

## **RYEDALE DISTRICT COUNCIL**

### **TOWN & COUNTRY PLANNING ACT 1990 FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT**

**RYEDALE DISTRICT COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED SUBJECT TO THE CONDITIONS STATED BELOW:**

**Application No:** 05/01222/FUL

**Proposal:** Change of use with alteration and partial re-building of former watermill to form educational resource centre with bunking facility to include installation of new water wheel and first floor and formation of car park

**at:** Howsham Mill Howsham York

**for:** David Mann & Ms Macledd

**Decision Date:** 19 July 2007

#### **REASON FOR APPROVAL**

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

North Yorkshire County Structure Plan - Policy E4 - Townscape/architectural protection  
North Yorkshire County Structure Plan - Policy E1 - Specified landscape conservation  
North Yorkshire County Structure Plan - Policy E5 - Archaeology  
Ryedale Local Plan - Policy C1 - New development and changes of use within Conservation Areas  
Ryedale Local Plan - Policy C7 - Alterations or extensions to Listed Buildings  
Ryedale Local Plan - Policy C8 - Changes of use of Listed Buildings  
Ryedale Local Plan - Policy C13 - Archaeological investigation of sites  
Ryedale Local Plan - Policy C15 - Historic parks and gardens  
Ryedale Local Plan - Policy ENV1 - New development outside Development Limits  
Ryedale Local Plan - Policy ENV2 - Development in the Howardian Hills AONB  
Ryedale Local Plan - Policy ENV3 - Development in the Areas of High Landscape Value  
Ryedale Local Plan - Policy ENV4 - River and stream corridors  
Ryedale Local Plan - Policy ENV10 - Sites of Special Scientific Interest  
Ryedale Local Plan - Policy ENV11 - Internationally Important Nature Conservation Sites  
Ryedale Local Plan - Policy ENV25 - Development and flood risk  
Ryedale Local Plan - Policy T2 - New roads and road improvements within the Howardian Hills AONB  
Ryedale Local Plan - Policy TM2 - Hotels, guest houses and other visitor accommodation outside settlements  
RE4 - Solar energy  
David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP

and taking into account the following reasons:

The Mill is a listed building in an exceptionally sensitive location. The application was submitted with detailed reports that demonstrated how the development can be carried out whilst respecting its location. It is not considered that the works will have a significant adverse impact on the character of the listed building, the AONB, the SSSI or the Conservation Area. Nor is it considered that it would have a significant adverse impact on the existing amenities of neighbouring occupiers. A car park has been provided for use by visitors. Ryedale District Council has resolved to approve the application.

**CONDITIONS AND ASSOCIATED REASONS**

- 01 The development hereby permitted shall be begun on or before 18 July 2010.
- Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
- 02 Notwithstanding the details shown on the approved plans, there shall be no public vehicular access to the mill.
- Reason:- It is considered that the creation of a permanent vehicular access and/or car parking will have a significant adverse impact on the character of the listed building, the historic park and garden, the Site of Special Scientific Interest and the Candidate Special Area of Conservation, and in order to satisfy the requirements of Policies C1, C10, C15, T3, ENV2, ENV4, ENV10 and ENV11 of the Ryedale Local Plan.
- 03 The building shall not be brought into use until a Transport Management Plan has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the site shall be operated in accordance with the plan.
- Reason:- It is considered that the creation of a permanent vehicular access and/or car parking will have a significant adverse impact on the character of the listed building, the historic park and garden, the Site of Special Scientific Interest and the Candidate Special Area of Conservation, and in order to satisfy the requirements of Policies C1, C10, C15, T3, ENV2, ENV4, ENV10 and ENV11 of the Ryedale Local Plan.

David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP

- 04 Notwithstanding the details shown on the approved plans, details of a temporary access to the site for construction vehicles shall be submitted to and approved in writing by the Local Planning Authority prior to any construction traffic being taken onto the site. The access shall be retained for a period of 1 year only unless otherwise agreed in writing by the Local Planning Authority.

Reason:- It is considered that the creation of a permanent vehicular access and/or car parking will have a significant adverse impact on the character of the listed building, the historic park and garden, the Site of Special Scientific Interest and the Candidate Special Area of Conservation, and in order to satisfy the requirements of Policies C1, C10, C15, T3, ENV2, ENV4, ENV10 and ENV11 of the Ryedale Local Plan.

- 05 The application site shall not be used for any purpose other than as an educational resource centre and temporary overnight sleeping accommodation, the sleeping accommodation shall only be let to the same person, groups of persons or families for period(s) not exceeding a total of 10 days in any one calendar year. The accommodation shall not be used as the main residence of any occupant.

Reason:- It is not considered that the site is suitable for permanent residential accommodation due to its location in the open countryside, and because of the lack of any access or parking facilities. In addition, to comply with the principles of Policies T3 and H9 of the Ryedale Local Plan.

- 06 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy C7 of the Ryedale Local Plan

- 07 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy C7 of the Ryedale Local Plan

David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP

APPN NO: 05/01222/FUL

- 08 Prior to the commencement of the development, details of all windows and doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure an appropriate appearance and to comply with the requirements of Policy C7 (ii) of the Ryedale Local Plan.

- 09 Notwithstanding the details shown on the approved plans, the works hereby approved shall be restricted to the mill building and temporary access and shall not include any works to any watercourse or the mill pond, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of protecting the SSSI and the C-SAC and to comply with the principles of Policies ENV10 and ENV11 of the Ryedale Local Plan.

- 10 Prior to the commencement of any works on site hereby approved, precise details of areas for the storage of materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure that both the underground and upper parts of the trees to be retained on the site do not suffer damage that might prevent their long-term retention resulting in a loss of visual amenity.

- 11 Prior to the commencement of any works hereby approved on site, detailed drawings shall be submitted to and approved in writing by the Local Planning Authority, a plan and schedule of all trees and shrubs on the site. Such plans shall show the accurate position, crown spread, approximate height, and trunk diameter measured at 1.5 metres from ground level, of each tree to be retained or removed, together with a brief description of the condition of each tree. Trees to be retained shall be protected prior to the commencement of the development by the following measures:

(i) a chestnut pale fence or similar fence, not less than 1.2 metres high, shall be erected, in accordance with recommendations in BS 5837: 2005 hereafter referred to as the "PROTECTED ZONE", not less than a minimum distance equal to 12 x the diameter of the trunk of any tree shown on plan No. (or dated) to be retained;

(ii) no development, including the erection of site huts and parking of vehicles, or any other buildings in connection with the development, shall be sited within the PROTECTED ZONE referred to above;

(iii) no materials, including fuel or spoil, shall be stored within the PROTECTED ZONE referred to above;

David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP

(iv) prior to the commencement of the development, and in appropriate cases where the retention of trees is not prejudiced, locations for the burning of materials in connection with the development on site, shall be agreed in writing with the Local Planning Authority.

(v) no services in connection with the development shall be routed within the PROTECTED ZONE referred to above.

Reason:- It is considered that the existing trees and shrubs are an important visual amenity which should be retained and to comply with the requirements of the Ryedale Local Plan.

- 12 Notwithstanding the details shown on the approved plans, prior to the building being brought into use, precise details of flood resistant measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To provide the safe use of the site and to satisfy the requirements of Policy ENV25 of the Ryedale Local Plan.

- 13 Notwithstanding the details shown on the approved plans, there shall be no external lighting unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity and to satisfy the requirements of Policies ENV2, C15 and ENV19 of the Ryedale Local Plan.

- 14 The development shall proceed only in accordance with the agreed Flood Risk Assessment titled 'Howsham Mill - Flood Risk Assessment' carried out by the Renewable Heritage Trust.

Reason:- To reduce the risk of flooding, and to satisfy the requirements of Policy ENV25 of the Ryedale Local Plan.

- 15 Development shall not commence until details of a safe evacuation plan to land outside the 1 in 100 year floodplain are submitted to and agreed in writing by the Local Planning Authority. This route must be in place before any use of the building(s) for educational purposes.

Reason:- To provide safe use of the site and reduce reliance on emergency services and to satisfy the requirements of Policy ENV25 of the Ryedale Local Plan.

David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP

- 16 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bund compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason:- To prevent pollution of the water environment and to satisfy the requirements of Policy ENV21 of the Ryedale Local Plan.

- 17 Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.

Reason:- To prevent pollution of the water environment and to satisfy the requirements of Policy ENV21 of the Ryedale Local Plan.

- 18 The development hereby permitted shall be carried out in accordance with the plans as submitted and as amended on 25 October 2006.

Reason:- For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the approved plans.


- 19 Before work on the car parking hereby approved is permitted, details of the ground surfacing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy of the Ryedale Local Plan.

- 20 No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:- The site is of archaeological interest and investigation/protection and observation of the site is required by the provisions of Policy C13 of the Ryedale Local Plan and to satisfy Policy E5 of the North Yorkshire County Structure Plan (Alteration No.3) 1995.

David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP



APPN NO: 05/01222/FUL

**INFORMATIVES:**

- 01 Waste disposal should be dealt with by a registered contractor who has an up-to-date Waste Carriers Registration Certificate. Your local Environment Management team can provide advice on waste disposal issues and they can be contacted on 01904 822542.
- 02 If any herbicides are to be used to suppress weed growth around newly planted trees near watercourses, the Environment Agency's approval must be obtained. Only DEFRA approved herbicides, for use in or near water, must be used in these circumstances in order to safeguard the aquatic floral and faunal communities from damage.
- 03 The applicant is advised that this decision notice should be read in conjunction with the Agreement made under Section 106 of the Town and Country Planning Act 1990.

---

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE DISTRICT COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.

---

*G Maerden*

DEVELOPMENT CONTROL MANAGER

David Mann & Ms Macledd  
C/O Eco Arc  
Old Village School  
Harton  
York  
YO60 7NP