



Planning Committee

29 November 2022

Full Planning Permission for Conversion and Extension of Existing Traditional Stone Built Water Driven Sawmill Buildings to Form New Dwellinghouse with Construction of Associated Workshop Building

**Disused Saw Mill
Low Thorpe
East Witton
North Yorkshire**

Report of the Planning Manager

**Middleham
Key Decision = N**

Date Application Received:	12 August 2022	Target Date for Decision:	7 October 2022
Applicant:	Clifton and East Witton Estate c/o Strutt and Parker		
Agent (where applicable):	Diane Baines		
View Application Documents, Consultation Responses, Representations Received and Other Background Papers Online:	https://documents.richmondshire.gov.uk/planning/planning-documents?SDescription=22/00558/FULL&viewdocs=true		

1.0 Purpose of the Report and Decisions Sought

1.1 To set out details of the proposals, a description of the site and its surroundings, a summary of planning policy and planning history, details of views expressed by consultees, a summary of the relevant planning issues and a recommendation to assist the Committee in considering and determining this application for planning permission.

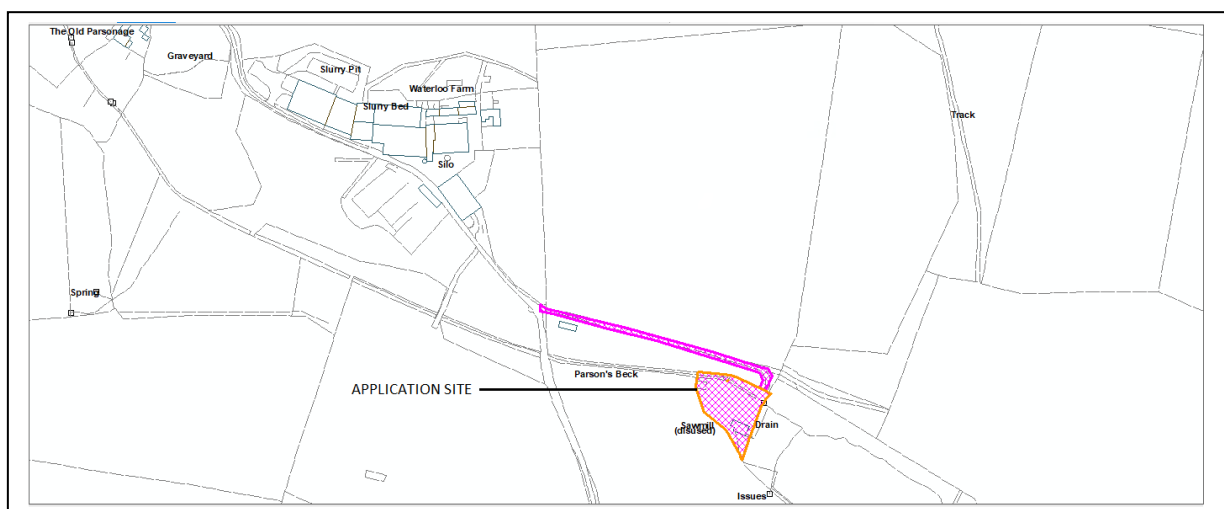
2.0 Background and Details of the Proposal

2.1 The application proposes the conversion and extension of existing traditional stone, built water driven sawmill buildings to form a new dwellinghouse, with extensions and alterations. A new workshop building would be constructed, to the side of an existing building. All existing buildings will be retained and repaired and repointed as necessary with natural stone to match and lime mortar. The walls of the proposed new extensions to the mill buildings would be timber framed and clad in

vertical natural untreated larch with applied oil finish. The roofs would retain the existing materials with stone slates to the wheelhouse roof.

- 2.2 The proposed new workshop measures 13.5 x 9.8m with an overall height of 6.8m. This would have a 1.2m masonry wall of coursed rubble natural stone of lime mortar and Yorkshire boarding to the upper walls. The roof would be a profiled metal sheeting with solar panels placed on the southern roof slope.
- 2.3 The roof of the new north and south extensions to the proposed dwelling would be of a standing seam zinc material, colour slate blue. Existing windows and doors on the buildings are timber. Proposed windows for the dwellinghouse would be composite timber/aluminium windows in a Granite grey colour with triple glazing to give ultra-low U-values. The workshop mess room would have painted timber double glazed timber windows. New doors for the dwellinghouse would be in various materials including vertically boarded solid timber, and composite aluminium/timber.
- 2.4 There is hardstanding in the 'yard area' of the former sawmill and it is proposed that the new hardstanding in the yard area would be permeable, and with a surface finish of washed gravel. Lighting proposed to the dwelling, would be shielded to prevent light pollution by directing the light downwards. The workshop would be fitted with PIR activated security lighting. There is space for 6 parking spaces on site. It is proposed that a package treatment plant would deal with foul sewage.
- 2.5 The proposed use of the workshop would be for the applicant's existing plumbing business. There are currently 2 existing 1 full time and 1 part time employees based in East Witton. The proposed larger workshop would create another full time, post. With the existing outbuilding used as an office by the business operator.
- 2.6 Copies of the existing plans are available for Members to view at **Appendix 2 and 3**, and a copy of the proposed plans are available to view at **Appendix 1, 4,5 and 6**. All other documents are available to view as required through the 'Public Access' area (in the "Documents" section) of the Council's web site using the link at the beginning of this report.

3.0 Description of the Site and Surroundings



- 3.1 The Old Sawmill is situated outside of East Witton village on the south-east side, south along Lowthorpe Lane, through Waterloo Farm and along a track across a field. The Sawmill buildings are located on the south side of the access track and beck and occupy a triangular shaped plot. Parson's Beck runs to the north of the site. The land rises steeply to the south so that the mill building is set into the steep hillside. There are fields beyond to the south, and woods to the east. There are trees to the north side and farmland beyond.
- 3.2 The distance of the buildings from the main road to the west means that there are no prominent views from public vantage points. The site lies adjacent the Yorkshire Dales National Park but there is no part of the land within it this has been confirmed by YDNP officers.

4.0 Planning Policies

Richmondshire Local Plan 2012/2028 Core Strategy

- 4.1 The following policies of the Local Plan Core Strategy are relevant in considering this application:

SP1: Sub Areas

SP2: Settlement Hierarchy

SP3: Rural Sustainability

Lower Wensleydale Spatial Strategy

North Richmondshire Spatial Strategy

CP1: Planning Positively

CP2: Responding to Climate Change

CP3: Achieving Sustainable Development

CP4: Supporting Sites for Development (with reference to Saved Policy 23 of the Local Plan 2001)

CP6: Providing Affordable Housing

CP7: Promoting a Sustainable Economy

CP8: Achieving Rural Sustainability

CP12: Conserving and Enhancing Environmental and Historic Assets

CP13: Promoting High Quality Design

National Planning Policy Framework (As Revised – July 21021)

- 4.2 As a means of achieving sustainable development and alongside the presumption in favour of sustainable development, the following specific sections of the document are relevant in considering this proposal:

- Achieving Sustainable Development
- Decision-Making
- Building a Strong, Competitive Economy
- Making Effective Use of Land
- Achieving Well-Designed Places
- Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Conserving and Enhancing the Natural Environment
- Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

- 4.3 The nPPG complements the aforementioned National Planning Policy Framework in terms of how the NPPF should be implemented in practice. The nPPG can be a

material consideration in the decision-making process. The following categories of the nPPG are considered relevant in the consideration of the proposal(s):

- Climate Change
- Design: Process & Tools
- Determining a Planning Application
- Effective Use of Land
- Natural Environment
- Noise
- Rural Housing

Supplementary Planning Documents

4.4 The following adopted Supplementary Planning Documents are relevant in considering this proposal:

5.0 Planning History

5.1 The following planning history is relevant to the consideration of the current application(s):

5.2 Application Reference: 13/00802/FULL

Application Description: Conversion and Extension of Traditional Stone Built Water Driven Sawmill Buildings to Form New Dwelling with Associated Workshop Building

Decision: Approved

Determination Date: 21.07.2014

6.0 Consultations Undertaken and Representations Received

The application has been publicised in accordance with the provisions set down in the Town and Country Planning (General Development Procedure) Order 2015. All representations submitted in relation to the consultation (and any required reconsultation) are available to view in full within the "Documents" section of the application on Public Access. A summary of all representations received (where comments made are material planning considerations) are provided below:

6.1 **Parish/Town Council**: no response

6.2 **Ward Member(s)**: no response

6.3 **Highway Authority**: no objections

6.4 **Environmental Health**: that this activity is unlikely to have a significant adverse impact on the nearest residential dwelling, which is approximately 260m away, however, in order to protect the amenity of this dwelling, I would recommend that the workshop hours are restricted. Unsuspected contamination condition is recommended.

6.5 **NYCC Ecologist**: no response at the time of writing the report any response will be provided in an update prior to the meeting.

6.6 **Neighbours/Local Residents**: No representations have been received following consultation on the application.

A summary of the representations received in relation to the application(s) are provided below, where relevant to the consideration of the proposals. All representations are available to view in full within the “Documents” section of the application on Public Access.

6.7 **Publicity:** Site notice expiry 24 September no representations have been received.

7.0 Planning Issues

Policy Considerations

7.1 The full list of relevant policies is set out in Section 4 above. The key Spatial Principles (SP) and/or Core Policies (CP) of the Local Plan Core Strategy that have the greatest bearing on the consideration of the proposal(s) are:

7.2 Other SPs and/or CPs of the Local Plan Core Strategy that need to be noted at this point are:

- CP1 (Planning Positively): Planning applications that accord with the policies in the Local Plan Core Strategy will be approved without, delay, unless material considerations indicate otherwise.
- CP3 (Achieving Sustainable Development): Support will be given for sustainable development which promotes (amongst other things): the health, economic and social well-being, amenity and safety of the population; the character and quality of local landscapes and the wider countryside; the distinctive, character, townscape and setting of settlements, and the historic, environmental and cultural features of acknowledged importance.
- CP4 (Supporting Sites for Development): Paragraph 3.e. states that development should be consistent with the requirements of Core Policies, and should not cause significant adverse impact on amenity or highway safety.
- CP13 (Promoting High Quality Design): High quality design of both buildings and landscaping is a priority in all development proposals. Support will be given for proposals that (amongst other things):
 - a) Provide a visually attractive, functional, accessible and low maintenance development
 - b) Respect and enhance the local context and its special qualities, including its design features, landscape, social activities, historic environment and national and locally recognised designations

Principle

7.3 The principle of the development was established back in 2014 there has been no significant change in respect of the Local Plan. There have been a number of updates to the NPPF however it is still supportive of the re-use of redundant buildings for housing and rural businesses alike.

Policy CP8 requires conversion schemes to be undertaken without substantial extension, and where extensions are involved, they should be of a scale and design which compliments the character of the main building. Notwithstanding this, it is considered that the scheme as a whole has merit for a number of reasons including the fact that it would relocate an existing established rural business to a more appropriate site away from residential neighbours and where there is room for

expansion. It would also restore the existing traditional mill buildings, which are of local historic interest but would otherwise have no future. In addition, the scheme incorporates sustainability into its design and includes renewable energy generation in line with Policy CP2.

- 7.4 The extensions are required to provide adequate living accommodation whilst the extension to the dwelling is large due to its juxtaposition to the host building it is not considered disproportionate with the different levels involved. This proposal does not include a garage that formed part of the previous scheme. The business could not re-locate to the premises without a building of suitable scale to keep machinery and tools. There are obvious practical reasons why a building of this scale is required. There is no objection in principle to the joint proposal.

Design, impact on the character of the area

- 7.5 The mill buildings comprise two elements namely the two-storey narrow wheel house on the south side of the group and the lean-to/mono-pitch single storey stone building attached on the lower north side which was the milling room. The proposed scheme seeks to retain these buildings and utilise the existing window and door openings. New windows and doors would be treated simply to reflect the traditional character of the buildings. The original waterwheel building is proposed to be retained inside the two-storey element of the building. Non-domestic scale glazed roof lights are proposed; for the north elevation of the milling room building. Original roof materials of stone slates and blue Welsh slates would be retained; on the wheelhouse and milling room. The proposed single storey extension on the south/rear of the wheelhouse is small in scale with lower eaves and ridge heights in comparison to the wheelhouse. It has been a deliberate part of the design to position this extension here so that its roof ridge runs into the wheelhouse at the point where the aqueduct was attached. The rest of this extension roof would be in zinc and the side-walls would be clad with vertical boarded timber. This extension is positioned so that it would be at the higher ground level shared with the wheel house which has the benefit of tucking this extension behind the mill building group and minimising visual impact on the buildings and their setting.

Affordable housing

- 7.6 Policy CP6 seeks an affordable housing contribution from site such as this unless a viability report advises otherwise. The agents have provided a study advising "The property is to be converted from the disused sawmill to a residential property with the aim of letting it long term on a 'live work' unit as part of the Estate holding. The conversion will be undertaken by the individual who will be letting the property. Heads of Terms have been agreed allowing the individual to reside in the property for a period of 30 years from the start of the conversion project". It is further reported the project will cost a significant amount of investment that exceeds the rent that will be realised over the agreed period. The project is therefore unviable negating the requirement of a financial contribution. Notwithstanding the aforementioned due to recent appeals the Planning Inspectorate has raised concerns with policy CP6. ". The Inspector gave significant weight to the NPPF (para 64) which stipulates "affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer". This being the case no affordable housing contribution is required for this project.

Structural Stability

- 7.7 The submitted structural survey forming part of the submitted application concludes that the buildings are in a reasonable condition, with only localised repairs and repointing required. The roof over the wheelhouse is in poor condition and requires complete replacement with new rafters and purlins. The south elevation wall of the wheelhouse also requires significant stone repairs existing stone to be re-used to re-form the wall to make it plumb. It is considered, by officers that the retained buildings' can be successfully converted without substantial re-construction of the existing structures.

Archaeology

- 7.8 An archaeological assessment has been submitted; with the application. It advises that the Sawmill is currently derelict and has lost the aqueduct from the dam into the building. The mill has been disused since the end of the 1950's. It concludes that the proposed development would renovate and refurbish the existing structure and the proposed extensions would reflect the original building styles and materials and would contribute to the preservation of the former saw-mill and be a positive contribution to the non-designated heritage asset. It concludes that there are no reasons relating to cultural heritage assets that ought to prevent development. The report advises that the potential for damage to archaeological remains is low. It includes some old photographs of the Saw Mill and a couple of these show the original aqueduct and leat, where the water entered the building above the water wheel.

Impact on trees

- 7.9 The results for the tree survey would indicate little of any significant environmental or landscape value. The trees are either self seeded natural regeneration with species typical to the area and site specific conditions or the edge trees of what was originally establish as a commercial timber plantation. There is little bio diversity value in the current tree and shrub cover with the potential for long term retention of the semi mature trees unlikely due to the damage caused by previous stem and branch removal.

Drainage and Flood Risk

- 7.10 A Flood Risk Assessment has been submitted with the application concluding that the risk of flooding to the proposed dwelling is low. The site lies in Flood Zone surface water drainage would be attenuated, on site through soakaways, permeable pavements and a storm water storage area. The proposed development is too far from the village to connect to the public foul sewer system and proposes instead to opt for a non-mains foul drainage package treatment plant, this installation will be subject to building regulations approval.

Impact on Neighbours

- 7.11 No objections or other comments have been received from local residents. The application site is some considerable distance outside of East Witton village and the nearest property is a working farm some distance to the north-west called Waterloo Farm, which is a large farm with many buildings and livestock. Officers consider that the proposed development would be unlikely to adversely affect neighbours, being a considerable distance from any noise from the proposed workshop. Any additional traffic to the site and noise from this would not be minimal based on the relatively low numbers of employees on site. It is also likely that there would be a reduction in noise and improvement in amenity for neighbours near the existing workshop at the existing dwelling in East Witton itself if this rural business was able

to move out from the village to the new site. A restricted hours' condition has been recommended by EHO, officers are not convinced this is necessary with the nearest neighbour being a farm.

Contamination

- 7.12 A contamination report forms part of the submission. This concludes that the development of the site poses no significant contamination risks. Environmental Health have recommended a suspected contamination condition be imposed on any approval granted.

Employment

- 7.13 There is support for rural businesses within Policy CP8. This proposal would allow an existing plumbing business currently employing 1 full and 1 part time to 3 people of which would two would be full time. There is merit in supporting small-scale sustainable rural businesses in the interest of the rural economy, providing jobs and diversifying the nature of employment available. This would be consistent with the general rural sustainability strategy contained within Policy SP3.

Access and Parking

- 7.14 The access with the highway to the west is existing, as is the track across the field, which also serves the water pumping station near the highway and the farmers' access across the fields to the north and east. The existing hard-core track and access bridge, would be retained and refurbished. The entrance yard in front of the mill buildings is proposed to be covered on gravel. No objections or conditions have been raised by the LHA.

Ecology

- 7.15 The proposal has been designed to incorporate bat boxes within the roof spaces of the workshop gable bat entry point 25 x 100mm with covering panel over-lapping hole by 30mm. On the existing office the ridge tile will be raised to allow 2no. 80 x 22mm holes for bat access to the ridge beam. The Ecology report also recommends that a barn owl box is situated inside the workshop building. The buildings onsite are utilised by high numbers of nesting pigeon and low numbers of nesting barn swallow together with a roosting, not nesting, barn owl. No recent evidence of bats was within the buildings on site. The report recommends two bird boxes should be erected on site, these could be sparrow terraces, or swift boxes. It also recommends additional planting where feasible, and will comprise of native trees and shrubs, which provide food sources for birds, such as Hawthorn, Hazel, Dogwood, Guelder Rose, Birch, Willow, Field Maple. The report also advises surveys to be carried out prior to any works being undertaken during the months of May- September) and in suitable weather conditions. If any roosting bats or evidence of roosting is found to be present, further advice would need to be sought with regard to the need to apply for a European Protected Species Licence (EPSL); no work shall take place until this is obtained. Suitable conditions have been stipulated at the end of this report.

The Public Sector Equality Duty

- 7.16 There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex

and sexual orientation. There is no reason why the proposed development would prejudice anyone with the protected characteristics as described within this paragraph.

8.0 Conclusions

- 8.1 For the following reasons it is recommended conditional planning permission is granted. The new workshop and dwelling would provide an ideal location for the existing business that would relocate from the nearby East Witton village centre and provide additional employment. The proposal would bring back into use redundant buildings that are of local historic interest without impacting significantly on their traditional character. The new buildings would be of a mix of materials that would blend in with the existing and respect their traditional form.
- 8.2 Overall, the proposals accord with the requirements and expectations of the relevant Spatial Principles and Core Policies of the Richmondshire Local Plan Core Strategy, and with the relevant sections of the National Planning Policy Framework and the national Planning Practice Guidance.

9.0 Recommendation

- 9.1 That planning permission be approved for the reasons stated within section 8 above.
- 9.2 Should the Committee resolve to conditionally approve planning permission, delegated authority to officers is sought for the imposition of any other conditions in addition to the following list of recommended planning conditions within Section 10 below, and/or any minor amendments to the wording of the recommended planning conditions listed below. In any of these situations, the planning permission would then only be issued after agreement with either the Chair or Vice Chair of the Planning Committee regarding the proposed additional and/or amended planning conditions.

10.0 Recommended Planning Conditions

- 10.1 Should Members resolve to approve planning the following planning conditions (with reasons) and informatives are recommended to be imposed:

Condition 1: The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval, which may require any variation thereof:

- a) application form and certificates
- b) location plan
- c) Ecological Survey.
- d) Structural Assessment.
- e) Archaeological Report.
- f) Tree Survey.
- g) Flood Risk Assessment.
- h) Contamination Report.
- i) Existing and proposed site layout.
- j) Existing and proposed elevations and floor plans.

k) Viability report

Reason for condition

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Contamination

Condition 2: If contamination is found or suspected at any time during development that was not previously identified all works shall cease and the local planning authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken or the development occupied until an investigation and risk assessment carried out in accordance with the Environment Agency's Land Contamination: Risk Management (LCRM), has been submitted to and approved in writing by the local planning authority. Where remediation is necessary a scheme for the remediation of any contamination shall be submitted and approved by the LPA before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

Reason for condition

To provide a safe environment for future occupants

Condition 3: The use of the workshop shall be restricted to 0730 to 1800 hours Monday to Friday and between 0800 to 1300 hours on Saturdays with no working on Sundays or Bank Holidays.

Reason for condition

In the interests of residential amenity.

Condition 4: A permanent internal barn owl nesting box shall be installed within the workshop, to mitigate for the loss of barn owl roosting habitat. The nest box will be a deep nest box suitable for installation inside a barn or other building (Schwegler 23 Barn Owl Nest Box) or similar. Its location to be approved by the ecologist.

Reason for condition

In the interests of protected species.

Condition 5: Prior to the commencement of any works, activity surveys, in line with current Bat Conservation Trust Good Practice Guidelines shall be carried out on buildings to be converted at the appropriate time of year (May- September) and in suitable weather conditions.

Reason for condition

In the interests of protected species.

11.0 Further Information

11.1 **File Reference:** 22/00558/FULL

11.2 **Appendices:** Appendix 1: Proposed site layout plan
Appendix 2: Existing site layout
Appendix 3: Existing plans
Appendix 4: Proposed floor plans
Appendix 5: Proposed elevations
Appendix 6: Proposed workshop building

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