

North Northamptonshire Planning Committee (North)

6 September 2023

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| Application Reference | NE/23/00279/VAR |
| Case Officer | Jacqui Colbourne |
| Location | Yarwell Mill, Mill Road, Yarwell, Peterborough, PE8 6PS |
| Development | Variation of condition 2 to allow for amendments to the approved drawings pursuant to 19/00543/FUL - Change of use to provide leisure facilities, site shop and amenities for caravan park residents, including demolition of agricultural buildings. |
| Applicant | Yarwell Mill Country Ltd - Samantha Nichols |
| Agent | I-lid Design Ltd - Ian Ashworth |
| Ward | OUNDLE - Oundle Ward |
| Overall Expiry Date | 24.05.2023 |
| Agreed Extension of Time | 19.09.2023 |

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the proposal has received over five objections from local residents.

1. Recommendation

- 1.1 That planning permission be PERMITTED.

2. The Proposal

- 2.1 The application proposes changes to the previously approved planning application 19/00543/FUL. It is noted that Planning Enforcement have confirmed that works commenced within the 3 year time period required by planning condition, and that the Foul Water Drainage condition was discharged on 29.04.2020. The scale of the proposal would be reduced, removing the south L-shaped element which connected the building to the South East previously approved to be used as toilets. The building to the

South East would no longer be developed as these would be incorporated behind the kitchen area. The first floor element has been removed. It is noted that amended plans have also changed the bar area into a leisure area for the local community, this includes a kitchen serving area.

3. Site Description

- 3.1 The application site comprises of an existing caravan park just outside the village of Yarwell in the open countryside. There are 9 agricultural buildings close to the entrance of the site between the main car park and the River Nene. These buildings are all attached to each other, giving the appearance of one large building. The buildings are predominantly finished in stone with corrugated metal sheeting roofs.
- 3.2 The buildings are in close proximity to the listed Yarwell Mill buildings and are curtilage listed themselves. The buildings also lie within Flood Zone 2 and are adjacent to Flood Zone 3.

4. Relevant Planning History

- 4.1 01/00360/LBC - Replacement of frontage windows - PERMITTED - (12.06.2001)
- 01/00846/FUL - Use for the siting of touring caravans – WITHDRAWN - (02.05.2002)
- 02/01010/FUL - Regeneration of former watermill to form 6 residential units - PERMITTED – (05.11.2003)
- 02/01108/LBC - Conversion of former water mill to 6 no residential units – PERMITTED-(05.11.2003)
- 03/00827/LDP - Use of land as a caravan site without condition or limitation –REFUSED - (08.04.2004)
- 05/02227/LBC - Replace existing bridge and screen with new calvert, bridge and screen, remove existing sluice operating mechanism – PERMITTED - (04.01.2006)
- 06/00089/PNX - Electric supply to the buildings – PERMITTED - (22.02.2006)
- 09/01329/FUL - Use of land for the stationing of touring caravans and tents plus, details of drainage system – WITHDRAWN - (24.12.2009)
- 09/01330/FUL - Conversion of farm buildings into two holiday accommodation units including car parking and alterations to access – PERMITTED - (07.01.2010)
- 14/02284/FUL - Removal of existing porch canopy and extension of existing reception/office – PERMITTED - (23.01.2015)

14/02285/LBC - Removal of existing porch canopy and extension of existing reception/office – PERMITTED - (26.01.2015)

14/02304/FUL - To develop the existing agricultural buildings into three retail units, a cafe with external seating, 30 additional car parking spaces. Demolition of two ancillary barns. Existing central corrugated roof to be removed and replaced with a free standing glass canopy. External alterations to create courtyard area to service and enhance the development. – WITHDRAWN - (14.07.2015)

15/00798/FUL - Demolition of 2no. existing 20th century extensions to the side and rear of the Mill building (retrospective). Conversion of the existing unused Mill building into a restaurant and one residential unit, erection of 2no.replacement extensions in the same footprint as those being demolished, alterations to fenestration, insertion of rooflights, formation of balcony to the rear elevation. Formation of car park to include erection of fence and erection of wall. – WITHDRAWN - (14.07.2015)

15/00799/LBC - Demolition of 2no. existing 20th century extensions to the Mill building, conversion of the existing unused Mill building into a restaurant and residential accommodation and erection of side and rear extensions (works as described in Schedule of Works on dwg 930-05 C rec. 19/5/2015), erection of new fence and extension of existing wall to create car parking area – WITHDRAWN - (14.07.2015)

16/00658/LBC - Alterations to internal layouts, addition of lift and alterations to external openings – PERMITTED - (16.05.2016)

17/00864/FUL - Widen an existing bridge at Yarwell Mill country park by dismantling the southern elevation and saving the existing stone, extend the deck of the bridge to a width of 5 metres and re-instate the southern elevation using the previously removed stone – PERMITTED - (15.06.2017)

17/01891/FUL - Dismantle, rebuild and widen existing bridge over mill stream – PERMITTED - (01.11.2017)

19/00543/FUL - Change of use to provide leisure facilities, site shop and amenities for caravan park residents, including demolition of agricultural buildings. – PERMITTED - 05.08.2019

19/00544/LBC – Renovation of existing traditional buildings as per schedule of works dated 21st May 2019. – PERMITTED - 05.08.2019

NE/23/00330/VAR - Variation of condition 2 to allow for amendments to the approved drawings pursuant to 19/00544/LBC. Change of use to provide leisure facilities, site shop and amenities for caravan park residents, including demolition of agricultural buildings. – PENDING.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Yarwell Parish Council

No comments received.

5.2 Northamptonshire Fire and Rescue

No comment to make.

5.3 Nassington Parish Council

No comments received.

5.4 Wansford Parish Council

Wansford Parish Council met on Monday, 10 July 2023 and discussed the above mentioned planning application for further development at Yarwell Mill. Whilst Councillors are aware that some objections have been submitted against this planning application, Wansford Parish Councillors agreed to support the views of Yarwell Parish Council in respect of this particular planning application.

5.5 Sibson-cum-Stibbington Parish Council

No comments received.

5.6 Nature Space

No comments received.

5.7 The Environment Agency

We have no objections to the variation of Condition 2 (approved drawings). We have reviewed the submitted drawings and are satisfied that the finished floor levels are in accordance with the requirements of Condition 4 of 19/00543/FUL. As Condition 4 is still relevant, we would like it carried through to any new Permission granted in this case. However, in doing this, we note that Condition 4 of 19/00543/FUL refers to the development being 'two storeys'. We have reviewed the proposal and request that this point in the Condition is removed for this application. The remainder of the Condition should remain the same. Whilst we have no objections to the application; we would like to draw your attention to the following informative comments: Advice for the Local Planning Authority Flood warning and emergency response. We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

Planning practice guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 167 of the NPPF and the guiding principles of the PPG.

Advice for the Applicant Environmental permit The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

5.8 Ramblers Association

No comments received.

5.9 Definitive Maps Team

No comments received.

5.10 GCN – Nature Space

No comments received.

5.11 Wildlife Officer

The variation concerning this application would not have any further ecological considerations as these have been addressed in the approved original application.

5.12 Police

No objection

5.13 Environmental Protection

I do not have any comments to make as this application covers amendments to approved drawings.

5.14 Principal Conservation Officer

Verbal comments received, no objection.

5.15 Neighbours

Two letters of support and eight letters of objection have been received the points raised are detailed below:

- Bar area/shop inappropriate.
- Drainage.
- Barns should not be developed.
- Impact on Road network.
- Impact on wildlife
- Concerns that buildings will be changed to commercial use.
- Not the facilities promised to residents

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 8 - North Northamptonshire Place Shaping Principles

6.4 Emerging East Northamptonshire Local Plan (LPP2) (2021)

EN1 – Spatial Development Strategy
EN13 – Design of Buildings / Extensions

6.5 Other Relevant Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Heritage, Design, Layout and Impact on the Character and Appearance of the Area
- Other

7.1 Principle

7.1.1 The principle of development has already been established under permission 19/00543/FUL and thus is considered to be acceptable.

7.2 Heritage, Design, Layout and Impact on the Character and Appearance of the Area

7.2.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.

7.2.2 The proposal seeks a reduction in scale of a development previously approved under 19/00543/FUL. The L-shaped element to the south has been removed, as well as the first floor element, resulting in an overall decrease in area by in excess of 185 square metres. In addition, the building to the south east will no longer connect to the café area and will no longer be converted into toilets. The toilets will be located to the rear of the kitchen area.

7.2.3 In terms of design and visual impact, this reduction in scale is considered a betterment. The proposed bar area has raised concerns from neighbours, however, amended plans have been received removing this element and this has been changed back to the approved leisure area for the local community, with the addition of a small kitchen facility.

7.2.4 The proposed materials are considered both sympathetic and complimentary and these can be secured via planning condition. The Principle Conservation Officer has raised no concerns. As such, the proposed development in terms of design and visual amenity is considered to be acceptable and would enhance the setting of the nearby listed buildings (Yarwell Mill and Mill House).

It is considered that the development proposed would not cause harm to the significance of the listed buildings. Consideration has been given to the impact of the development on the setting of listed buildings having regard to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is not considered that the development would cause any harm in this respect. Furthermore, the proposed development complies with Policy 2 and 8(d) of the JCS and Paragraph 130 of the NPPF.

8. Other Matters

- 8.1 Equality: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Highway Safety and Parking: The propose changes reduce the scale of what has previously been improved and as such there are no concerns in this regard. Thus, the proposal accords with Policy 8(b) of the JCS, and Paragraph 111 and 130 of the NPPF.
- 8.3 Residential Amenity: The scale of the proposal has been reduced. In addition, there have also been no objections raised from the Council's Environmental Protection Team in relation to noise or odour. The impact on neighbour amenity is therefore considered to be acceptable and in accordance with Therefore, the proposed development complies with Policy 2 and 8(d) of the JCS and Paragraph 130 of the NPPF.
- 8.4 Neighbour concerns:
- Bar area/shop inappropriate: The shop has already been assessed as acceptable under 19/00543/FUL, the bar area has been removed and replaced with a community leisure area, similar to the approved permission.
 - Drainage: this was dealt with by Condition 3 of the original planning permission and was discharged on 29.04.2020.
 - Barns should not be developed: Application 19/00543/FUL considered this, the proposal was considered acceptable and planning permission was granted; this application seeks to vary the plans.
 - Impact on Road network: This is a proposed reduction in scale of the proposal and as such the impact is considered acceptable,
 - Impact on wildlife: Statutory consultees have no concerns in this regard.
 - Concerns that buildings will be changed to commercial use: This application is to change the design and scale of the approved permission, and as such this is not a planning consideration.
 - Not the facilities promised to residents: This has been addressed by the applicant in that the proposed bar area has been changed in amended plans to a community leisure area. Notwithstanding this, this is not a planning consideration and the application needs to be assessed as per the proposed description and on its merits.

9. Conclusion / Planning Balance

- 9.1 The principle of development is considered acceptable due to the extant permission. This proposal is for a reduction in scale of the previously approved scheme, under planning application 19/00543/FUL. As such this proposal represents a betterment.
- 9.2 As detailed above, the proposals would not cause harm in terms of the planning considerations, Heritage, Design, Layout and Impact on the Character and Appearance of the Area, Highway Safety and Parking and

Residential Amenity. Given this, the proposals comply with both local and national policies and as such, the recommendation is for approval.

10. Recommendation

- 10.1 That Planning Permission be GRANTED subject to the following conditions:

11. Conditions

1. The development hereby permitted shall be carried out strictly in accordance with the following plans:

Proposed sections and elevation Dwg 491DD02-1 Rev A
Proposed sections and elevation Dwg 491DD02-2 Rev A
Received 13.03.2023

Proposed Site Location Plan Dwg YARWBC-1-5-001 Rev A
Received 28.03.2023

Scheme Design Dwg 491SK01 Revision C
Received 09.06.2023

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

2. The development hereby permitted shall be carried out using materials as detailed in the submitted application form submitted with the original planning consent (19/00543/FUL).

Reason: In the interests of visual amenity.

3. The development shall be carried out in accordance with the submitted flood risk assessment (ref:1449) dated September 2018 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 13.27 metres above ordnance Datum (AOD)
- This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.