

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/85/46A/LB

The above named Authority being the Local Planning Authority for the purposes of your application received on 14/05/2014 for listed building consent for conversion of outbuilding to form ancillary accommodation to the main dwelling at The Chantry at Chantry Barn, The Chantry, West Scafton, SE073836 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 details indicated in the following drawings/documents:-

Proposed site layout and location plan, date stamped received 14th May 2014.
Amended floorplans and elevations, date stamped received 22nd September 2014.
John Drewitt Bat Survey Report, date stamped received 22nd September 2014.
Rose Consulting Structural Engineers Report, date stamped received 14th May 2014 and addendum date stamped received 22nd September 2014.

3. No part of the building shall be demolished and/or rebuilt, except strictly as indicated in the structural report by Rose Consulting Engineers and on drawing number AFR/P1024/D4 Rev E. Those areas identified for rebuilding shall be built up reusing stone reclaimed from the site that shall be laid and pointed to match in type, style, colour and texture, a sample panel of stonework measuring not less than 1 metre x 2 metres and including a corner, which shall have been built up on the site and which shall have been inspected on behalf of and approved in writing by the Local Planning Authority prior to the commencement of any works. Any additional materials required shall be reclaimed natural stone of the same kind, dimensions and colour as those on the existing building at the date of this notice. The re - built elevations should ensure the replication of throughs and quoins shown on the photographs of the gable prior to collapse.
4. The mortar to be used for the re - building of the external elevations, any re - pointing and re - roofing works shall consist of a naturally hydraulic lime mix as follows;
 - 1 part soft sand
 - 1 part grit sand
 - 1/2 grit aggregate (5mm down)
 - 1 moderately hydraulic lime NHL 3.5.

Date: - 5 JAN 2015

Redacted by YDNPA

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Designation

HEAD OF DEVELOPMENT MANAGEMENT

FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

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 THE ROYAL COMMISSION ON HISTORICAL MONUMENTS, Shelley House, Acomb Road, York, YO2 4HB, and the Commission subsequently have either been given reasonable access to the building for at least one month following the 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 <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.

(listed building)

5. The natural stone roofing slates reclaimed from existing barn shall be re - used as the exterior roof covering of the building. Any additional slates required shall have first been made available on site and approved in writing by the Local Planning Authority prior to the commencement of any works. The natural stone slate roof shall be retained as such thereafter.
6. Prior to the commencement of the works hereby approved drawings indicating the precise design, material and position of the proposed rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The rainwater goods shall be installed in accordance with the approved details and retained as such thereafter.
7. 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 (including extent of lateral projection beyond the sides of the opening and forward projection from the wall surface), surface texture and tooling to the external finish.
8. Notwithstanding the details contained on the approved drawings prior to the commencement of the works hereby approved, drawings to a scale of not less than 1:10 indicating the precise design, material, proportions, profile and glazing thickness of the windows, doors and frames shall be submitted to and approved in writing by the Local Planning Authority. The drawings shall indicate that the window and door frames shall be recessed by a minimum of 150mm from the external face of the wall in which they are set. The windows and doors shall be installed in accordance with the approved details and retained as such thereafter.
9. Prior to the commencement of the works hereby permitted, a drawing indicating the proposed external appearance of the extractor system to be inserted into the South - Eastern elevation shall be submitted to and approved in writing by the Local Planning Authority. The drawing shall indicate the use of thin stone louvres set flush with and to match the elevation stone work. The works shall be carried out in accordance with the approved details and retained as such thereafter.
10. Window frames and doors shall be painted in a matt heritage colour which has first been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby permitted. The window and door frames shall be finished in accordance with the approved details and shall be retained as such thereafter.
11. The works hereby permitted shall be carried out in strict accordance with the Mitigation Method Statement (pages 15 and 16) within the bat survey by John Drewitt dated 22nd August 2010.
12. Notwithstanding the details contained within the approved plans, the lintel above the wide cart - door opening shall be repaired (not replaced) using steel ties and brackets in accordance with details which have first been submitted to and approved in writing prior to the commencement of the works hereby permitted. The works shall be carried out in accordance with the approved details and retained as such thereafter.
13. Prior to the commencement of the works hereby permitted details of the proposed means of soil and ventilation for the bathroom shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the vent being carried up to a raised ridge tile or an alternative to the soil and vent pipe shown on the approved drawings. The works shall be implemented in accordance with the approved details.

Continuation Sheet 2

R/85/46A/LB

14. No lighting shall be installed on the external elevations of Chantry Barn unless details of the design, position, method of fixing and luminance levels have first been submitted to and approved in writing by the Local Planning Authority. No external lighting shall be erected unless in strict accordance with the approved details.
15. Prior to the commencement of any internal works to Chantry Barn details of the proposed joinery including skirting boards, staircase and doors shall have first been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained as such thereafter.
16. No works shall take place to the surface treatment of the infill area between The Chantry and Chantry Barn unless detailed drawings and a specification/methodology for the re-surfacing/reinstatement of cobbles has first been submitted to and approved in writing by the Local Planning Authority. The works shall take place in strict accordance with the approved details.

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 Compulsory Purchase Act 2004)
2. To define the plans that relate to this permission.
- 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15. To ensure that the impact of the works on the character and special interest of the listed building is acceptable, having regard to saved policy B13 of the adopted Yorkshire Dales Local Plan (2006).
7. To ensure that the character of the traditional building is retained and its external appearance is acceptable, having regard to saved policy B15 of the adopted Yorkshire Dales Local Plan (2006).
11. To ensure protected species are not affected by the works to the existing building in accordance with saved policy NE7 of the adopted Yorkshire Dales Local Plan (2006).
16. To ensure that the setting of the listed buildings is enhanced, having regard to saved policy B13 of the adopted Yorkshire Dales Local Plan (2006).

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.

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YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	R/85/46A/LB	
District:	Richmondshire	
Parish:	West Scafton	
Applicant's Name:	Mr S Renney,	
Grid Ref:	SE07338366	
Received by YDNP:	14/05/2014	Officer: Michelle Clowes

PROPOSAL: listed building consent for conversion of outbuilding to form ancillary accommodation to the main dwelling at The Chantry

LOCATION: Chantry Barn, The Chantry, West Scafton

CONSULTEES

Society for the Protection of Ancient Buildings	No comments received in relation to the amended details/plans.
Ancient Monuments Society	No comments received at the time of report preparation.
Council for British Archaeology	No comments received at the time of report preparation.
Georgian Group	No comments received at the time of report preparation.
Royal Commission on Historic Monuments	No comments received at the time of report preparation.
The Victorian Society	No comments received at the time of report preparation.
Twentieth Century Society	No comments received at the time of report preparation.
West Scafton PM	No comments received at the time of report preparation.
Middleham Ward	No comments received at the time of report preparation.
Senior Listed Building Officer	No objections subject to conditions.
Heritage Protection & Planning	No comments.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

B13(06) - Listed Buildings

OFFICERS' OBSERVATIONS

APPLICATION SITE

Chantry Barn is a Grade II listed former coach house and stable which was more recently used as an outbuilding and garage. It is within the curtilage of The Chantry which is also listed in its own right. The building dates from the late 18th/early 19th century. It is constructed of rubble under a stone slate roof and consists of 2 storeys. A significant proportion of the building collapsed in December 2013

and it is currently exposed to the elements. The YDNPA Building Conservation Section considers the building as being “at risk.”

PROPOSAL

Listed building consent is sought for the re – building and conversion of Chantry Barn to form ancillary accommodation to the main dwellinghouse of The Chantry. Works proposed include;

- Re – building collapsed external walls
- Construction of reinforced concrete plinth
- Re – roofing
- New drainage connection to The Chantry
- Creation of new bathroom window in re – built South – Eastern elevation
- Replace guttering
- Construction of internal stud walls
- New joinery

RELEVANT PLANNING HISTORY

There are no previous decision notices relevant to this proposal.

KEY ISSUES:

- impact on the significance of the listed building

PLANNING POLICY

In relation to the historic environment the NPPF requires planning authorities to take account of:

- the desirability of sustaining and enhancing the significance of the heritage asset and putting it to a viable use consistent with its conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Saved policy B13 of the adopted Local Plan states that proposals for alterations to listed buildings will only be permitted if the development is in keeping with the character of the building and does not detract from or prejudice its special interest.

Works affecting a nationally protected species will not be permitted by saved policy NE7 unless it can be demonstrated that there is an essential need for the works sufficient to override nature conservation considerations and there is no alternative solution for the development that would lessen the impact.

IMPACT ON THE SIGNIFICANCE OF THE HERITAGE ASSET

The barn is built directly on limestone rock, above and adjacent to Great Gill. A structural crack eventually led to the South – Eastern elevation collapsing into the Gill in December 2013. The roofing material has been stripped as a result with some being salvaged and secured for re – use.

The heritage significance of the building has been greatly affected by this collapse however, the barn is still considered to be worthy of retention and protection as a listed building. The Senior Listed Buildings Officer considers the building to be of both architectural and historic interest. Architectural interest is explicit in the building’s proportions and the size and positioning of openings. On the ground floor a wide cart or carriage doorway and narrow doorway to a stable/tack room exist where ashlar blocks form shared jambs. On the first floor a square hayloft opening and remains of a first floor doorway share a jamb with the quoins. The building has an aesthetically pleasing contrast of rubble and dressed stone. The use of large ashlar blocks which are carefully squared and surface – dressed using a chisel, define and decorate the main building including the quoins, original door and hay – loft openings and external steps.

The historic interest of the building is evident in the use of the building from a period when horse – drawn vehicles were a symbol of wealth. The narrow doorway also suggests use as a stable. The stone steps rise to a room which was probably used as a granary and temporary accommodation for farm workers. These uses reflect a degree of wealth and status.

The building as last used, included a single garage to the North – Western end with animal byres to the remaining part of the building. The first floor level has partially collapsed. The proposed scheme

involves works to stabilise the remaining standing structure and for the reconstruction of the collapsed external walls on the same footprint as the original. Internal works would then seek to reinstate the two storeys of the building to create a hallway, children's playroom, bathroom and garden store on the ground floor with 2 bedrooms above. A full schedule of the works is included in the amended heritage statement.

Since the original submission the plans have been amended to simplify the design of the conversion works and reduce the impact on what remains as the standing structure. On this basis the Senior Listed Buildings Officer has confirmed that there are no objections to the proposal on heritage grounds subject to conditions dealing with matters of detail.

ECOLOGY

Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2010. Article 12 of the Habitats Directive requires member states to take requisite measures to establish a system of protection of certain animal species prohibiting the deterioration or destruction of breeding sites or resting places. Article 16 provides that if there is no satisfactory alternative and the development is not detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range then members states may depart from the requirements of the Directive "in the interest of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the landscape."

Under the requirements of the Conservation of Habitats and Species Regulations 2010 it is a criminal offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England. Natural England will only grant such licences if they are satisfied that the requirements of Article 16 of the Directive are met. Regulation 9 of the Regulations also provides that every competent authority (including planning authority) in the exercise of their functions, shall have regard to the requirements of the Habitats Directive.

The Wildlife and Conservation Team have confirmed that due to the collapsed walls and missing roof covering, a new bat survey to replace one carried out 4 years ago is not required providing that the conditions and mitigation set out in the bat report from John Drewitt 2010 are followed.

ANALYSIS AND MATERIAL CONSIDERATIONS

The proposed development would seek to restore/reinstate an important building which is of architectural and historic interest. The proposals have been amended and through the use of conditions would ensure that the development is sensitive to the remaining historic fabric and character of the building. The new use will ensure that the Grade II listed building will be cared for and maintained in the future. For these reasons, the proposed works are considered to be in accordance with paragraph 132 of the National Planning Policy Framework (NPPF) and saved policies B13 & NE7 of the adopted Yorkshire Dales Local Plan.

RECOMMENDATION

That listed building consent be granted subject to conditions.

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Signed by Case Officer

Date 16.12.14

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Principal Planning Officer

Date 16.12.14