

Parish: West Tanfield
Ward: Tanfield
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Committee Date : 23 June 2016
Officer dealing : Mrs H M Laws
Target Date: 8 April 2016

15/02270/FUL

**Change of use of former mill to form 3 dwellings
at Tanfield Mill Hydro Tanfield Mill West Tanfield North Yorkshire
for North East Development Company Ltd.**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is on the northern bank of the River Ure with access directly from the C-class road between West Tanfield and Wath, 600m east of the built up area of West Tanfield. Tanfield Mill is a former watermill, comprising a group of stone, partly brick and slate buildings one of which is the four storey mill building. The original mill wheel was removed in the late 19th century and replaced with a more modern turbine. Two smaller turbines have additionally been added in 2003 and, altogether, 36kW (peak output) of electricity is now produced by the hydro-electric plant.
- 1.2 Planning permission was granted in 2006 to convert the building into a hotel. Work commenced and restoration is ongoing although it is now proposed to convert the building to form 3 dwellings, which is the subject of the current planning application.
- 1.3 The largest of the proposed dwellings would be within the four storey part of the building. The basement area would be used for the boilers for heating and equipment associated with the hydroelectric plant. A total of five bedrooms would be provided within this dwelling over the three remaining storeys and the first floor of the attached two storey building.
- 1.4 The ground floor section of the attached two storey building would accommodate a single bedroom unit with a bedroom, bathroom and living/dining/kitchen area. The third unit would provide three bedrooms over two floors. Amenity areas for the two smaller properties are proposed adjacent to the mill stream. A garden for the five bedroom unit is proposed at the western end of the site adjacent to the shared parking area, bin store and cycle parking area.
- 1.5 The site lies within flood zone 3, which is the area of the highest risk. A flood risk assessment has been submitted. Flood resilient measures would be incorporated into the design of the buildings.

2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 2/94/170/0114 - Alterations and extensions to former mill building for use as a hotel with restaurant and ancillary leisure and equestrian facilities. Permission granted April 1995.
- 2.2 05/00663/FUL - Alterations and extensions to existing disused mill buildings to form 18 bedroom hotel. Permission granted 15/3/2006. Work commenced and therefore the permission remains extant.
- 2.3 11/00368/DIS - Proposed discharge of conditions 1-11 - attached to planning application 05/00663/FUL. Permission granted 9/3/2011.

3.0 RELEVANT PLANNING POLICIES:

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP28 - Conservation
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Parish Council - no objections
- 4.2 NYCC Highways - no objections subject to conditions.
- 4.3 MOD - no safeguarding objections
- 4.4 Environment Agency - The proposed development should be carried out in accordance with the submitted FRA.
- 4.5 HDC Conservation Officer - I agree this would be a NDHA and would meet criterion 1 age, 2 rarity, 4 aesthetic value and 5 landscape value. Para 135 of NPPF states that the effect of an application on the significance of a NDHA should be taken into account in determining the application.
- 4.6 HDC Environmental Health - no objections
- 4.7 Site notice/local residents - no comments received (expiry date for representations 10/11/2015)

5.0 OBSERVATIONS

- 5.1 The issues to be considered relate to the principle of residential development in this location, the effect of the alterations on the character and appearance of the existing building and surrounding rural landscape, the impact on residential amenity, affordable housing provision and access.
- 5.2 The site lies approximately 0.5km from West Tanfield and is therefore not within the boundary of the Development Limits of that village, which is defined in LDF Policy CP4 as a Service Village. There is no footway between the application site and the village and it is not therefore considered to be a sustainable location. The proposed development is also not considered to fall within the guidelines of the Interim Policy Guidance, which relates to residential development within villages as the application site is too remote from West Tanfield.
- 5.3 One of the criteria of LDF Policy CP4 requires development to be "(ii) necessary to secure a significant improvement to the environment or the conservation of a feature of acknowledged importance".

- 5.4 Tanfield Mill has been assessed against the Council's published criteria for assessing Non Designated Heritage Assets. The building is considered to meet the following criteria:
1. age (usually more than 30 years old);
 2. rarity (not many examples locally);
 4. aesthetic value/appeal (distinctive local characteristics); and
 5. townscape or landscape value (key landmark buildings).
- 5.5 The building is of historic and architectural merit; is considered to be a non-designated heritage asset and is therefore a feature of acknowledged importance. The NPPF in paragraph 126 requires Local Planning Authorities to recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Paragraph 135 states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.6 The NPPF in paragraph 55 suggests isolated new homes in the countryside should be avoided but describes certain circumstances where it may be acceptable. These include:
- where such development would represent the optimal viable use of a heritage asset
 - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.
- 5.7 It is no longer intended to convert the building to a hotel although this remains an extant permission. The applicant has had a detailed viability study undertaken for conversion to a hotel which considers that the conversion to a hotel would not be viable as it would result in a relatively small hotel with disproportionately large conversion costs given the nature and form of the building. The conversion would require external funding in order to undertake the work in a much shorter period of time, with smaller returns due to the local market room rate being particularly low. In short the projected costs of the remaining conversion to form a hotel exceeded the economic value of the project.
- 5.8 The proposed works that have already been undertaken, and those which are proposed, are of a high standard and where completed have been undertaken using skilled craftsmen and materials appropriate for the building. The works would not lead to harm to the character or appearance of the mill buildings or to the significance of the non-designated heritage asset. Although permission is in place for a hotel use, the proposed use as private dwelling houses would have considerably less impact on the occupiers of other residential properties on the site. It is considered that the benefits of bringing the buildings back into use outweigh the relatively unsustainable location of the site.
- 5.9 On balance it is considered that the social and environmental benefits identified in line with national and local policy justify the use of this site outside the Development Limits and the principle of the development is therefore acceptable.
- 5.10 The proposed development does not encroach any further into the adjoining rural landscape than the existing buildings and would have no greater visual impact than the previous use or the alternative hotel use. The proposal is therefore in accordance with LDF Policies CP16 and DP30.

Residential Amenity

- 5.11 There are other existing dwellings within the group of buildings at Tanfield Mill that lie outside the application site boundary. The use of the building as three dwellings

would not harm the residential amenity of these properties and is considered to be a more appropriate use in this respect than as a hotel or other possible alternative uses such as offices or small workshops.

Flood Risk

- 5.12 The site lies within flood zone 3. The proposed development, which is classed as 'minor development', does not increase the size of the buildings. Paragraph 104 of the NPPG states that the Sequential and Exception tests do not need to be applied to minor developments and changes of use, except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site but should still meet the requirements for site-specific flood risk assessments.
- 5.13 It is not anticipated that the proposed development would increase flood risk or endanger the residents to any greater extent than already exists. A condition is recommended requiring the submission of a flood plan relating to warning and evacuation in the event of flooding in order to protect the proposed residents of the new dwellings. The Environment Agency are satisfied with this approach in this case.

Ecology

- 5.14 A bat and barn owl survey confirms there are no potential habitats within the building.

Access

- 5.15 The Highway Authority has no objections to the proposed use of the existing accesses subject to conditions to improve the northern access.

Affordable Housing

- 5.16 A ministerial statement has removed the burden for developers to make contributions on housing developments of 5 units or less within specially designated rural areas and 10 units elsewhere. The aim of the statement is to increase the number of small housing developments by reducing the financial burden on small housing developers. The overall aim is to increase the number of houses built and help to reduce the cost of such housing. The measures, have introduced a threshold beneath which affordable housing and other tariff style contributions should not be sought. A 40% affordable housing contribution would usually be required by LDF Policy CP9 for developments of 2 or more dwellings. This contribution can no longer be requested and over-rides the requirements of the Council's adopted policies
- 5.17 The proposed development is acceptable and approval of the application is recommended.

- 6.0 RECOMMENDATION:** that subject to any outstanding consultations the application be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement or other alteration shall be carried out to the dwellings hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.

3. The development permitted by this planning permission shall only be carried out in accordance with the Flood Risk Assessment received by Hambleton District Council on 7 October 2015.

4. The dwellings hereby approved shall not be occupied until warning and evacuation procedures have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved procedures shall be implemented and retained.

5. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements: a. The details of the access shall have been approved in writing by the Local Planning Authority; b. The northern access shall be formed with 6 metre radius kerbs, to give a minimum carriageway width of 5.5 metres, and that part of the access road extending 6 metres into the site shall be constructed in accordance with Standard Detail number E6 var; e. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway; f. That part of the access(es) extending 10 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1:15; All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

6. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 160 metres measured along both channel lines of the major road from a point measured 2.5 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

7. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.

8. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings numbered HDC/1252/01, 04B and 05 received by Hambleton District Council on 7 October 2015 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The Local Planning Authority would wish to retain control over the extension of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with LDF Policies CP17, DP1 and DP32.
3. To prevent flooding and to reduce the impact of flooding on the proposed development and future occupants in accordance with LDF Policies CP21 and DP43.
4. To ensure the safety of the occupants in the event of flooding in accordance with LDF Policies CP21 and DP43.
5. In accordance with LDF Policies CP2 and DP4 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
6. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
7. In accordance with LDF Policies CP2 and DP4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
8. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies.