

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Thornton Le Dale

Application No. NYM/2016/0502/CU

Proposal: change of use of part of second floor offices (Use Class B1) to form extension to Apartment 3 (Use Class C3)

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

Decision Date: 08 September 2016

Consultations

Parish – No objections

Highways – No objections

Site Notice Expiry Date – 18 August 2016

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.

Reason for Condition(s)

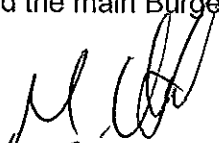
1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.

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.


8th - Sept. 2016

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This application seeks planning permission to change the use of the second floor office which was previously used occasionally as a meeting room for the Burgess Group, into an additional bedroom and en-suite bathroom for the existing second floor residential apartment.

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.

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 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.

