

Meeting: Skipton and Ripon Area Planning Committee

Members: Councillors Nathan Hull (Chair), Andy Brown (Vice-Chair), Barbara Brodigan, Robert Heseltine, David Ireton, David Noland and Andrew Williams.

Date: Tuesday, 1 April 2025

Time: 1.00 pm

Venue: The Council Chamber, King Street, Pateley Bridge, Harrogate HG3 5LE

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the named democratic services officer supporting this committee if you have any queries.

You may also be interested in subscribing to updates about this or any other North Yorkshire Council committee - <https://edemocracy.northyorks.gov.uk/ieLogon.aspx?RPID=4452570&HPID=4452570&Forms=1&META=mgSubscribeLogon>.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public. Please give due regard to the Council's protocol on audio/visual recording and photography at public meetings. Anyone wishing to record is asked to contact, prior to the start of the meeting, the named democratic services officer supporting this committee. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

The Council operates a scheme for public speaking at planning committee meetings. Normally the following people can speak at planning committee in relation to any specific application on the agenda: speaker representing the applicant, speaker representing the objectors, parish council representative and local Division councillor. Each speaker has a maximum of five minutes to put their case. If you wish to register to speak through this scheme, then please notify Vicky Davies, Senior Democratic Services Officer, by midday on Thursday 27th March 2025.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct anyone who may be taking a recording to cease while you speak.

This meeting is being held as an in-person meeting that is being recorded and will be available to listen to after the meeting via the following link <https://www.northyorks.gov.uk/your-council/councillors-committees-and-meetings/live-meetings> . Please contact the named democratic services officer supporting this committee if you would like to find out more.

Agenda

1. **Apologies for Absence**
2. **Minutes for the Meeting held on 4th February 2025** (Pages 3 - 8)
3. **Declarations of Interests**
All Members are invited to declare at this point any interests, including the nature of those interests, or lobbying in respect of any items appearing on this agenda.
4. **ZC24/00578/DVCMAJ: Variation of Condition Numbers: 2, 8, 23 and deletion of conditions 34 and 36 to allow the consideration of revised plans to reflect the 'as built' development within phase 1 (main mill, mechanics shop and pugmill) and to amend the proposals for phase 2 (warehouse, stables, barn and proposed new build units) of planning permission 17/02093/DVCMAJ for Application to vary condition 2 (approved plans) of planning permission 17/00922/DVCMAJ to allow alteration to approved mix and layout of residential units within principal mill building from 15 dwellings, 11 apartments and a restaurant, to 19 dwellings, 12 apartments and 2 commercial units (A1/A3). Revised site layout to remove the mechanics store (unit 28), introduce a sub-station and bin store, provide additional amenity space and reconfigure car parking arrangement. Alterations to the internal layout of the pugmill and mechanics shop and changes to the external detailing - Amended Scheme at Glasshouses Mill, Glasshou** (Pages 9 - 42)
Report of the Assistant Director – Planning.
5. **Any other items**
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.
6. **Date of Next Meeting**
Tuesday 6th May 2025 at 1pm. Venue to be confirmed

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Agenda Contact Officer:

Name, Vicky Davies, Senior Democratic Services Officer

Tel: 01756 706486

Email: vicky.davies@northyorks.gov.uk or democraticservices.west@northyorks.gov.uk

Monday, 24 March 2025

North Yorkshire Council

Skipton and Ripon Area Planning Committee

Minutes of the meeting held on Tuesday, 4 February 2025 commencing at 1.00 pm.

Councillor Nathan Hull in the Chair. plus Councillors Barbara Brodigan, Andy Brown, Robert Heseltine, David Ireton, David Noland and Andrew Williams.

Officers present: Stuart Mills, Development Management Team Manager, Andrea Muscroft, Development Management Team Manager, Kate Lavelle, Solicitor, Daniel Child, Principal Planning Officer, Emma Walsh, Principal Planning Officer. Stephen Loach, Principal Democratic Services Officer and Vicky Davies, Senior Democratic Services Officer.

Copies of all documents considered are in the Minute Book

136 Apologies for Absence

There were no apologies for absence.

137 Minutes for the Meeting held on 3rd December 2024

The minutes of the meeting held on Tuesday 3rd December 2024 were confirmed and signed as an accurate record.

138 Declarations of Interests

There were no declarations of interests.

Planning Applications

The Committee considered reports of the Assistant Director Planning – Community Development Services relating to applications for planning permissions and Listed Building Consent. During the meeting, officers referred to additional information by way of a late information report and representations that had been received.

The conditions as set out in the reports, together with additional conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act and Section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In considering the reports of the Assistant Director Planning – Community Development Services, regard had been paid to the policies of the relevant development plans, the National Planning Policy Framework and all other material planning considerations.

In granting permission in accordance with the recommendations of the reports, this was because the proposals were in accordance with the development plans, the National

Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below.

139 ZC23/02883/FUL - Remodelling of the interior and exterior of Canal Gates/Studley Tea Room including landscaping; demolition of single storey extensions and ancillary structures, retail hut, ticket office, LPG tank, fencing and hardstanding; extension to Studley tea-room with external alterations including replacement windows, re-rendering of building, alterations to entrance door; widening of visitor entrance to terrace in front of tea room (canal gates flanking wall) to accommodate access improvements at Studley Royal Tea Rooms, Studley Park, Ripon, North Yorkshire HG4 3DY on behalf of the National Trust.

Considered –

The Assistant Director Planning – Community Development Services submitted a report seeking determination of a planning application as set out above.

The proposal would allow additional seating, reconfiguration of internal space to provide interpretation space for the water gardens as well as rationalising the ticket gate entry system to the eastern access to the Fountains Abbey and Water Gardens which form part of the Studley Park UNESCO World Heritage Site. The plans had been amended following concerns raised by ICOMOS International advisors to UNESCO on cultural World Heritage Sites. The case officer referred to the Fountains Abbey and Studley Royal World Heritage Site Management Plan 2023-2029 (WHSMP) as it was a material consideration which had been taken account of within the assessment of the application. The WHSMP objectives included improvement to food and beverage facilities and specific improvements to accessibility, interpretations and extensions to the proposed site.

The Chair informed the meeting that as the next application to be determined was for Listed Building Consent for the Studley tea rooms and canal gates, public speakers could, for ease, speak about both applications at the same time and have an increased time of six minutes to do so.

Mr Peter Goodchild spoke objecting to the application.

Mr Justin Scully representing the National Trust (the applicant), spoke in support of the application.

During consideration of the application, the Committee discussed the following issues:

- Many heritage organisations were positive about the proposed improvements and the public benefits that would be achieved.
- A request that, future reports include an energy statement setting out any net gains.
- The application included energy saving initiatives such as a green roof, air source heat pump, insulation of walls and the use of carbon efficient materials.
- Whether or not the proposals would jeopardise the sites UNESCO World Heritage Status.
- The National Trust had a fantastic reputation for the restoration and preservation of historic properties in this country.
- A Member was concerned that this was another example of a building of national importance being sacrificed on commercial grounds.
- ICOMOS International had been consulted on initial plans and following their comments, amended plans had been submitted. Councillor Williams stated he was content that no further comments from ICOMOS would be forthcoming.
- The proposals would give members of the public an improved experience and there

would be economic benefits for the local community.

The Decision:

That planning permission is GRANTED subject to the conditions set out in the Assistant Director's report.

Voting Record:

A vote was taken and motion was declared carried with 6 votes in favour and 1 against.

140 ZC23/02884/LB - Listed Building Consent for works associated with the remodelling of the interior and exterior of Canal Gates/Studley tea-room including; demolition of single storey extensions and ancillary structures - retail hut, ticket office, LPG tank, fencing and hardstanding; extension to Studley tea room with external alterations including replacement windows, re-rendering of building, alterations to entrance door; widening of visitor entrance to terrace in front of tea room (canal gates flanking wall) to accommodate access improvements; at Studley Royal tea rooms, Studley Park, Ripon, North Yorkshire HG4 3DY on behalf of the National Trust.

The Assistant Director Planning – Community Development Services submitted a report seeking determination of a Listed Building Consent as set out above.

Public speakers had made their representations regarding this application at item ZC23/02883/FUL above.

The case officer reported that the Fountains Abbey and Studley Royal World Heritage Site Management Plan 2023-2029 was a material consideration in relation to the proposed application and had been taken into account during the assessment of the application.

In addition, the case officer referred to the duty of the Local Planning Authority within S.245 of the Levelling Up and Regeneration Act 2023 (LURA) which sets out that in exercising or performing any functions in relation to, or so as to effect, land in an area of outstanding natural beauty in England, a relevant local authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding area of natural beauty.' With this duty in mind, the impact of the proposals on the National Landscape had been considered within the assessment of the proposals before Members. The proposal was considered by the Local Planning Authority to conserve the landscape.

The Decision:

That Listed Building Consent is GRANTED subject to the conditions set out in the Assistant Director's report.

Voting Record:

A vote was taken and the motion was declared carried with 6 voting for and 1 against.

141 2020/22109/FUL - Construction of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on allocated site on land at Richard Thornton's School, Burton-in-Lonsdale, on behalf of Permahome Limited.

The Assistant Director Planning – Community Development Services sought determination

of a full planning application for the development of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on an allocated site at Richard Thornton's school, Burton-in-Lonsdale. The Committee resolved to defer determination of the application as it was minded to refuse planning permission pending further consideration by planning officers for the following reasons for refusal put forward by Members:

- Because the site cannot deliver any affordable housing contributions
- Because it would conflict with Local Plan Policy INF3 and the Green Infrastructure SPD (due to a lack of public open space contributions)
- Because it would not meet the required housing mix; and
- Because the proposal would have a negative impact on local heritage assets.

In an update to the report, as per the late information sheet, during the deferral period 3 further objections were received, one of which was a repeat.

Concerns raised include lack of affordable housing provision; concern over accessibility; drainage; closure of the former school access from the unadopted lane; and the need to incorporate solar renewable energy.

Following the presentation and Members questions to the Planning Officer, the Chair invited the following member of the public to make representations to the Committee:

Mr Stuart Pratt, representing the applicant, spoke in support of the application.

During consideration of the application, the Committee discussed the following issues:

- Advice given that the Council had to demonstrate on planning grounds why the proposal was unacceptable in heritage terms, particularly as the site allocation process had involved consultation with Historic England, the Government's statutory heritage advisor, who had no objection to the application. Officers stated that, Historic England's view should be afforded significant weight.
- Members were advised of the difficulty the Local Planning Authority could face in defending any appeal without evidence of heritage harm and clear reasoning but that the costs consequence of Members' planning decisions was not a material consideration and should not be relied upon as a factor in making the decision itself.
- A question was asked whether it would be possible to have a claw-back provision should the units sell for more than the estimates shown in the viability report, thereby realising more profit for the developer. Members were advised that this would be an unreasonable condition to add to the permission but that as a relatively small site, if the remainder of the site came forward for development, under the recommendation a viability review mechanism would be triggered under a S.106 Agreement which would bind successors in title.
- The National Planning Policy Framework had changed resulting in an increase in the annual housing requirement for the area. The Craven area of North Yorkshire Council could no longer demonstrate a five-year supply of housing land and the policies for the supply of housing were out of date.
- The scheme was unviable with the affordable housing provision or the full policy requirement for contributions towards off-site public open space improvements, due to the low level of profit as evidenced in the appended reports. The housing mix would not be objectionable in view of the viability position, a situation where the Council's policy says it will be flexible.
- The applicant, whilst the scheme was not viable with the full amount required, had offered £4,038 off-site public open space contribution towards improvements in the village and it was noted there was open amenity space within the scheme.

- Lack of an energy statement within the proposals.
- In exercising the tilted balance, the proposal on an allocated site, it would deliver environmental improvements, and there was less than substantial harm to designated heritage assets.
- A request from a Member that the Development Plan Committee look at creating a policy whereby developments said not to be viable with affordable housing and financial contributions could be revisited to reassess the profit margin once the scheme has been completed.

The Decision:

That the application is GRANTED subject to the conditions set out in Assistant Director's report and an additional condition:

An energy statement to demonstrate how any energy hierarchy has been applied and how the development minimises the use of natural resources, shall be submitted prior to occupation for the approval in writing of the Local Planning Authority. It shall consider the following:

How energy use is reduced/minimised, in particular through the use of sustainable design and construction methods;

How water efficiency and minimisation of use are to be encouraged;

Measures to promote waste minimisation and recycling;

Provision of an efficient energy supply, with priority to decentralise supplies.

The development shall be implemented in accordance with the approved strategy.

Reason: To address climate change and to accord with Policy ENV3 of the Craven Local Plan.

Record of Voting

A vote was taken and the motion was declared carried unanimously.

142 Any other items

Members asked when the Ripon Cathedral planning application would be ready to be presented to Committee. The Chair undertook to update Members in due course.

143 Date of Next Meeting

Tuesday, 4th March 2025, venue to be confirmed.

The meeting concluded at 3.21 pm.

This page is intentionally left blank

North Yorkshire Council

Community Development Services

Skipton and Ripon Area Planning Committee

1st April 2025

ZC24/00578/DVCMAJ: Variation of Condition Numbers: 2, 8, 23 and deletion of conditions 34 and 36 to allow the consideration of revised plans to reflect the 'as built' development within phase 1 (main mill, mechanics shop and pugmill) and to amend the proposals for phase 2 (warehouse, stables, barn and proposed new build units) of planning permission 17/02093/DVCMAJ for Application to vary condition 2 (approved plans) of planning permission 17/00922/DVCMAJ to allow alteration to approved mix and layout of residential units within principal mill building from 15 dwellings, 11 apartments and a restaurant, to 19 dwellings, 12 apartments and 2 commercial units (A1/A3). Revised site layout to remove the mechanics store (unit 28), introduce a sub-station and bin store, provide additional amenity space and reconfigure car parking arrangement. Alterations to the internal layout of the pugmill and mechanics shop and changes to the external detailing – Amended Scheme at Glasshouses Mill, Glasshouses, North Yorkshire, HG3 5QH on behalf of Glasshouses 123 Ltd

Report of the Assistant Director – Planning

1.0 Purpose of the Report

- 1.1. To determine a S73 planning application for the variation of conditions 2, 8 and 23 and the deletion of conditions 34 and 36 of planning permission 17/02093/DVCMAJ to allow for the consideration of revised plans to reflect the 'as built' development within phase 1 (main mill, mechanics shop and pugmill) and to amend the proposals for phase 2 (warehouse, stables, barn and proposed new build units) (Amended Scheme) of a residential development at Glasshouses Mill.
- 1.2. The application is presented to planning committee due to the local interest in the scheme and the significant material planning issues raised by the development.
- 1.3. The application was deferred consideration by Members of the Skipton and Ripon Planning Area Planning Committee on 2 September 2024 for the receipt of a Financial Viability Assessment and secondly for the receipt of an energy statement. Both have now been received.

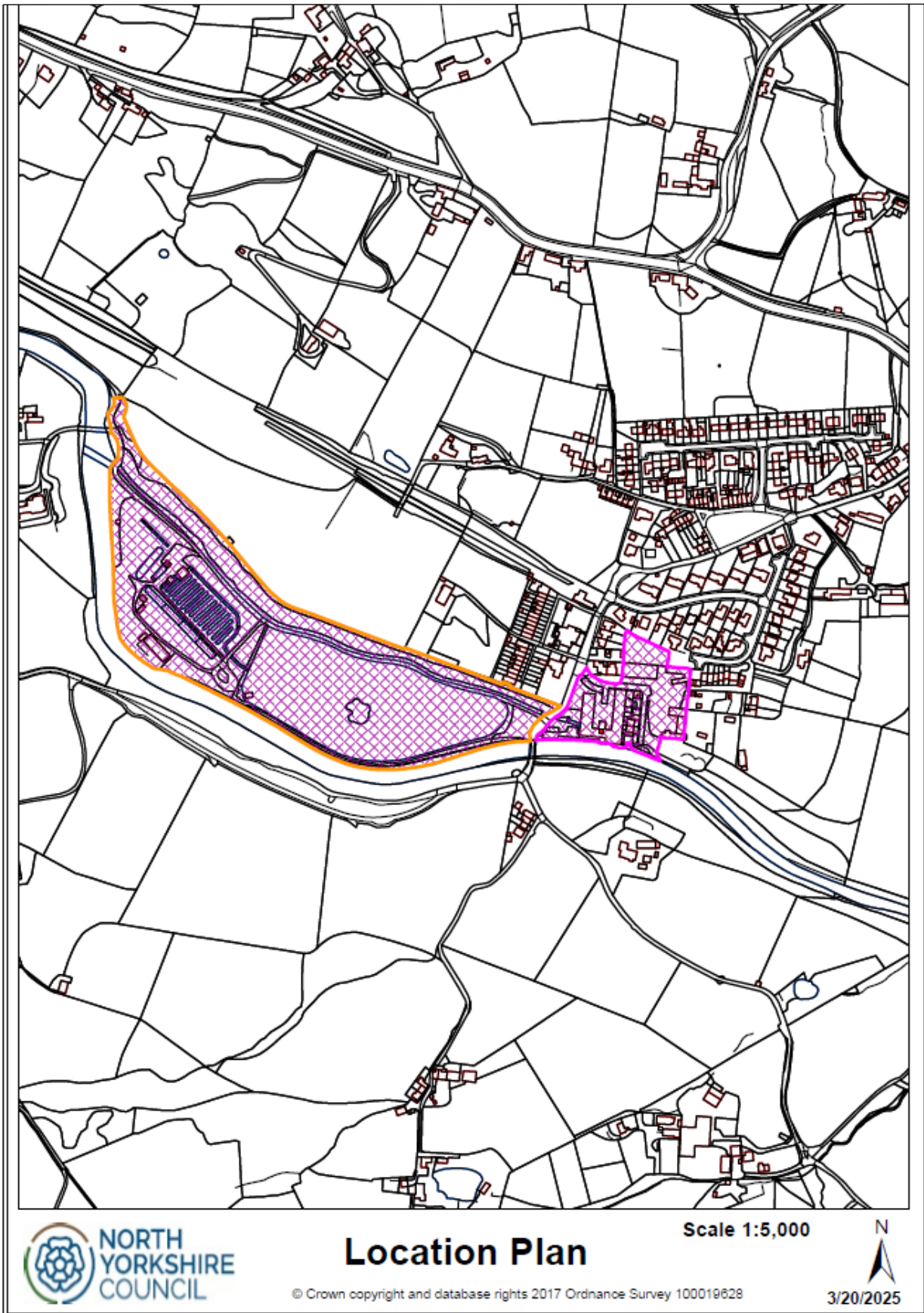
2.0 SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** subject to the conditions listed below and the completion of a S106 legal agreement with terms as detailed in Table 1 identified in the report below.

- 2.1. Updated Situation.
- 2.2. The application was presented to the Skipton and Ripon Area Planning Committee on 2 September 2024. Members deferred the application for the applicant to submit an up-to-date financial viability assessment together with an energy statement.
- 2.3. The reason for deferment stated: "The last financial viability assessment was undertaken in 2022 and having a further independent up-to-date assessment, including whether the developer proposals in relation to the trigger points are genuinely realistic and the only way to build out the development. This would enable Members to consider the possibility of a pragmatic view on the viability of the scheme given that phase 2 was the profitable part of the overall development of the mill. Additionally, the first two instalments of monies had not been paid as part of the Section 106 legal agreement entered into with North Yorkshire Council for phase 1 of the development.
- 2.4. Moreover, the Committee noted that there was no energy plan for phase 2 of the mill development and that an energy statement should be submitted in order to clarify whether it would, for example, be possible to install solar panels and electric vehicle charging points."
- 2.5. The applicants have now provided an updated financial viability assessment together with an Energy Statement.
- 2.6. The Financial Viability Assessment received in December 2024 has been the subject of independent review by CP Viability and provides the updated viability assessment as requested by Members at the September planning committee meeting. CP Viability conclude that having assessed the scheme, the development will provide a developer profit falling within the 15-20% range as suggested in the Planning Practice Guidance: Viability. The figure equates to 16.55% and hence is therefore technically viable. However, given the complexities of the scheme, CP Viability would typically expect the 'minimum' profit requirement to be at least 17.5% on revenue (and possibly pushing towards 20% on revenue). On this basis, the outcome can be regarded as being, at best, marginally viable (at least from a technical viability perspective). This is based upon the scheme as submitted and the commuted sums identified for the increased quantum of development proposed in phase 2 of the scheme.
- 2.7. Whilst the development is viable and the revised scheme would qualify to provide an element of affordable housing either on site or as a monetary contribution, under the provisions of Harrogate District Local Plan Policy HS2, it has been demonstrated that there is no scope to provide any affordable units within the scheme or make any financial contribution towards such provision.
- 2.8. The Energy Statement has been prepared by JPI Sustainability. The report identifies a fabric-led solution combined with both mechanical and service provision albeit with an acknowledgement that the new-build units will perform better than the converted element of the scheme due to the building fabric and thermal performance of the buildings although the measures employed in relation to building services and the use of renewable technologies will be the same.
- 2.9. The report identifies that the new-build properties will provide a high standard of energy efficiency beyond the regulatory requirements of Part L of the Building Regulations. The listed buildings are restricted by the need to avoid unnecessary interventions into the historic fabric of the buildings and retain their key features. Nevertheless, the building services will be fitted to the same standard and the use of ground and air source heat pumps will be investigated as renewable forms of energy supply.

- 2.10. Various renewable energy options have been reviewed and assessed. The report identifies a preference for both ground and air source heat pumps. The potential for solar panels has been dismissed due to the impact of the solar arrays on the listed building and lack of south-facing roof slopes.
- 2.11. The prominence of the complex of buildings on the setting of the conservation area and wider locale are also considered to be factors weighing against the use of solar panels in this instance.
- 2.12. To ensure that the energy hierarchy identified under Local Plan Policy CC4 is adhered to an energy strategy compliance statement can be secured by condition. A condition securing electric vehicle charging points is also recommended.
- 2.13. In addition to the above, the applicants have suggested further amendments to the trigger points for the outstanding payments to be controlled within the S106 legal agreement. It is suggested that the payments are reset so that the education payment of £139,359 is made 'prior to the commencement of development on the 33rd dwelling' i.e. the first dwelling in the second phase of the scheme. This approach has been agreed with the education authority.
- 2.14. The other s106 contributions (village hall, open space) will follow prior to the occupation of the 42nd dwelling i.e. the last property within the new-build element as the next phase of the scheme.
- 2.15. In highlighting this approach, the developers consider that the first and most pressing payment (to education) will be made in line with the commencement of development on the second phase. The developers note that the situation over the payments has arisen due to the developers taking on the most challenging aspect of the development (the mill) in Phase 1, which they were not obligated to do. The developer has noted that this has been a "money pit" but the rest of the development should generate the funds to cover the s106 payments and the first instalment (which is more than half the total amount) is a show of intent.
- 2.16. The revised trigger points have been assessed by the independent valuer, who has confirmed that they are appropriate and would not impact upon the delivery of a viable scheme.
- 2.17. Site description and Proposal
- 2.18. The site is located at Glasshouses Mill in the Nidderdale National Landscape. The site is located in the settlement of Glasshouses and falls within the development limits for the village identified in the Local Plan. The Mill and associated buildings are Grade II listed. The site is within the Glasshouses Conservation Area and has the benefit of an extant planning consent for the conversion to a mixed land use including primarily residential units with some commercial elements. The consented scheme also includes an element of new-build residential development.
- 2.19. The revised scheme increases the quantum of residential development proposed in Phase 2 (warehouse, stables, barn and proposed new-build units) from 10 units to 18 units, together with a reduction in the provision of office space (4 office units removed, although office accommodation is retained within the building known as the barn). Phase 1 accommodation (main mill, mechanics shop and pugmill) remains as previously considered, but with amendments to incorporate the 'as built' scheme (external features to the curtilage and grounds).
- 2.20. The proposed alterations have been designed in a sympathetic manner to the character and fabric of the listed buildings.

- 2.21. The impact of the development on the grade II listed buildings within the mill complex and the Glasshouses Conservation Area does not differ significantly from the approved scheme. The level of harm caused is 'less than substantial' and is considered to be outweighed by the public benefits of bringing the site back into use.
- 2.22. With regards to the Glasshouses Conservation Area, it is considered that the proposed development would preserve the character and appearance of the designated area. It would therefore satisfy the statutory duty set out in Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.
- 2.23. In the following sections of the report, the various main issues arising from the new development are discussed and it is concluded that the scheme is in broad accordance with the development plan, such that approval can be supported.
- 2.24. Given that the triggers contained within the original S106 agreement for the provision of monetary contributions have been partly missed, the scheme represents an opportunity to regularise the situation through a new variation to that agreement to take into account the financial needs of the developer and the outstanding commuted sums required.



3.0 Preliminary Matters

3.1. Access to the case file on Public Access can be found [here](#).

3.2. There are various relevant planning applications, which are detailed below.

07/05275/FULMAJ: Conversion of principal mill building to form 15 dwellings, 11 apartments and restaurant (Use Class A3), including reconstruction of former wheel house, conversion of former mechanics shop, store and pug mill to 4 dwellings, conversion of former jute and hemp warehouse to form 5 dwellings, conversion of barn to form 4 office units (Use Class B1), erection of 4 terraced dwellings and 1 detached dwelling, conversion of stables to form 3 office units (Use Class B1) and demolition of former boys brigade building. (Revised Plans). PERMITTED 23.09.2016.

17/00922/DVCMAJ: Application to vary conditions 2 (drawings) to allow proposed access improvements, 3 (materials) to allow respective phasing of development, 4 (windows) to allow minimum set back distance, 8, 9, 12, 13 & 19 to allow revised wording of highways conditions and variation of conditions 23 (landscaping), 28 (drainage), 30 (ventilation), 33 (stonework), 34 (footbridge), 35 (Hard Standing), 36 (Mill Chimney) 38 (bin store) and 39 (lighting details) to allow amended wording to allow details submitted prior to each phase and deletion of conditions 10, 11 & 18 (highways conditions) and 32 (stonework) of planning permission 07/05275/FULMAJ - (Conversion and new build to form mix land use comprising apartments, dwellings, restaurant, shop and offices). PERMITTED 14.07.2017.

17/02093/DVCMAJ: Application to vary condition 2 (approved plans) of planning permission 17/00922/DVCMAJ to allow alteration to approved mix and layout of residential units within principal mill building from 15 dwellings, 11 apartments and a restaurant, to 20 dwellings, 9 Apartments and 2 commercial units (A1/A3). Revised site layout to remove the mechanics store (unit 28), introduce a sub-station and bin store, provide additional amenity space and reconfigure car parking arrangement. Alterations to the internal layout of the pug mill and mechanics shop and changes to the external detailing. PERMITTED 06.12.2018.

18/05135/FUL Formation of 2 no. one bedroom flats from proposed Glasshouses Mill unit15. PERMITTED 11.02.2019.

19/01781/LB Listed Building Consent for the conversion of warehouse to create 6 no. dwellings, conversion of stables to form 2 no. dwellings and the erection of 6 no. townhouses with associated external works and parking. PERMITTED 13.09.2022.

19/01806/FUL Conversion of industrial building to form a 2-bedroom dwelling with associated external works. PERMITTED 20.06.2019.

3.3. In summary, planning permission was granted under planning application 07/05275/FULMAJ for the Conversion of the principal mill building to form 15 dwellings, 11 apartments and restaurant (Use Class A3), including reconstruction of former wheel house, conversion of former mechanics shop, store and pugmill to 4 dwellings, conversion of former jute and hemp warehouse to form 5 dwellings, conversion of barn to form 4 office units (Use Class B1), erection of 4 terraced dwellings and 1 detached dwelling, conversion of stables to form 3 office units (Use Class B1) and demolition of former boys brigade building. The scheme was approved subject to a S106 Agreement that permitted phasing of the development.

3.4. The enabling consent was the subject of two applications to vary the approved details. The first S73 application (17/00922/DVCMAJ) was approved and sought primarily to provide revised access details and the rewording of various conditions to allow for the phased development of the site.

- 3.5. A second S73 application was submitted under 17/02093/DVCMAJ to vary condition 2 (approved plans) of planning permission 17/00922/DVCMAJ to allow alteration to the approved mix and layout of residential units within the principal mill building from 15 dwellings, 11 apartments and a restaurant, to 28 residential units and 2 commercial units (A1/A3). A revised site layout was permitted to remove the mechanics store (unit 28), introduce a sub-station and bin store, provide additional amenity space and reconfigure the car parking arrangement. Alterations to the internal layout of the pugmill and mechanics shop and changes to the external detailing (retained as a residential conversion providing 3 units) were also permitted.
- 3.6. Phase 1 of the development relates to the Main Mill Building, Mechanics Shop / Store and Pug Mill. Details of phasing of the development have been agreed under case 17/01059/DISCON.
- 3.7. Works to Phase 1 have commenced and have been largely completed, with 30 Residential units now occupied. The scheme as a whole was not subject to the requirement to provide affordable housing following the outcome of a financial viability assessment.

4.0 Site and Surroundings

- 4.1. Glasshouses Mill is a Grade II listed Building that is located within the village of Glasshouses on land to the immediate north of the River Nidd on a site occupying the southern part of the village.
- 4.2. The site is located within the Glasshouses Conservation Area and within the Nidderdale National Landscape.
- 4.3. The mill is set on the north side of the River Nidd, with a leat or goit running off a large reservoir upstream, to the mill and under its southern extent, emerging on the east side of the building.
- 4.4. The ground slopes up quite steeply to the north, where the main body of village is located. The mill complex consists of the main multi-storied Mill building that is arranged around a three-sided courtyard with the enclosed side adjacent to the River. The majority of the main block has three storeys, with a basement floor to the south where the ground falls away towards the river, and two storeys only at the northern end of both the east and west wing.
- 4.5. The main building is constructed of stone under a slate roof and incorporates a central tower block housing a clock with bell tower above.
- 4.6. To the rear of the east wing is a stone built former pug mill. A former mechanics' shop stands to the south and west of the pug mill and is attached to the rear of the east wing. This is a single storey stone-built construction having a slate roof with lantern lights on both sides. At the base on the south side is the top of a wide arch, which formerly housed a water wheel. The wheelhouse itself has been demolished and the wheel moved elsewhere.
- 4.7. The remaining site consists of a Warehouse, former Stables, Boys brigade building and a two-storey height barn.
- 4.8. Vehicular access to the site is gained via the existing driveway serving the Mill complex, with a public right of way running in an east-west direction through the site.

5.0 Description of Proposal

- 5.1. The application submitted seeks to amend Condition Numbers 2, 8, 23, 34 and 36 of Application 17/02093/DVCMAJ to reflect the 'as-built' development within phase 1 (main

mill, mechanics shop and pugmill) and to amend the proposals for phase 2 (warehouse, stables, barn and proposed new build units).

5.2. The conditions the subject of amendment stated:

Condition 2

The development hereby approved shall be carried out in accordance with the submitted details as amended by condition of consent and the following approved plans:

Phase 1 Approved Plans MAIN MILL, PUG MILL and MECHANICS SHOP:

Site Plan as proposed: Drawing No. 27017 (00)100 Revision G

Main Mil, Lower Ground Floor Plan: 27017(02) 01 Revision C

Main Mill, Ground Floor Plan: 27017(02)02 Revision C

Main Mill First Floor Plan: 27017(02)03 Revision C

Main Mill Second Floor Plan: 27017(02) 04 Revision D

Main Mill Roof Plan: 27017(02)05 Revision E

Main Mill Proposed Elevations: 27017(04)01 Revision J

Main Mill Proposed Elevations: 27017(04)02 Revision H

Mechanics Shop and Pug: 27017(02)10 Revision B

Replacement Window Details: 27017(31) 30 Revision A

Schedule of Repairs to existing windows and Doors: 27017(31)31 Revision A

Schedule of Repairs to existing windows and Doors: 27017(31)32 Revision A

Schedule of Repairs to existing windows and Doors: 27017(31)33

Schedule of Repairs to existing windows and Doors: 27017(31)34

Additional window and door detailing and rooflights received 24 November 2017

Bin Stores and sub-Station: 27017(98) 01 Revision B

OTHER APPROVED PLANS

2731-01-100D As Proposed Site Plan (as amended above) 2731-01-400A As Proposed Old Warehouse Ground Floor Plan

2731-01-401 As Proposed Old Warehouse First and Second Floorplans

2731-01-610A As Proposed Barn Elevations and Section As Proposed

2731-01-410A As Proposed Old Warehouse Elevations

2731-01-500A As Proposed Stable Block Plan

2731-01-510A As Proposed Stable Block Elevations and Sections

2731-01-600A As Proposed Barn Floor Plans

2731-01-700C As Proposed New Build Ground Floor Plan

2731-01-701B As Proposed New Build First Floor Plan

2731-01-710C As Proposed New Build Elevations

Proposed Access improvements Drawing No. 66058-001

Condition 8

There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Glasshouses. Prior to the development coming into use the existing access shall be improved by a carriageway build out as shown on drawing number 66058-001. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

Condition 23

Notwithstanding the approved details indicated on the site plan (drawing No 27017(00)100 Revision G received by Harrogate Borough Council on 6 November 2017, for each subsequent phase of development, a detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials shall be submitted for the written approval of the Local Planning Authority within 3 months of the commencement of development. Such scheme shall specify materials, species, tree and plant sizes, numbers

and planting densities, and the timing of implementation of the scheme, including any earthworks required. Thereafter the development shall be undertaken in accordance with the approved scheme.

Condition 34

Details of the footbridge over the discharge of the goit into the river southeast of the main mill building shall be submitted for written approval of the LPA prior to the commencement of works on the footbridge. The details shall include a cross section showing the balustrade, the deck and supporting structure at a scale of not less than 1:10, and plan and elevations showing the extent of the bridge and balustrade protecting the footpath to the east and terrace to the west to a scale of not less than 1:50. The development shall be carried out in accordance with the approved details.

Condition 36

Notwithstanding the submitted plans, details of external works in the location of the former mill chimney shall be submitted for written approval of the LPA within 3 months of the commencement of the mill conversion. The submission shall include plans showing the proposals at a scale of not less than 1:20 and sections at a scale of not less than 1:10.

- 5.3. The amendments to the conditions results in 4 distinct elements to the proposal. Firstly, the amendments to regularise the 'as-built' phase 1 element of the scheme. The changes mainly relate to the treatment of the site's external areas, where the developer has had to respond to the challenges faced during the construction process.

The changes include:

- The proposed 'sunken' garden area to the south of the mechanics shop has been replaced with a surface level rockery due to a conflict with existing site services
- Surface and boundary treatments along the southern elevation of the mill have been amended along with the layout of cycle parking, preventative access to the goit and cladding to the bin store
- Fence and railing types across the site are shown in accordance with revised drawings (98)08 and (98)07 and differ from previous approval 19/02854/DISCON
- An Electric Vehicle (EV) charging point has been installed within space 3 of the courtyard for the mill
- The opening leading onto the highway to the west of unit 3 will is not fitted with a door as per 19/02854/DISCON. Access to the garden areas from this opening is provided via a holding area. The fenced boundaries between individual plots, including the edge protection to unit 3 is as shown on revised drawing (98)07.

- 5.4. Phase 2 will encompass a change to the warehouse building through a revised scheme of conversion. The revised scheme will provide 6 new residential units as opposed to the consented 5 units. The Stable block will be the subject of a revised scheme of conversion to form two residential units as opposed to 4 office units. The new build block will be increased from 6 to 10 units. The barn remains as previously considered, albeit the parking areas around the site will be rationalised to take into account the new layout. The layout itself will require the diversion of an existing public right of way that runs on an east-west axis to the rear of the Stable block and Warehouse building.
- 5.5. The assessment of the above will thus require consideration of the amendments and assessment as to whether the conditions can be amended or deleted.
- 5.6. In addition to the above it will be necessary to enter into a new S106 Agreement to cover the increase in the quantum of development and to revisit the trigger points for the provision of monetary contributions for which the developer has failed to meet the requirements in phase 1 as built. The retail shop which formed part of the enabling consent was subject to

the original S106 agreement and was to be provided following occupation of the 31st unit. The Shop remains to be completed and will require new marketing evidence to be provided.

- 5.7. The scheme in its revised form increases the quantum of residential units at the site, with the loss of two office units in the stable block.
- 5.8. Phase 1 remains as previously considered in terms of accommodation with 32 consented units (2 x one bed, 14 x two bed, 15 x three bed and 1 x four bed unit). This phase also includes a shop and commercial premises in the basement area on the riverside frontage. Phase 2 provides a total of 18 new units (14 x two bed and 4 x 3 beds) plus office accommodation in the barn. In total 50 residential units are proposed.

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.
- 6.2. Since consideration of the application in September there has been a change in material circumstances affecting the implementation of planning policy, associated with the publication of a revised version of the National Planning Policy Framework.
- 6.3. The extant Harrogate District Local Plan is now more than 5 years old. In accordance with the National Planning Policy Framework (December 2024), the annual housing requirement for this area is 1036 homes, as derived from the Standard Method. Including the relevant 5% buffer, the 5-year supply requirement for this area is 5440. Based on the most recent data (from the 2023/24 monitoring period), there is a demonstrable deliverable supply of 3111 homes over a five-year period. This translates to 2.9 years of housing supply when measured against the five-year supply requirement. Therefore, paragraph 11(d) of the National Planning Policy Framework (i.e. the “presumption in favour of sustainable development”) is engaged for applications involving the provision of housing.
- 6.4. This application is a S73 application to vary planning conditions, and so the principle of the development is already established through the earlier permission. Whilst the revised NPPF is material to the consideration of the application, for the reasons identified in the report, the scheme is considered to meet policy requirements and approval will help contribute towards housing delivery.

Adopted Development Plan

- 6.5. The Adopted Development Plan for this site is:
 - Harrogate District Local Plan 2014-2035 (Adopted 2020)
 - Minerals and Waste Joint Plan (Adopted 2022)

Emerging Development Plan – Material Consideration

- 6.6. The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

- 6.7. Relevant guidance for this application is:
 - National Planning Policy Framework 2024
 - National Planning Practice Guidance

- National Design Guide
- Providing net gain for biodiversity SPD
- Provision of open space and village halls SPD
- Glasshouses Conservation Area Character Appraisal
- Heritage Management Guidance SPD
- Affordable Housing SPD

7.0 Consultation Responses

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Parish Council:** Pateley Bridge Town Council (PBTC) have no objection to the amendments to the revised design of the new build but objects to the application. PBTC agrees that Phase 1 needs to be completed to the exact specification detailed in previous planning approvals prior to the commencement of phase 2. PBTC objects to the attempt to alter and downgrade the phase 1 planning conditions and specification as part of this phase 2 application. A condition needs to be imposed on the developer requiring the release of the S106 money (or a very significant instalment thereof) to the community prior to commencement of phase 2.
- 7.3. **Arboriculture Officer:** No Objections.
- 7.4. **Yorkshire Water:** No observations are required on the variation or deletion of conditions.
- 7.5. **Environment Agency:** No objection to the variation of Conditions – Noting that the units fall outside of Flood Zones 2 and 3.
- 7.6. **NYC Public Rights of Way:** Condition 34 – accept that a footbridge is no longer required and the condition can be deleted. Generally supportive of the revised route of Public Footpath No. 15.58/42/3 running east-west on the north side of the warehouse. This will require diversion. Object to the use of unsuitable materials on the riverside frontage of path 15.58/35/1 and use of unauthorised steps and minimum 1m width path must be provided. In order for us to remove our objection, the applicant must provide the sealed surfaces as approved in drawing 2731-01-100 rev D, remove the unauthorised steps & replace with a suitable tarmac ramp, & confirm the available width past the proposed bollard & cycle racks.
- We welcome the applicant's intention to replace the steps with a tarmac ramp, & would be prepared to remove this element of our objection upon satisfactory completion of the ramp.
- We do not appear to have received confirmation as to the available width past the bollard & cycle racks.
- Public Footpath 15.58/42/3) running east – west through the Phase 2 site, has been unlawfully obstructed by heras fencing & piles of spoil.
- 7.7. **Historic England:** No advice and should seek the views of in-house specialist advice.
- 7.8. **Local Highway Authority:** Cannot support the scheme as submitted because it fails to provide sufficient parking spaces for the development. Comments are awaited on the revised layout.

- 7.9. **DLAS Commuted Sums:** Revised calculation received.
- 7.10. **Education:** Previous Commuted sum applicable.
- 7.11. **Local Lead Flood Authority:** No comments have been received.

Local Representations

- 7.12. 27 representations have been received on the following grounds:

- 7.13. Objections:

Phase 1

The plans are not in accordance with the previously approved scheme.
 Poor car park conditions, the use of gravel is not appropriate, Inadequate lighting of car park.
 Poor finished materials.
 Fencing not appropriate.
 Poor quality render.
 Damp in the building needs addressing.
 Failure to provide bat boxes.
 Stone culver requires repair.
 Road requires completing.
 S106 not been adhered to.

Phase 2

Over development of the site through the inclusion of additional dwellings.
 New build dwellings will have an adverse impact on residential amenity together with an overbearing impact.
 Insufficient car parking provision has been provided.
 Scheme is dominated by car parking.
 Too many two-bedroom units which fails to comply with housing mix.
 Electric Vehicle charging points should be included.
 No outdoor /shared amenity space.
 Commercial use not required.
 Inadequate parking for commercial uses.
 Potential consideration to alternative uses of the building should be given.

The above represents a summary of the issues received. Full details can be viewed on the Council's website.

8.0 Environment Impact Assessment (EIA)

- 8.1 The application site is located within a 'sensitive area' (Nidderdale National Landscape – formerly AONB) and as such the development has to be screened, with regard specifically to Schedule 2 of the Environmental Impact Assessment Regulations 2017 (as amended), to establish whether an Environmental Statement is necessary.
- 8.2 The application has been screened and does not require an Environmental Statement.

9.0 Main Issues

9.1. The key considerations in the assessment of this application are:

- Principle of development
- Character of the Settlement
- Impact upon Heritage Assets
- Impact upon the National Landscape
- Public Rights of Way
- Highway Safety
- Amenity
- Planning Conditions
- Biodiversity
- Other Matters
- S106 Agreement

10.0 ASSESSMENT

10.1. Principle of Development

10.2. As set out above, the extant Harrogate District Local Plan is now more than 5 years old. In accordance with the National Planning Policy Framework (December 2024), the annual housing requirement for this area is 1036 homes, as derived from the Standard Method. Including the relevant 5% buffer, the 5-year supply requirement for this area is 5440. Based on the most recent data (from the 2023/24 monitoring period), there is a demonstrable deliverable supply of 3111 homes over a five-year period. This translates to 2.9 years of housing supply when measured against the five-year supply requirement. Therefore, paragraph 11(d) of the National Planning Policy Framework (i.e. the “presumption in favour of sustainable development”) is engaged for applications involving the provision of housing.

10.3. Paragraph 11(d) of the NPPF sets out that where the policies which are most important for determining the application are out-of-date, permission should be granted unless: i. the application of policies in this Framework that protect areas or assets of particular importance (which includes National Landscapes and designated heritage assets and areas at risk of flooding) provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

10.4. The relevant local housing policies can still be afforded some weight. Harrogate District Local Plan Policy GS1 highlights the need to provide new housing within the District, albeit additional housing land is now required. Policy GS2 identifies how the need identified in Policy GS1 will be met, with a focus on growth in the district’s main settlements and around key transport routes. The scale of development will reflect the settlement’s role as defined within the settlement hierarchy, character and setting, relationship with key public transport, the need to deliver new homes and jobs, the need to maintain or enhance services and

facilities in the village and the capacity infrastructure with the settlement and the timeframe for any necessary investment and improvement.

- 10.5. Glasshouses is identified as a Service Village within Policy GS2 of the Local Plan. Within such villages land will be allocated for new homes to support the continued provision of a basic range of services and facilities. Service villages offer a range of basic services and community facilities and represent sustainable locations for development.
- 10.6. Development limits for villages in the settlement hierarchy are identified under the provisions of policy GS3. Within development limits, proposals for new development will be supported provided they are in accordance with other relevant policies of the Local Plan.
- 10.7. In this case, the site is located within the development limits of Glasshouses. Residential development in this location broadly accords with the Local Plan policies set out above and the text in the NPPF regarding sustainable locations for new housing development.
- 10.8. Moreover, the site has the benefit of an extant for the conversion and construction of new dwellings under previous planning consents. The current application is a S73 application to vary planning conditions, and so the principle of the development proposed is already established through the earlier permission.
- 10.9. The scheme seeks the consideration of revised plans to regularise variances of the 'as-built' element of Phase 1 in comparison to the previously approved schemes and alterations to the Phase 2 detailing of the new build element.
- 10.10. With regards to Phase 1, elements which have been constructed outside the detail of the previously approved scheme are referred to within paragraph 5.3 above.
- 10.11. Phase 2 will incorporate the conversion of the Warehouse and Stable block to form a revised scheme of residential units, increasing the quantum of the new build element from 5 units to 4 townhouses and 6 apartments. In addition, it is proposed to divert an existing public right of way and rationalise the car parking provision to serve the site.
- 10.12. Character of the Settlement
- 10.13. The general character of the village of Glasshouses is one of a fairly "natural grown" village. However, the notable exception is the planned development in the area around the Glasshouses Mill, which includes the school, Albert Terrace, Firgrove Terrace and Firgrove (formerly Mill Hill). These are considered as landmark buildings in the Conservation area Appraisal.
- 10.14. The scheme considers the external finishes to Phase 1 and the conversion of the remaining ancillary buildings to the Mill (The Warehouse, Old Stables and Barn) as part of Phase 2. The only new element is the new build block for residential purposes. This block runs parallel with the eastern wing of the Main Mill building and opposite the mechanics shop and Pug Mill. It would replace the previously consented new build block that was to be located to the rear of the Barn on an elevated location when viewed from the opposite bank of the river. The revised location which falls within the development limit is considered acceptable and would not compete with the adjacent Mill when viewed from the public right of way system on the opposite bank of the river, presenting a gable elevation to the riverfront rather than the full rear elevation on higher ground. The retention of the historic buildings in situ and new build block scheme would not adversely impact the character of the settlement.
- 10.15. Impact upon Heritage Assets

- 10.16. The site is located within Glasshouses Conservation Area and the Mill building and complex is Grade II listed.
- 10.17. When considering applications for development in the Conservation Area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 becomes relevant. It states that for development within a conservation area “special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area”.
- 10.18. The NPPF states that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.” This is reflected within Local Plan Policy HP2; Heritage Assets which inter alia seeks to ensure that proposals affecting a heritage asset, or its setting, protect or enhance those features which contribute to its special architectural or historic interest; and ensure that proposals affecting a conservation area protect and, where appropriate, enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area and its setting.
- 10.19. The site has its own distinctiveness, and this element is an important part of the proposal. Local Plan Policy HP3: Local distinctiveness; seeks to ensure that development should incorporate high quality building, urban and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the site and area.
- 10.20. The Glasshouses Conservation Area Character Appraisal identifies that:
- 10.21. The general character of the village of Glasshouses is one of a fairly “natural grown” village. However, the notable exception is the planned development in the area around the Glasshouses Mill, which includes the school, Albert Terrace, Firgrove Terrace and Firgrove (formerly Mill Hill). The village has an immediate appeal as it conjures up typical images of village life and conveys a sense of community. Informal in detail it nevertheless has a recognisable form as a whole. Generally, the buildings have little studied relationship to each other being arranged in groups rather than continuous enclosure to the street.
- 10.22. This serves to give prominence to the original mill workers terraced housing at the south end of the village and pepper-potted along the main street. The buildings have gaps - often quite substantial - in the form of private gardens and open spaces between. These gaps are important not only to the visual appearance of the village, but also in allowing views into the open countryside beyond. Areas of green open space that punctuate, and provide relief from, the built form, add variety and a diversity of colours and textures, giving the village a very rural character and aiding the transition from the built form to the open countryside beyond. The village is surrounded by a green envelope of open fields, which are important in ensuring that the settlement nestles unobtrusively into the valley bottom.
- 10.23. The ‘planned’ /formal character of the buildings to the south of the village i.e. the mill complex along with the School, Albert and Firgrove Terraces and Fir Grove are identified as a distinct type which differs from the more informal layout of those around the village green.
- 10.24. Phase 1
- 10.25. The alterations primarily relate to the external finishes of that element approved under Phase 1 and differ from the details submitted and approved under the earlier extant consent. Details of the amendments are noted previously in the report.
- 10.26. Prior to the submission of this application, the developer has undertaken an accompanied site visit with the Council’s planning enforcement and conservation teams. Here, the majority of the above items were reviewed and agreed as acceptable changes to the approved development. The exceptions were the provision of an EV charging point within the courtyard for the mill and the close-boarded timber fence enclosing the private amenity

space of the pugmill. In response, the fence is to be lowered in height to reduce its prominence, which will naturally diminish overtime as the timber weathers / greys. The EV charging point has since been deleted from the scheme. The charging point remains in situ and does not benefit from planning consent and is subject to further enforcement investigation.

- 10.27. Whilst it is noted that the gravelled surface of the car park to the south-west of the Main Mill would not harm the setting of the listed building and is considered an appropriate material, the comments of the footpath officer has been noted. Having regard to these comments it is considered that a condition could be attached, should members be minded to approve the scheme, requiring an element of the gravelled area to be surfaced to ease recreational use of the right of way only.
- 10.28. Phase 2
- 10.29. In consideration of phase 2 it is necessary to break down each element into its component part.
- 10.30. The Warehouse
- 10.31. The previously approved scheme was designed to ensure that the principal (south) elevation was not overly domesticated and that it retained its appearance as a warehouse. This was achieved by the setting back the first floor from the south elevation so that it would not impact on the double height windows. The central archway was retained as a communal entrance, with a new glazed screen, leading into an internal courtyard, from which the central three units were accessed.
- 10.32. The proposal was also to remove the modern roller shutter and to reinstate two arched openings at the east end of the south elevation – to reflect the arrangement at the west end. On the north elevation the proposal was to open up the blind openings and to adapt four into doorways to provide access to the rear yard/drive.
- 10.33. The existing footpath extended across the north elevation, between the building and the rear yards.
- 10.34. The revised proposal follows the general principles established in the approved scheme but introduces an additional unit by alterations to the internal layout. In this respect the consented scheme provided for five number 3 -bedroom accommodation and the revised scheme provides for six 2-bedroom units. On the south elevation the new glazed screen to the central archway would be omitted and a smaller courtyard created, to provide access to the central four units. To either side of the central archway, the first floors of units 43 & 44 would extend up to the south elevation and a band of obscure glazing is proposed to minimise the visual impact of the floor.
- 10.35. The roller shutter at the east end of the south elevation would be removed and the two window openings formed, to reflect the design of the original building as illustrated on the 1852 Perkin and Backhouse drawing (see heritage statement).
- 10.36. The alterations have been previously considered acceptable under listed building consent 19/01781/LB.
- 10.37. As part of the revised proposals, the layout of the parking has been redesigned to reduce its impact on the setting of the listed buildings. On the southern side, the number of spaces would be reduced, and a paved area created into front of the entrance bay.
- 10.38. To the north, the proposal is to re-route the existing footpath through the Site. This will improve the amenity of the proposed residential units and enable private curtilage to be provided immediately adjoining the units.

- 10.39. On the north elevation, seven of the blind window openings will be altered to form doorways and the central window will be removed and two new doorways created to units 43 & 44. In addition, a series of conservation rooflights are proposed at high level on the north elevation. The units have been designed to provide a full height space in the centre of the building, reflecting the design of the existing roof trusses and these rooflights will provide natural light into this area.
- 10.40. The increase in the number of units will result in a greater degree of alteration to the north elevation than the approved scheme. On the south elevation, obscure panels will also be introduced to the centre of the windows either side of the central archway. These alterations need to be balanced against the improvements to the external works and parking, the omission of the new glazed screen on the south elevation and the retention of some full height spaces with the omission of the second floor.
- 10.41. The Conservation Officer has confirmed that there are no objections to the detailed design nor upon the form and fabric of the listed structure. It is considered the proposal accords with the Local Plan Policy HP2.
- 10.42. The Stable Block
- 10.43. The approved scheme is for the conversion of the building to provide 4no. small offices with a new covered walkway to provide access to the welfare facilities. Parking was provided to the south and west of the building. The revised proposal is to convert the building into two residential units. The living room and bathrooms for Unit 40 would occupy the whole of the original part of the stable block, and extend eastwards, with a new door opening into the former open sheds to provide access to the two bedrooms. The central courtyard would be private amenity area for this unit.
- 10.44. The second unit would occupy the remainder of the open sheds to the south and east, with a small extension at the west end of the south elevation (where the substation on the approved scheme was proposed). Access to this unit would be from the south, through a small walled garden created on the site of the former coal depot. A number of new openings are proposed in the south wall. To the courtyard elevations of the former sheds, the modern blockwork columns would be replaced in stone to match the original and oak cladding provided to the infill panels between the columns. The reinstatement of the stone columns would result in some enhancement to the building and replacement of modern doors and cladding will result in an enhancement to the building. The remnants of the stall partitions within the stables block will be retained and exposed to view, preserving some of the historical character of the building.
- 10.45. The retention of the original form and elements of the fabric of the structure is considered to comply with Policy HP2. The alterations have previously been accepted under listed building consent 19/01781/LB.
- 10.46. New Build
- 10.47. The approved site plan for planning permission 17/02093/DVCMAJ shows the provision of 5 new build units arranged around a courtyard in the southeast corner of the site. This includes a terrace of four units overlooking the riverside and a single detached house forming the north-west corner of the yard, to the west of the barn. The approved units all provided 3-bedroom accommodation. The proposed scheme will provide four 3 bed terraced houses and six 2-bed apartments.
- 10.48. The revised proposal is to create a terrace of units, to the west of the Dutch barn, on a north-south alignment. This terrace would face the pug mill and mechanics shop and provide definition to the east side of the access track. The level of car parking at the front of the barn has also been reduced in order to improve the approach to it and whereas there are no new changes proposed to the interior layout of the building or its appearance, the

external alterations are considered to make a positive contribution to the spatial qualities of the area overall by reducing the extent of car parking around the core circulation routes, which in terms of layout, the main area of change (from the approved proposal) is in the south-west corner of the site where a terrace of 'new-build' housing is shown opposite the Pug mill and Mechanics Shop.

- 10.49. The siting of the new build element is considered to be an improvement on the approved layout, where the new build units were arranged in a courtyard to the rear of the barn, were highly visible from the riverside and in general, led to a layout for the sit which was heavily compartmentalised. In contrast, the new build terrace units will follow the orientation of the main mill, the pug mill and the mechanics shop to define the route leading from the centre of the site and down towards the riverside along the reconfigured Public Right of Way.
- 10.50. The scheme has been amended since the initial submission, through the deletion of a projecting gable and removal of balconies to the riverside frontage. The revised scheme is considered to represent a more industrial rather than domestic appearance in keeping with the site context and local distinctiveness. There is no objection to the design and layout of the new build element. The use of appropriate materials will aid assimilation with the conservation area and listed structure. This can be controlled by condition.
- 10.51. In consideration of the new build element, it is acknowledged that an earlier application approved under listed building consent 19/01781/LB consented a new build element on the approximate footprint of the proposed and was to be of a similar height. This earlier application also approved the listed building alterations now proposed to both the stable block and warehouse. This is considered to be material in consideration of the current proposal.
- 10.52. The Barn
- 10.53. Under the original planning and listed building consent, the existing barn is to be converted into 4 modest office units and this S73 application does not propose any changes to building itself. Externally, the arrangement of car parking has been amended to provide a more welcoming entrance to the north, which is threaded through the middle of 2 banks of 4 no. car parking spaces on either side (8 spaces, 2 per office unit).
- 10.54. Overall, having regard to the enabling consent and amended detail, it is considered that the scheme accords with the requirements of Local Plan Policy HP2 and the revised scheme would bring back to use vacant listed buildings within the conservation area, whilst contributing towards the area's housing land supply.
- 10.55. The impact of the development on the grade II listed buildings within the mill complex and the Glasshouses Conservation Area, does not differ significantly from the approved scheme. The level of harm caused is 'less than substantial' and is considered to be outweighed by the public benefits of bringing the site back into use.
- 10.56. With regards to the Glasshouses Conservation Area, it is considered that the proposed development would preserve the character and appearance of the designated area. It would therefore satisfy the statutory duty set out in Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.
- 10.57. Impact upon the National Landscape
- 10.58. Section 245 of the Levelling-up and Regeneration Act 2023 has amended the previous duty of regard under section 85 of the Countryside and Rights of Way Act 2000 (CRoW Act) to create a new duty for relevant authorities in AONBs (National Landscapes). The new duty requires that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority must seek to further the

purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

- 10.59. Harrogate District Local Plan Policy GS6 seeks specifically to ensure that the natural beauty and special qualities of the Nidderdale Area of Outstanding Natural Beauty (AONB – now National Landscape) are conserved and enhanced. The National Planning Policy Framework identifies that AONB's are afforded the highest level of protection.
- 10.60. The site falls within the development limits for the village and as such the development would be seen in context of the village setting. As identified above the scheme would not adversely impact the character of the village, the identified assets of the Listed buildings or Conservation Area and would through its redevelopment represent an enhancement of this part of the village and the National Landscape.
- 10.61. Views into the site will be available from the nearby network of public right of ways. The site is contained by existing development and would not be seen as inappropriate to the locality, The site would be seen as part of the wider Glasshouses Mil complex, clearly relating to the village and having no adverse impact upon the landscape character of special qualities of the National Landscape.
- 10.62. Policy GS6 recognises that communities within the AONB will have development needs including the need for housing, employment, community facilities and a population sufficient to enable rural facilities and services to remain viable. The proposed development will help meet this need and is thus considered to satisfy the requirements of the Policy. Approval of the application would be consistent with the duty in the Levelling-up and Regeneration Act 2023 to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 10.63. Public Rights of Way (PROWs)
- 10.64. Policy HP5 seeks to protect the route of existing PROWs. Proposals for development that would affect existing public rights of way will be permitted only where it can be demonstrated that:
- A. The routes and the recreational and amenity value of rights of way will be protected, or satisfactory diverted routes that deliver a level of recreational and amenity value at least as good as the routes being replaced are provided; and
- B. In all cases, opportunities for enhancement through the addition of new links to the existing network and the provision of improved facilities have been fully explored and, where appropriate, all reasonable and viable opportunities have been taken up.
- 10.65. There are two designated PROWs running through the Glasshouses Mill site. One passes along the riverside and had been inaccessible for a number of years. The other runs along the site's northern boundary and links the main road in the village with estate housing in Harewell Close along the back of the Stables, the Warehouse and a pair of cottages located beyond the site. In addition, there is a signposted route for walkers, which directs them through the centre of the site. It is a commonly used path but not currently a designated PROW.
- 10.66. Through this planning application, the proposal is to restore the PROW along the riverside and redirect the route that runs along the back of the Warehouse so that it passes through the main entrance to the site instead. The suggested alignment of the redirected route is shown on Drawing No. A-00-PL-01 A. It does not reduce the permeability of the site to any significant degree or the recreational value of the route.

There are, however, several advantages to the proposed changes in that they will:

- restore the riverside walkway
- formalise the commonly used path from the site entrance to the riverside

- protect the amenity of new units within the warehouse and existing cottages which lie to the north-west of it by re-directing a small section that runs along their rear boundaries
- maintain a connection between the main road in the village (through the site entrance) and housing in Harewell Close

- 10.67. The scheme would not adversely impact the recreational amenity of the PROW system.
- 10.68. The use of a loose surface has been noted on the riverside frontage and the Public Right of Way officer has identified that there would be objection to the use of this material. Details can be controlled through the imposition of a condition to secure a more permanent material in this location. It should, however, be noted that not all PROWs are hard surfaced and many are indeed just rough tracks. A balanced view is thus required in this instance.
- 10.69. Highway Safety
- 10.70. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 10.71. The scheme utilises the existing access that historically has served the whole of the Glasshouses Mill site. From a Highway safety aspect this access is considered acceptable. The scheme itself has been revised with an increase in residential units together with a decrease in the amount of commercial space provided. A concern from the outset in consideration of the enabling application has been to strike the correct balance between a site that allows the historic buildings back into viable use without such a scheme becoming dominated by parking provisions thus detracting from the setting of the structures.
- 10.72. The highway authority has noted that the scheme fails to provide parking provisions in accordance with the NYC parking standards and consequently do not support the scheme.
- 10.73. Having regard to the above within Phase 1, there is a slight under-provision where the small 2-bed flats are assigned a single space. The developer has argued that this has proved to be sufficient for those units, which are marketed on this basis. The level of provision in Phase 2 is based on the experience of the mill development where some of the smaller 2-bed flats (new build) are also assigned a single space. Phase 1 required a total of 62 spaces with actual provision at 55 spaces. Phase 2 required 36 spaces and 32 are provided. Overall applying NYCC parking standards 98 spaces are required with 87 indicated within the initial submission. There are opportunities within the site to increase parking provision, for example in front of the warehouse and the barn but this would result in potential over-dominance of parking provision.
- 10.74. Since receipt of the highway authority's comments the applicants have following advice from the case officer increased the parking numbers with additional spaces provided to the rear of the barn building within a courtyard created by that building, a single storey structure that is to be retained and the rear of the new build element. An additional 8 parking spaces are to be provided within this area. Whilst this brings the scheme up to an overall provision of 95 spaces, this is still below the recommended standard (an additional 3 spaces would be required).
- 10.75. A balanced view has to be taken on this aspect of the scheme with the benefits that will accrue from redevelopment. This would include securing the long-term viable use of the range of buildings throughout the Glasshouses Mill complex: enabling the regeneration of the site, improving the general environment in this part of the Conservation Area; the provision of 50 new homes on an underused brownfield site, including entry level units; re-instatement of the riverside walk as a PROW; the provision of commercial opportunities, including a new shop for the village. The reduction in commercial activity through a

residential area is also noted. The overall shortfall of 3 spaces is not considered so insufficient to prejudice highway safety in a manner to justify refusal of the scheme.

10.76. Amenity

10.77. The Harrogate and District Local Plan Policy HP4 seeks to ensure that Development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours. It is considered that the proposed residential units can be provided on site without detriment to the residential amenity of either existing or proposed residents. The reduction in office space through the conversion of the stable block to residential use will result in a reduction of commercial traffic visiting the site, and through the village itself. Access to the site been via a single width (in places) steep road through the village.

10.78. Planning Conditions

10.79. The scheme is considered to be in broad accordance with the provisions of the development plan and it has been demonstrated that the alterations are acceptable. The reduction in private car parking is noted, however, this is balanced against the benefits of the scheme and the shortfall is not considered so crucial to justify a reason or refusal on that issue alone.

10.80. Having regard to the S73 application and suggested amendments and deletion to the identified conditions it is considered that each condition can be considered as follows:

10.81. Condition 2

10.82. This condition listed the approved plans considered as part of the enabling consent. The submitted details in their revised form are considered acceptable and should members be minded to approve the application, the plans list can be amended to accommodate the new details.

10.83. Condition 8

10.84. This condition requires the access road to be completed prior to the development coming into use. There is an issue with the current wording as the construction traffic associated with Phase 2 is likely to result in damage to the final surface. On this basis a revised wording can be agreed as it would be premature to implement the approved access prior to completing the construction process due to the high risk of damage and subsequent remedial works. The warehouse conversion works would represent the final phase of development and it is agreed that the wording can be altered to ensure that surface works are completed prior to the occupation of that final phase.

10.85. Condition 23

10.86. This condition references the previously approved site plan, which has been amended as part of the current submission. The revised site plan can thus be simply substituted for the original.

10.87. Condition 34

10.88. This condition required the provision of a footbridge over the discharge of the goit into the river southeast of the main mill building. As recognised by the Footpath officer the layout changes along the southern boundary of the site means that the footbridge is no longer required in order to facilitate a riverside walkway. It is agreed that the condition is no longer applicable, and the condition can be deleted.

10.89. Condition 36

10.90. This required details of works to the former chimney to be submitted within 3 months of the commencement of development. Works to the chimney area have now been completed and form part of the now mostly finished phase 1 section of the development. As works have been completed, the condition can be deleted.

10.91. Biodiversity

10.92. Planning Permissions in England are deemed to be granted subject to the general Biodiversity Gain Condition as set out by Schedule 7A, paragraph 13 of the Town and County Planning Act 1990 (TCPA) as amended by Schedule 14, Part 2, paragraphs 13, 14 and 15 of the Environment Act 2021. This is a pre-commencement condition.

10.93. This scheme is considered to be exempt from this condition due to being a S73 application where the original permission which the S73 application relates to was granted before 12 February 2024.

10.94. Local Plan Policy NE3 does, however, require development to protect and enhance features of ecological interest, whilst requiring major development to avoid any net loss of biodiversity. The vast majority of the site is occupied by hardstanding and existing buildings with limited ecological value. The original enabling consent was subject to a condition securing ecological assessment at each phase of development. This condition is repeated as part of the proposal to ensure that there is no net loss at the site and to ensure compliance with Policy.

10.95. Other Matters

10.96. The increase in quantum of residential units has resulted in a revised calculation for commuted sum provision, which will need to be controlled by a revised s106 agreement.

10.97. The scheme will result in the loss of proposed office space in the former stable block. Local Plan policy EC1 seeks to protect existing employment sites by only permitting alternative uses if there is no impact upon the quality and quantity of employment land supply. The stable block is not currently capable of economic use and would require speculative conversion to find an end user. Previous marketing activity has not proven successful. The level of employment use offered at the Glasshouses Mill site represents only a very minor proportion of the employment land available across the district as a whole. The commercial opportunities at Glasshouses could potentially cater for small scale requirements, they are not, however, in an accessible location, offer no real potential for expansion and involve a challenging conversion project where the standard of accommodation would not be at the same level of purpose-built facilities elsewhere. Glasshouses Mill itself is not identified a key employment site in the Local Plan. There is no objection to the loss of the small office space.

10.98. Drainage details remain as previously considered and the conditions attached to the enabling consent remain as published. The scheme is supported with a Flood Risk Assessment that has been the subject of consultation with both the Environment Agency and Local Lead Flood Authority (LLFA). It is noted that the new build element extends towards the river on lower ground than the original enabling consent. The southernmost unit does, however, remain outside of flood zones 2 and 3 as recognised within the Environment Agency's response and the Finished Floor levels of the new build remain higher than the Flood level for 1 in 100 year (plus 30% climate change) event. The development site remains in Flood Zone 1 at the lowest probability of flooding. New residential development is acceptable in such locations.

10.99. Local Plan Policy CC4 requires development to be designed to reduce both the extent and impacts of climate change. The first phase of development was approved prior to the adoption of the local Plan and has now largely been built out. It is, however, considered that measures could be included in the second phase. Having regard to the sensitive nature of the site and its prominence on the riverbank frontage measures to reduce carbon emissions could be adopted. In this respect a scheme for the provision of electric vehicle charging points for phase 2 has been included as part of the conditional consent.

10.100. S106 Legal Agreement

10.101. As part of the original enabling consent, monetary contributions were secured for Education, Village Hall and Open space provision to be provided in three instalments at 30% occupancy (10 dwellings) and thereafter at 35% occupancy (21 dwellings) with the final instalment due prior to the occupation of 31 units. The total sums required at that time were as follows:

Education: Total Contribution £135,960 (consisting of payments at £40,788, £47,586 and £47,586)

Village Halls: Total Contributions £63,170.47 (consisting of payments at £18,951, £22,109.50 and £22,109.97)

Open Space: Total contributions £51,758.79 (consisting of payments at £15,527.40, £18,115.30 and £18,116.09)

10.102. Phase 1 of the development has been mostly completed and 30 dwellings are now occupied. The first two instalments of the S106 monetary contributions have not been made.

10.103. In addition, the S106 agreement required the provision of a village shop prior to the occupation of the 31st dwelling on the site. The shop was required to have been wholly subsidised for a period of two years from the date of opening. Your officers are aware that although interest has been expressed in the premises this has not resulted in the operation of the business. The marketing strategy does not make future tenants aware of the S106 requirements and additional marketing of the premises has been requested. Given the current trigger in the existing S106 this will require revision in any new agreement should members be minded to approve the scheme.

10.104. The scheme in its revised form results in an increase in quantum of residential units at the site, which has resulted in a corresponding amendment to the monetary requirements in the S106. Acknowledging that the developers failed to meet the triggers on the initial scheme, the proposal represents an opportunity to redress that in a new agreement. In this respect the revised triggers for payment have been agreed (see table below). An additional clause will be required to ensure that works on Phase 2 are advanced through an agreed phasing plan to prevent the developer simply completing Phase 1 without reaching the revised trigger points.

10.105. The following Heads of Terms have been agreed with the applicant for this application.

Table 1		
Category/Type	Contribution	Amount & Trigger
Education Contribution	£139,359	Whole contribution prior to the occupation of the 33 rd dwelling

Open Space	£61,800.04	Prior to the Occupation of the 42nd dwelling
Village Hall	£63,170.04	Prior to the Occupation of the 42nd dwelling
Village Shop		Remove obligation for shop to be provided and open for trading prior to occupation of 31st dwelling. Include requirement for shop to be advertised for a 12-month period in line with the approved marketing strategy, after which if no interest is forthcoming then alternative uses will be considered as part of any future planning consent

- 10.106. The Heads of Terms arise from the new quantum of development proposed at the site and the requirement to provide new triggers for that element of the scheme in Phase 1 where the developer has failed to comply with the requirements of the earlier S106 agreements.
- 10.107. It is considered that the above S106 Heads of Terms are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development and as such complies with the Community Infrastructure Levy (CIL) Regulations 2010.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The scheme is considered to be in broad accordance with the Harrogate District Local Plan. It is, however, noted that the Harrogate District Local Plan is now more than 5 years old. In accordance with the National Planning Policy Framework (December 2024), the annual housing requirement for this area is 1036 homes, as derived from the Standard Method. Including the relevant 5% buffer, the 5-year supply requirement for this area is 5440. Based on the most recent data (from the 2023/24 monitoring period), there is a demonstrable deliverable supply of 3111 homes over a five-year period. This translates to 2.9 years of housing supply when measured against the five-year supply requirement. Therefore, paragraph 11(d) of the National Planning Policy Framework (i.e. the “presumption in favour of sustainable development”) is engaged for applications involving the provision of housing.
- 11.2. The tilted balance of the paragraph 11d is a material consideration of the development. This adds weight towards approval, however, for the reasons stated in the report, it is considered that the scheme is in broad accordance with the development plan. Paragraph 11 d identifies that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making

effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 11.3. In this instance the site has the benefit of an extant consent for residential development, the site is located within a sustainable location. Glasshouses is a service village and the housing development will contribute towards the shortfall of housing provision in the district. The lack of a 5 year housing supply this weighs heavily in favour of the proposal.
- 11.4. The proposed alterations have been designed in a sympathetic manner to the character and fabric of the listed buildings.
- 11.5. The impact of the development on the grade II listed buildings within the mill complex and the Glasshouses Conservation Area, does not differ significantly from the approved scheme. The level of harm caused is 'less than substantial' and is considered to be outweighed by the public benefits of bringing the site back into use.
- 11.6. The restoration of the existing warehouse and Stable block will retain these heritage assets in situ, thus enabling the historical layout of the mill complex in the northern section of the site to be retained.
- 11.7. The relocation of the new build block is considered to improve the setting of the listed buildings securing the long-term viable use of the range of buildings throughout the Glasshouses Mill complex, this in itself will enable the regeneration of the site, improving the general environment in this part of the Conservation Area. The scheme will provide 50 new homes on an underused brownfield site, including entry level units.
- 11.8. The scheme will include the re-instatement of the riverside walk as a PRoW and the diversion of an existing route which passes the rear of existing residential units thus presenting a benefit in terms of amenity.
- 11.9. The scheme retains the provision of commercial opportunities, both within Phase 1 and Phase 2, including a new shop for the village and retention of office space albeit at a reduced scale than the enabling consent. The site is not identified within the Local Plan as a key employment site under Policy EC1 and the benefits identified above outweigh the small loss of office space within Phase 2 of the development.
- 11.10. The parking provision for the site has been improved with additional spaces provide whilst ensuring that the location of such provision does not adversely affect the setting of the Grade II listed buildings nor become dominating throughout the complex as a whole.
- 11.11. The scheme in its revised is considered to be in conformity of the development plan and approval of the revised scheme subject to the completion of a revised S106 Legal agreement in accordance with revised triggers for completion can be supported.

12.0 RECOMMENDATION

- 12.1. That planning permission be GRANTED subject to conditions listed below and completion of a unilateral agreement with terms as detailed in Table 1.

Recommended conditions:

1. The development hereby approved shall be carried out in accordance with the submitted details as amended by condition of consent and the following approved plans:

Proposed Site Plan A-00-PL-01 Rev A

27017(02)02_M	MAIN MILL - PROPOSED GROUND FLOOR PLAN
27017(02)30_C	PUG MILL - PROPOSED GA PLANS
27017(04)01_N	MAIN MILL PROPOSED ELEVATIONS 1 OF 2
27017(04)02_L	MAIN MILL PROPOSED ELEVATIONS 2 OF 2
27017(04)30_C	PUG MILL PROPOSED ELEVATIONS
27017(98)07	SITE PLAN - FENCE TYPES
27017(98)08	METAL RAILINGS
27017-2(02)10_B	STABLE BLOCK - PROPOSED GA PLAN
27017-2(04)10_C	OLD STABLE BLOCK PROPOSED ELEVATIONS
27017-2(02)20_A	OLD WAREHOUSE PROPOSED GA PLANS
27017-2(03)01	OLD WAREHOUSE PROPOSED GA SECTIONS
27017-2(04)20_C	OLD WAREHOUSE ELEVATIONS

Amended Plans received 6 June 2024
New Build Site Plan rev A

- 2 Notwithstanding the approved materials for Phase 1 (approved under 17/02490/DISCON), samples of the external materials to be used in the construction of the roof and walls of the subsequent phases of development shall be submitted to and approved in writing by the Local Planning Authority for each respective phase of the development. The external walling shall not be started before any such approval and the development shall thereafter be carried out using the approved materials. In the event of repair works, material to be used in the walling and roof shall match the existing. Such material shall utilise reclaimed material from the demolished structures on site in the first instance. If insufficient reclaimed material is available, samples shall at first be submitted and approved by the Local Planning Authority
- 3 All new doors and windows shall be set back a minimum of 100mm from the external face of the walls to form reveals to the satisfaction of the Local Planning Authority.
- 4 The window frames of the development hereby permitted shall be constructed in timber and no other materials shall be used without the prior written consent of the Local Planning Authority.
- 5 Notwithstanding the approved specification window details for Phase 1, prior to the commencement of each subsequent phase of the proposed conversion works sectional drawings of the proposed replacement windows shall be submitted to the Local Planning Authority for approval in writing. The windows installed should be constructed in accordance with the approved details and shall be retained as such.
- 6 Prior to the commencement of Phase 2 of the development hereby approved a scheme shall be submitted for the written approval of the local planning authority specifying any proposed phasing plan of the development. The approved plan shall thereafter be implemented in full unless otherwise agreed in writing by the Local Planning Authority.
- 7 There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Glasshouses. Prior to the occupation of the final phase of development agreed under condition 6 the existing access shall be improved by a carriageway build out as shown on drawing number 66058-001. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

- 8 The visibility splays at the existing access to the public highway as shown on drawing number 66058-001 shall be maintained and shall not be obstructed.
- 9 No phase of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas for that phase have been constructed in accordance with the details approved under condition number 1. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 10 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 11 During construction works there shall be no:
- c. Heavy Goods Vehicles exceeding 7.5 tonnes permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at anytime, except between the hours of 9:00 to 16:00 on Mondays to Fridays and 8:00 to 12:30 on Saturdays.
- 12 The details shall be submitted for the establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site shall be implemented and thereafter for subsequent phases proposals shall have been submitted to and approved in writing by the Local Planning Authority for the provision of:
- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
- 13 Prior to the commencement of each phase of the development, a detailed up to-date ecological survey shall be submitted for the written approval of the local planning authority and works on that phase shall not commence until such approval has been granted. The assessment shall develop the recommendations of section 4 of the BL Ecology Ecological Assessment (September 2014) and include appropriate mitigation and enhancement to avoid harm to protected species during the course of works and to ensure continuing opportunities for bats to roost and birds to nest following the redevelopment of the site.
- 14 Prior to the commencement of each subsequent phase of development, a Construction Method Statement for that phase shall be submitted for the approval of the Local Planning Authority. The Approved Statement shall provide for the following in respect of the phase:
- a. The parking of vehicles of site operatives and visitors
 - b. Loading and unloading of plant and materials
 - c. Storage of plant and materials used in constructing the development
 - d. Erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
 - e. Wheel washing facilities
 - f. Measures to control the emission of dust and dirt during construction
 - g. A scheme for recycling /disposing of waste resulting from demolition and construction works
 - h. A proposal for HGV routing

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, garages, roof or dormer windows other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.

16 Notwithstanding the approved details indicated on the site plan (drawing No A-00-PL-01 Rev A), for each subsequent phase of development, a detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials shall be submitted for the written approval of the Local Planning Authority within 3 months of the commencement of development. Such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and the timing of implementation of the scheme, including any earthworks required. Thereafter the development shall be undertaken in accordance with the approved scheme.

17 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.

18 The development shall proceed in accordance with the approved flood risk assessment (version A dated 20/1/08) and FRA Addendum (dated March 2014) incorporating the included mitigation measures into the development's construction.

19 For each phase of development, 900mm high floodgates shall be in place on all apertures where the floor level is below 109.5mAOD. The barriers must have a maintenance and operation regime in place prior to commencement of internal works. Details of the scheme shall be submitted and approved in writing by the Local Planning Authority and thereafter implemented in full.

20 The site shall be developed with separate systems of drainage for foul and surface water.

21 Notwithstanding the drainage strategy approved for Phase 1 of the development each subsequent phase of development shall not take place until details of the proposed means of disposal of foul and surface water drainage for that phase have been submitted to and approved by the Local Planning Authority. Development shall then be carried out in strict accordance with the approved details.

22 Prior to the building/s in each respective phase of the development being occupied full details of any intended mechanical extract ventilation system to the building/s in that phase shall be submitted for the written approval of the Local Planning Authority. Thereafter, any such system that may be approved by the Local Planning Authority shall be implemented in full accordance with the details approved and shall thereafter be retained and maintained in good working order at all times. The details of the system to be submitted for approval shall provide for:

1. effective odour filtration;
2. means to mitigate any extraneous noise from the system itself;
3. a point of exhaust / emission at such a height, and in such a position and manner so as to avoid nuisance.

23 Notwithstanding the details approved to discharge Parts A and B of Phase 1 of the development under 17/02281/DISCON, and unless otherwise agreed by the Local

Planning Authority, no development for any subsequent phase of the scheme, other than that required to be carried out as part of an approved scheme of remediation must not commence until sections A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section D has been complied with in relation to that contamination.

A. SITE CHARACTERISATION

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - * human health,
 - * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - * adjoining land,
 - * groundwaters and surface waters
 - * ecological systems
 - * archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. SUBMISSION OF REMEDIATION SCHEME

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. REPORTING OF UNEXPECTED CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in

writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirement of section A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section C.

24 Any new stonework shall match the stonework of the original building in type, size, colour, dressing, coursing and pointing to the satisfaction of the local planning authority. Prior to the commencement of development a sample panel of the type of stone to be used showing the proposed coursing and pointing shall be erected on the site for the written approval of the local planning authority prior to the commencement of development.

25 Notwithstanding the submitted plans, details of external works to the proposed hard landscaped area shall be submitted for written approval of the Local Planning Authority prior to the commencement of those works for each respective phase of the development. The submission shall include plans showing areas of hard surfacing and retaining walls at a scale of not less than 1:50 and sections of proposed junctions of different materials and kerbing to grassed area, and retaining walls including any necessary balustrading at a scale of not less than 1:10.

26 For each phase of the development, details of the bin stores for that phase shall be submitted for the written approval of the LPA within 3 months of the commencement of development. The submission shall include a location plan at a scale of not less than 1:250 and plans and elevations of each external storage area at a scale of not less than 1:50.

27 For each respective phase of the development, details of the external lighting scheme for that phase including a plan showing the locations of fittings at a scale of not less than 1:250, and elevations of any building to which a light fitting is to be attached at a scale of not less than 1:100, and specification of the columns, or brackets, and lamps are to be submitted for written approval of the Local Planning Authority prior to their installation. The lighting scheme shall be implemented in accordance with the approved details.

28 The operation of the proposed restaurant/cafe shall be undertaken in accordance with the following

1. Noise attenuation should be provided between the restaurant and the residential dwellings above and adjacent as appropriate in accordance with the recommendations in the noise assessment Acoustics Report ref: 2228./10/1 August 2014 at section 6.8 in order to meet the requirements of BS8233:2014.
2. External areas of the restaurant (A3 use) shall not be used by customers for eating and drinking after 21:00 and before 08:00.
3. The restaurant premises shall only operate between the hours of 08:00 and midnight.
4. There shall be no deliveries to or dispatches from the premises or the collection of waste bottles of commercial waste outside the hours of 08:00 and 18:00.
5. Plant noise (extraction fan) must comply with the Harrogate noise design criteria of a rating level (as measured according to BS4142:1997) of 5dB below the pre-existing background level.

29 Prior to the occupation of the development approved under Phase 2 a scheme for the provision of Mode 3 type electric vehicle charging points on a dedicated circuit with a minimum current rating of 16 Amps shall be installed and made operative. The charging points and parking shall be maintained clear of any obstruction and retained as such thereafter, until in the case of electric vehicle charging facilities, they are superseded by any advanced technology.

30 Prior to the first occupation of the 32nd residential unit details of a scheme for the riverside lighting and pointing to the commercial frontage shall be submitted and approved in writing by the Local Planning Authority to include details of implementation. The approved scheme shall thereafter be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

31 An Energy Strategy Compliance Statement shall be submitted to the Local Planning Authority upon completion of the development to demonstrate that the requirements of Harrogate District Local Plan Policy CC4 have been met.

32 Details of the surface materials for the diverted public right of way to include timing of implementation shall be agreed in writing with the Local Planning authority and thereafter implemented in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority

Reasons for Conditions:-

- 1 To secure the satisfactory implementation of the proposal.
- 2 In order to ensure that the materials used conform to the amenity requirements of the locality.
- 3 In the interests of visual amenity.
- 4 In the interests of visual amenity.
- 5 In the interests of visual amenity
- 6 To ensure the satisfactory implementation of the site
- 7 In the interests of highway safety
- 8 In the interests of highway safety
- 9 In order to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development
- 10 In the interests of highway safety
- 11 In the interests of highway safety
- 12 In the interests of highway safety
- 13 In the ecological interests of the site
- 14 In the interests of highway safety

- 15 In order to protect the visual amenities of the surrounding area in view of the prominence of this site.
- 16 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 17 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 18 To mitigate the impacts of flooding.
- 19 To protect the development from flooding
- 20 To prevent pollution of the water environment.
- 21 To ensure that the development can be properly drained
- 22 In the interests of residential amenity
- 23 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy NE9
- 24 In order to ensure that the materials used conform to the amenity requirements of the locality.
- 25 In the interests of visual amenity and the setting of the listed buildings.
- 26 In the interests of amenity
- 27 In the interests of amenity
- 28 In the interests of residential amenity
- 29 In the interests of improving air quality and sustainable travel and to accord with Local Plan Policy CC4.
- 30 In the interests of visual amenity
- 31 In the interests of climate change and energy efficiency of the development
- 32 In the interests of amenity and use of the footpath

Target Determination Date: 10 June 2024

Case Officer: Andy Hough, Andy.hough@northyorks.gov.uk

This page is intentionally left blank