



YORKSHIRE DALES
National Park Authority

Mr Ian Harrison,
The Plan Shop Architects
The Assembly Rooms
29 Market Place
Bedale
DL8 1ED

PLANNING PERMISSION

Town and Country Planning Act 1990

Application No.	R/56/131L
Date Received	31 March 2023
Applicant	Replay Associates
Proposal	Full planning permission for conversion, change of use and extension of former bank to form non-residential (Class E) accommodation at ground floor with residential apartments on existing first and second floors
Location	Barclays Bank, Market Place, Hawes, DL8 3QY
Decision date	29 May 2024

The Yorkshire Dales National Park Authority has considered this application under the Town and Country Planning Act 1990 (as amended) and **Grants Planning Permission** for the development described above.

This permission is granted subject to the following Condition(s) and Reason(s):

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.

Reason: To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the details indicated in the following drawings/documents:-
 - site location plan, date stamped 31.03.23

- existing site layout plan, date stamped 31.03.23
- existing plans, elevations and section, dwg. no. YDNP/7150/02, date stamped 31.03.23
- proposed block plan, dwg. no. YDNP/7150/03 rev. A, date stamped 17.05.23
- proposed plans, elevations and section, dwg. no. YDNP/7150/04 rev. A, date stamped 17.05.23
- design and access statement, design stamped 19.04.23

Reason : To define the plans/details to which this permission relates.

3. The materials to be used in the carrying out of the development hereby permitted shall be in strict accordance with those specified in the application.

Reason: To ensure that the external appearance of the building is acceptable, having regard to policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

4. The window frames shall be recessed by a minimum of 150mm from the external face of the wall in which they are set and shall be retained as such thereafter.

Reasons: To ensure that the external appearance of the building is acceptable, having regard to policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030)

5. Prior to the installation of any such fixtures to the building or within the site, details of any external lighting shall have been submitted and approved by the Local Planning Authority. The details shall include the purpose, number, position, type, size, specification and luminance of the lighting and the means of directing or use of cowl/shielding to prevent upward light spill. Any external lighting shall accord with the approved details thereafter.

Reason: In the interests of visual & neighbour amenity in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

6. Prior to occupation of the development hereby approved details of the proposed bin store(s) shall be submitted to and approved in writing by the Local Planning Authority. This should include facilities for the source separation and/or storage of different types of waste generated by the development. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of amenity and protecting the environment in accordance with saved policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

7. Notwithstanding the provisions of Classes A, B, C, D and E of Part 7 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



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including the erection, extension or alteration of the premises, provision of external commercial extraction and ventilation equipment, and the provision or replacement of a hard surface within the curtilage of the premises shall be carried out on the site except in accordance with a planning permission granted by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

8. Within 6 months of the completion of the development hereby permitted 2 x wild bird boxes shall have been installed on the approved conversion. The 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.

Reason: In the interests of wildlife enhancement in accordance with policy W2 of the Yorkshire Dales Local Plan (2015-2030).

9. The commercial ground floor use of the premises shall not take place outside of the hours of 8am to 8pm Monday – Saturday, and 8am to 6.30pm on Sundays and Public Holidays.

Reason: In the interests of amenity in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

10. No dwelling shall be occupied until the related parking spaces have been constructed in accordance with the approved plans (drawing number YDNP/7150/03 revision A). Once constructed the parking spaces shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety to provide for adequate and satisfactory provision of off-street parking in accordance with policy SP4 of the adopted Yorkshire Dales Local Plan (2015-2030).

11. Prior to the occupation of the premises hereby approved a scheme of landscaping shall be submitted and approved in writing by the Local Planning Authority. This scheme shall provide details of the following:
 - i) all existing trees, hedgerows and other plants, walls, fences and other features which are proposed to be retained on the site the subject of this permission and on adjoining land in the same ownership;
 - ii) the area(s), whether within or adjoining the site to which this permission relates, in which new plantings of trees and/or shrubs will take place, the species of plant(s) to be used, their size, their number, their spacing, and the means to be used to maintain, support and protect them;
 - iii) other landscape treatments to be carried out or features to be created. For example,

remodelling of existing landforms, surface type and level changes, and treatments (e.g. paving), and means of enclosure.

Reason: To ensure that provision is made for a landscaping regime that will enhance the development and biodiversity in accordance with policy SP4 and W2 of the adopted Yorkshire Dales Local Plan (2015-2030).

12. The approved landscaping plan shall be completed in accordance with the following:
- i) all hard and soft landscaping shall be completed in accordance with the approved scheme, within the first planting season following the commencement of the development hereby approved and prior to first occupation, or otherwise in accordance with a programme agreed with the Local Planning Authority;
 - ii) all trees, shrubs and hedge plants supplied shall comply with British Standard 3936 – 1 (1992): Specification for Nursery Stock. All sourcing, handling, selection, pre-planting site preparation, planting and post-planting maintenance shall be carried out in accordance with the requirements of British Standard 8545 (2014): Trees – From Nursery to Independence in the Landscape, and British Standard 4428 (1989): Code of Practice for General Landscape Operations;
 - iii) all new tree plantings shall be positioned in accordance with the requirements of Table A.1 of British Standard 5837 (2012): Trees in Relation to Design, Demolition and Construction;
 - iv) any trees, shrubs or hedges planted in accordance with this condition that are removed, die, or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of like size and species to those originally required to be planted;

Reason: To ensure appropriate landscaping to the site in accordance with policies SP4 and W2 of the adopted Yorkshire Dales Local Plan (2015-2030).

13. For the avoidance of doubt the rear external outdoor space of the premises shall not be used by customers of the approved use of the ground floor within Class E (of the Town and Country Planning Use Class Order regulations 2020) for any purpose.

Reason: in the interests of protecting residential amenity in accordance with policy SP4 of the approved Yorkshire Dales Local Plan (2015-2030).

Informatives

1. The planning permission should be read in conjunction with the S106 legal agreement dated 17.05.2024 which restricts the occupancy of the dwellings hereby approved to local occupancy only as set out in Appendix 5 of the Yorkshire Dales Local Plan (2015-2030).

Standard Note(s) to Applicant:

- 1 This permission applies only to that required by the Town and Country Planning Acts and does not include any permission or approval under any other enactment, bylaw, regulation or under the Building Regulations.
- 2 Your attention is drawn to the attached notes explaining your rights of appeal regarding this decision.
- 3 The permission to which this notice refers MAY contain the requirement to comply with certain conditions BEFORE any works are commenced, as well as conditions to be met DURING and AFTER the completion of the development. You are hereby advised that non-compliance with ANY condition may render this permission invalid and the development itself UNLAWFUL and could lead to enforcement action and/or prosecution. It is YOUR responsibility to ensure that all conditions are complied with. If you are in any doubt as to the requirements of any condition attached to this permission, you are strongly advised to contact the Yorkshire Dales National Park Authority's Development Management team (01969 652345) for clarification BEFORE the commencement of any works.
- 4 The approval of details reserved by any condition(s) (discharge of condition(s)) is now treated as a formal application and as such requires separate discharge of conditions application to be submitted which can take up to 8 weeks to be determined. Please contact the Yorkshire Dales National Park Authority's Development Management team should you require further information or go to: <https://www.yorkshiredales.org.uk/planning/applying-for-planning-permission/discharging-conditions-or-amending-permissions/>
- 5 In reaching the decision the Authority has worked with the applicant in a positive and proactive manner by determining the application in accordance with local and national policy.

REDACTED BY YDNPA

Richard Graham BA (Hons) MRTPI

Head of Development Management

Date: 29 May 2024



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National Park Authority

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. You must do so **within 6 months of the date of this notice**, however, if this is a decision to refuse planning permission for a **HOUSEHOLDER APPLICATION OR FOR A MINOR COMMERCIAL APPLICATION** you must do so **within 12 weeks of the date of this notice**.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an **ENFORCEMENT NOTICE**, issued within the two years before the date of the planning application, if you want to appeal against your local planning authority's decision on your application, then you must do so within **28 days of the date of this notice**. If the Enforcement Notice issued on the appeal site in question was not issued within the two years before the date of a Full Planning Permission then the period to submit the appeal would be **six months from the date of the LPA refusal decision notice**. The Planning Inspectorate's Procedural Guide sets it out on page 8 at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/937642/Procedural_Guide_Planning_appeals_version_11_-_Final_1_.pdf
- If an **ENFORCEMENT NOTICE** is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within **28 days of the date of service of the enforcement notice**, or **within 6 months (12 weeks in the case of a HOUSEHOLDER appeal) of the date of this notice**, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by **INQUIRY** then you must **notify the Local Planning Authority and Planning Inspectorate at least 10 days before submitting the appeal**. Further details are available on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>
- 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.



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- 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:

The Inspectorate will publish details of your appeal on the internet. 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.



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START NOTICE

Where relevant, this form, or an email giving this information, should be submitted before you start work to planning@yorkshiredales.org.uk

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Before you start work and/or submit this form, please make sure you have complied with or had approved any pre-commencement conditions, also note further conditions which may need approval.

I confirm that work commenced/will commence on the above application on:

..... / /
(date)

Name (please print):

Signature: