

## North York Moors National Park Authority

District/Borough: Ryedale District  
Parish: Thornton Le Dale

Application No. NYM/2017/0271/CU

Proposal: change of use of part 1st floor offices to residential (no external changes)

Location: Burgess Feeds Ltd  
Priestmans Lane  
Thornton-le-Dale

Decision Date: 13 June 2017

### Consultations

Parish – No objections

Highways -

Yorkshire Water – No comments

Environmental Health Officer -

Advertisement Expiry Date – 7 June 2017


### Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	HWAY16	No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number 17/B27/OS04 (Space No. 5). Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

#### Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
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2.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3.	HWAY16	In accordance with NYM Development Policy 23 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

### Background

Victory Mill comprises a substantial Mill building and listed Mill house located on Priestmans Lane within the Thornton Dale Conservation Area. The Mill building isn't listed.

Planning permission was granted in 2011 to convert the first, second and third floors of the west wing of the existing offices in the original mill building into 3 live/work apartments to be made available to rent.

There is a large car park on the opposite side of the road which provides about 76 spaces, and is shared by the residential/work units and the main Burgess Group offices.

This application seeks planning permission to change the use of part of the first and second floor office which was previously used for the Burgess Group, into a one bed apartment with open plan kitchen/dining area.


Planning permission has been granted in the last year for two other apartments to be created in disused office space here.

In support of the application the agent states that due to changes in technology, large areas of the offices have become redundant.

### Main Issues

Core Policy CPJ of the Local Development Framework seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages such as Thornton Dale. Development Policy 4 of the Local Development Framework seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area.

Development Policy 11 of the Local Development Plan seeks to ensure the re-use of existing employment sites for economic purposes, unless the premises are not capable for economic re-use for reasons of viability and following an appropriate marketing exercise.

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The provision of improved residential accommodation within Thornton Dale would be in accordance with CPJ of the LDP, but the loss of an economic use without evidence that there is no alternative is contrary to DP11.

However, DP11 has been somewhat superseded by Class O, Part 3 of the "Town and Country Planning (General Permitted Development) Order 2015 which sets out that the change of use of offices which have been in use as offices since before May 2013 can be changed into residential accommodation without the need for planning permission, provided that the developer applies for determination from the LPA as to whether prior approval is required regarding transport and highway impacts, contamination risks and flooding risks.

In this instance a full planning application has been submitted because external alterations are also proposed, but the principles of Class O are the primary consideration and on the basis that neither the Highway Authority nor EHO have raised any considered and there are no flooding issues, approval is recommended.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

**Approval (No Amendments Required)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

Signature:



Date:

