. In the interests of species protection in accordance with policy W1 of the Yorkshire Dales Local Plan (2015-2030).

Notes to Applicant:

This Authority has acted positively and proactively in dealing with this application by addressing issues of concern by the use of planning conditions and the application has been determined in accordance with local plan policy and the presumption in favour of sustainable development set out in the National Planning Policy Framework.

Advice note no.1:

The applicant should adhere to the recommendations shown in the attached Asbestos Report. To ensure that risks from asbestos to the environment and future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers and other offsite receptors.

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/55/42L	
District:	Craven	
Parish:	Malham Moor	
Applicant's Name:	Mr J Wright, Field Studies Council	
Grid Ref:	SD89366726	
Received by YDNP:	01/09/2017	Officer: Emma Heron

PROPOSAL: full planning permission for alterations to north wing to re-configure existing bedroom accommodation, install en-suites to bedrooms and form a wheelchair accessible bedroom and shower room to ground floor

LOCATION: North Wing, Malham Tarn House, Malham Moor

CONSULTEES

Kirkby Malhamdale PC	No objections
Fire & Rescue Service	Water supplies and access satisfactory
CEHO Craven	No known contaminated land implications regarding this proposed development. The applicant must adhere to the recommendations shown in the attached Asbestos Report.
Harrogate Police Station	No comments to make.
Natural England	No objection. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.
Wildlife Conservation Officer	
Area Ranger (Lancashire, Ribblesdale & Malhamdale)	No comments received.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

L1(15) - Heritage assets

W1(15) - Wildlife sites, species and networks

SP1(15) - Presumption in favour of Sustainable Development

SP4(15) - Development Quality

OFFICERS' OBSERVATIONS

PROCEDURAL

The application has been publicised by: site notice dated 11th September 2017. There are no

neighbouring properties so no neighbours were consulted.

The proposal was not amended from the original.

KEY ISSUES

(a) Principle of development: The proposal is for external and internal alterations to 'North Wing' next to and in the grounds of a grade II listed building known as Tarn House. 'North Wing' is a former stables and coach house constructed in the C19th and is now used for classrooms and student accommodation. 'North Wing' is associated with Tarn House, however while it is not excluded from the list description it is referred to as "not of special interest". Nonetheless the proposal should be considered under Heritage Asset legislation and policies.

The main consideration of this proposal is the impact of the proposed works on the significance of the historic asset. Sections 16 and 66 of the Town & Country Listed Building & Conservation Areas Act 1990 requires that the local planning authority has special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 128 – 133 of the National Planning Policy Framework set out the government's advice in relation to the assessment of the significance of heritage assets, and the impact any works may have on this significance.

Policy L1 of the Yorkshire Dales Local Plan (2015-2030). This permits development proposals provided they conserve or enhance the significance of the heritage asset concerned. Significance can derive from the building itself, but can also derive from its setting.

The planning application proposal is for minor external alterations to the building (with the majority of works being internal and contained in the listed building consent application. The proposal comprises:
-the insertion of two sun-pipes in the northern facing roofslope (facing away from Tarn House towards the rising woodland);
-the removal of a glazed screen and door from the recessed entrance on the southern elevation (facing the courtyard with Tarn House), and replacement with walling plus timber door and window;
-the breaking out below the existing window cill on the northern elevation lean-to (which is currently obscured by a notice board), in order to form a timber doorway.
The ground floor elements of these proposals are to improve the accommodation for less able-bodied users.

The two sun-pipes would not be seen from wider vantage points and do not impact upon the setting of Tarn House. The glazed screen on the southern elevation is a modern and unattractive intervention so the walling up and provision of door and window would be a visual enhancement. This would be deeply recessed behind an existing stone arch which contributes to the setting of Tarn House, and this will not be altered. The timber doorway to be formed in the existing window opening will also conserve the character and significance of the heritage asset; the existing stone window surround would be retained in a manner to allow the opening to be read as a former window, and the existing noticeboard would be removed thus revealing an existing opening. The timber boarding detailing would be sympathetic to the overall building detailing.

Overall the proposal will have no harmful effect on the setting of the grade II listed Tarn House; they are minimal interventions that in general improve the appearance of the building. Where there is very minor harm with regards to the insertion of the sun-pipes, these are sited sympathetically so as to have no harmful impact upon the setting of Tarn House and wider views towards the site.

The proposal is therefore considered to comply with policies L1, SP1 and SP4 of the Yorkshire Dales Local Plan (2015-2030), the Yorkshire Dales Design Guide (with regards to window, door and walling detail and sensitive siting of the sun-pipes), and paragraphs 128 - 133 of the NPPF.

(b) 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 requirement of the Habitats Directive. The application has been supported by a protected species scoping and emergence survey, which highlights the importance of 'North Wing' as a maternity roost for two species of Pipistrelle bat. As there is likely to be some level of disturbance to the roof void, the Authority's Wildlife and Conservation Officer advises that it is important that the works are carried out in such a way as to minimise risks to bat colonies by way of a condition, which is included on the draft

decision notice. On the basis of compliance with the condition, the proposal accords with policy W1 of the Yorkshire Dales Local Plan (2015-2030).

ANALYSIS OF MATERIAL CONSIDERATIONS

Given the minor alterations involved and their sensitive treatment and siting, the proposal is considered to be acceptable having regard to sections 16 and 66 of the Town & Country Listed Building & Conservation Areas Act 1990, paragraphs 128 – 133 of the NPPF and policies L1, SP4 and W1 of the Yorkshire Dales Local Plan (2015-2030), and the Yorkshire Dales Design Guide.

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).

RECOMMENDATION

Approve with conditions
REDACTED BY YDNPA

Signed by Case Officer

Date 16 Oct 2017

REDACTED BY YDNPA

Principal Planning Officer

Date 16th Oct. 2017