

North Yorkshire Council

Community Development Services

Skipton and Ripon Area Planning Committee

2nd September 2024

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

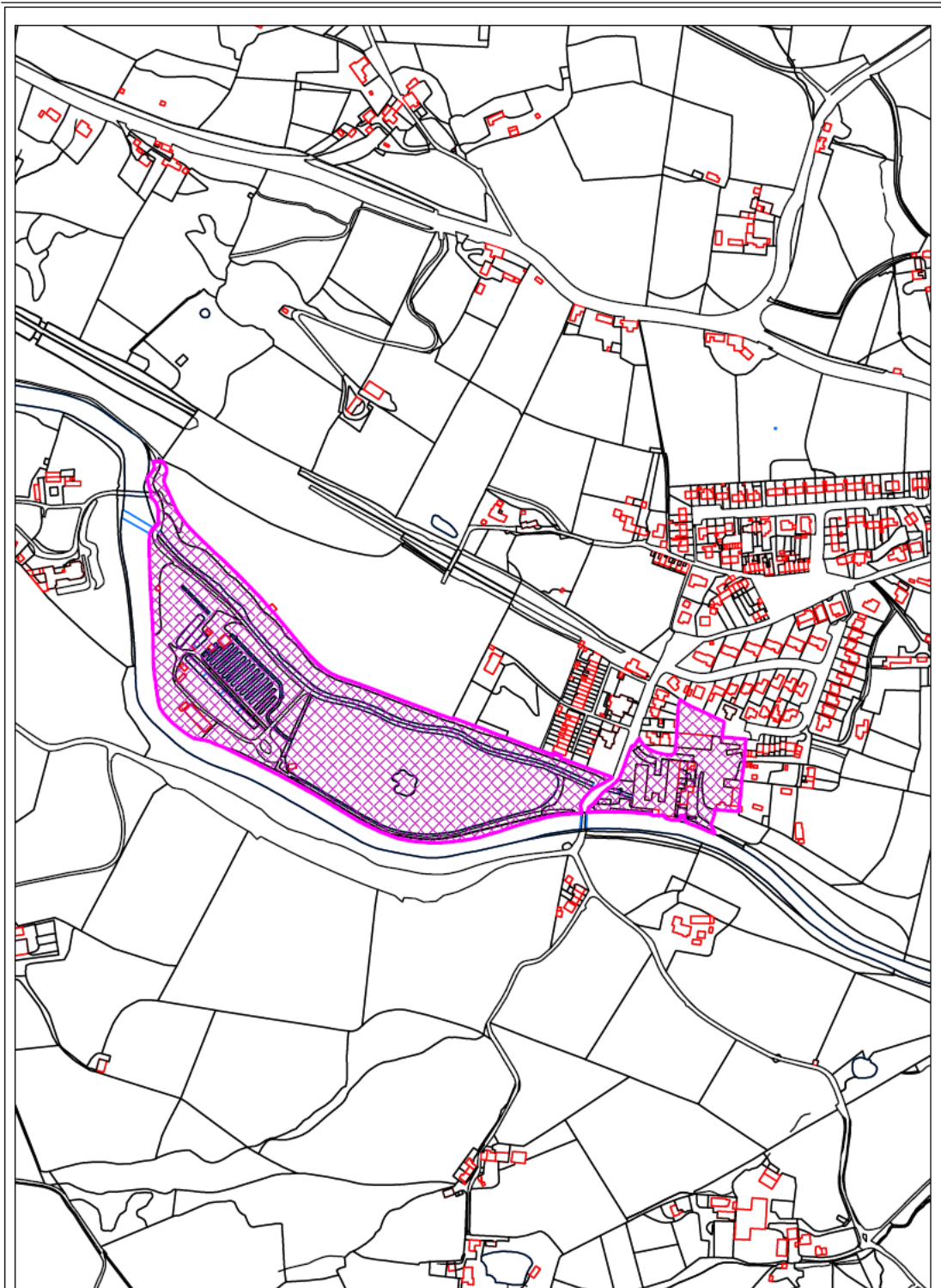
- 1.1. To determine a planning application for Variation of Condition Numbers: 2, 8, 23 and deletion of conditions 34 and 36 of Application 17/02093/DVCMAJ to allow the consideration of revised plans to reflect the 'as built' development within phase 1 (main mill, mechanics shop and pugmill) and to amend the proposals for phase 2 (warehouse, stables, barn and proposed new build units) (Amended Scheme) 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.

2.0 SUMMARY

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

- 2.1. 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.

- 2.2. The revised scheme increases the quantum of residential development proposed in Phase 2 (increased from 10 units to 18) together with a reduction in the provision of office space (4 office suits removed, although office accommodation is retained within the building known as the barn). Phase 1 accommodation remains as previously considered with amendments to incorporate the 'as built' scheme (external features to the curtilage and grounds).
- 2.3. The proposed alterations have been designed in a sympathetic manner to the character and fabric of the listed buildings.
- 2.4. 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.
- 2.5. 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.
- 2.6. In the following sections of the report, the various main issues arising from the new development are discussed and conclude that the scheme is in broad accordance with the development plan, such that approval can be supported.
- 2.7. 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.



Location Plan

Scale 1:5,000



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8/21/2024

3.0 Preliminary Matters

- 3.1. Access to the case file on Public Access can be found [here:-](#)
- 3.2. There are a number of relevant planning applications for this application 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.

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 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.
- 4.3. The ground slopes up quite steeply to the north, where the main body of village is located. The 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.
- 4.4. The main building is constructed of stone under a slate roof and incorporates a central tower block housing a clock with bell tower above.
- 4.5. 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.
- 4.6. The remaining site consists of a Warehouse, former Stables, Boys brigade building and a two-storey height barn.
- 4.7. 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.
- 4.8. The site is located within Glasshouses Conservation Area and within the Nidderdale National Landscape.
- 4.9. Planning consent 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.
- 4.10. 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 a number of conditions to allow for the phased development of the site.
- 4.11. 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 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 (retained as a residential conversion providing 3 units).
- 4.12. 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.
- 4.13. 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 due to a financial viability assessment.

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/DVCMJ 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 Mill, 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 amendment 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 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 quantum of development and 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.

Adopted Development Plan

- 6.2. 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

- 6.3. 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

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2023
- 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 Zone 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, Existing HERAS fencing and spoil must be removed which is obstructing 15.58/42/3. The culvert that has collapsed needs repairing and path 15.58/35/1 reinstated. Comments are awaited upon the revised detailing.
- 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:** Comments are awaited.
- 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.

The above represent 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
- Highway Safety
- Amenity
- Planning Conditions
- Biodiversity
- Other Matters
- S106 Agreement

10.0 **ASSESSMENT**

Principle of Development

- 10.1. Harrogate District Local Plan Policy GS1 highlights the need to provide new housing within the District with Policy GS2 identifying how this need will be met with a focus on growth in the district's main settlements and key transport routes. The scale of development will reflect the settlements 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.
- 10.2. Glasshouses is identified as a Service Village within 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.
- 10.3. Development limits for villages in the settlement hierarchy are identified under the provisions of policy GS3. Places not identified in the settlement hierarchy are part of the wider countryside where development will only be appropriate if permitted by other policies of this plan, a neighbourhood plan or national policy. Within development limits, proposals for new development will be supported provided they are in accordance with other relevant policies of the Local Plan.
- 10.4. The site has the benefit of an extant for the conversion and construction of new dwellings under previous planning consents. The broad principle of development is considered acceptable.
- 10.5. 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.
- 10.6. 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.
- 10.7. 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.

Character of the Settlement

- 10.8. 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 Mill and attendant buildings are identified within the Glasshouses Conservation Area Appraisal (GCAA) as landmark buildings that dominate the southern approach into the village. Important views of the village are identified looking northwards across the river towards the Mill and in towards the site from the area to the east of the main street.

- 10.9. 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.

Impact Upon Heritage Assets

- 10.10. 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".
- 10.11. 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.
- 10.12. The site has its own distinctiveness, and this element is an important part of the proposal. Local Plan Policy HP3: Local distinctiveness; seeking 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.
- 10.13. The site is located within Glasshouses Conservation Area and the Mill building and complex is Grade II listed.
- 10.14. The Conservation Area Character Appraisal identifies that:
- 10.15. 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.
- 10.16. 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.

- 10.17. 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.
- 10.18. Phase 1
- 10.19. 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.
- 10.20. 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.
- 10.21. 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.
- 10.22. Phase2
- 10.23. In consideration of phase 2 it is necessary to break down each element into its component part.
- 10.24. The Warehouse
- 10.25. 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.
- 10.26. 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.
- 10.27. The existing footpath extended across the north elevation, between the building and the rear yards.
- 10.28. 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.

- 10.29. 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).
- 10.30. 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.
- 10.31. 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.
- 10.32. 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 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.
- 10.33. 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.
- 10.34. The Conservation and design 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.
- 10.35. The Stable Block
- 10.36. 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.
- 10.37. 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.
- 10.38. The retention of the original form and elements of the fabric of the structure is considered to comply with Policy HP2.

10.39. New Build

10.40. 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.

10.41. 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.

10.42. 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.

10.43. 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.

10.44. The Barn

10.45. Under the original planning and listed building consent, the existing barn is to be converted into 4 modest office units and this Section 73 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).

10.46. Overall having regard to the enabling consent and amended detail sit 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 District's housing land supply.

10.47. 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.

10.48. 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.

10.49. Impact Upon the National Landscape

- 10.50. 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.
- 10.51. 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.
- 10.52. 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.
- 10.53. 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 AONB.
- 10.54. 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.
- 10.55. Public Right of Way
- 10.56. Policy HP5 seeks to protect the route of existing PROW's. 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.
- 10.57. There are two designated Public Rights of Way running through the Glasshouses Mill site. One passes along the riverside and has 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.
- 10.58. 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

- 10.59. The scheme would not adversely impact the recreational amenity of the PROW system.
- 10.60. 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.
- 10.61. The applicants have amended the detail since original submission and the views of the Public Right of Way officer are awaited.
- 10.62. Highway Safety
- 10.63. 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.
- 10.64. 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.
- 10.65. 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.
- 10.66. 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),
- 10.67. 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 a 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.

10.68. Amenity

10.69. 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.

10.70. Planning Conditions

10.71. 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.

10.72. 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:

10.73. Condition 2

10.74. 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.

10.75. Condition 8

10.76. 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.

10.77. Condition 23

- 10.78. 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.
- 10.79. Condition 34
- 10.80. 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.
- 10.81. Condition 36
- 10.82. 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 from part of the now mostly finished phase 1 section of the development. As works have been completed, the condition can be deleted.

Biodiversity Net Gain

- 10.83. 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.
- 10.84. 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.
- 10.85. 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.
- 10.86. Other Matters
- 10.87. 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.
- 10.88. 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 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.

- 10.89. Drainage details remains 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 southern most unit does, however, remain outside of flood zone 2 and 3 as recognised within the Environment Agencies 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.
- 10.90. 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.
- 10.91. S106 Legal Agreement
- 10.92. 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 £521,758.79 (consisting of payments at £15,527.40, £18,115.30 and £18,116.09)
- 10.93. 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.
- 10.94. 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.

- 10.95. 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.
- 10.96. The following Heads of Terms have been agreed with the applicant for this application.

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 44 th dwelling
Village Hall	£63,170.04	Prior to the Occupation of the 44 th dwelling
Village Shop		Remove obligation for shop to be provided and open for trading prior to occupation of 31 st 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

- 10.97. 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.
- 10.98. 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 proposed alterations have been designed in a sympathetic manner to the character and fabric of the listed buildings.
- 11.2. 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.
- 11.3. 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.

- 11.4. 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.
- 11.5. 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.
- 11.6. 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.
- 11.7. 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.
- 11.8. The scheme in its revised is considered to be 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:

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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

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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.

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.

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.

Target Determination Date: 10 June 2024

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

Appendix A – Appendix Title