Yorkshire Dales National Park Authority

Committee: Planning

Date: 28 May 2024

Applicant: Hodson & Scott Property Ltd

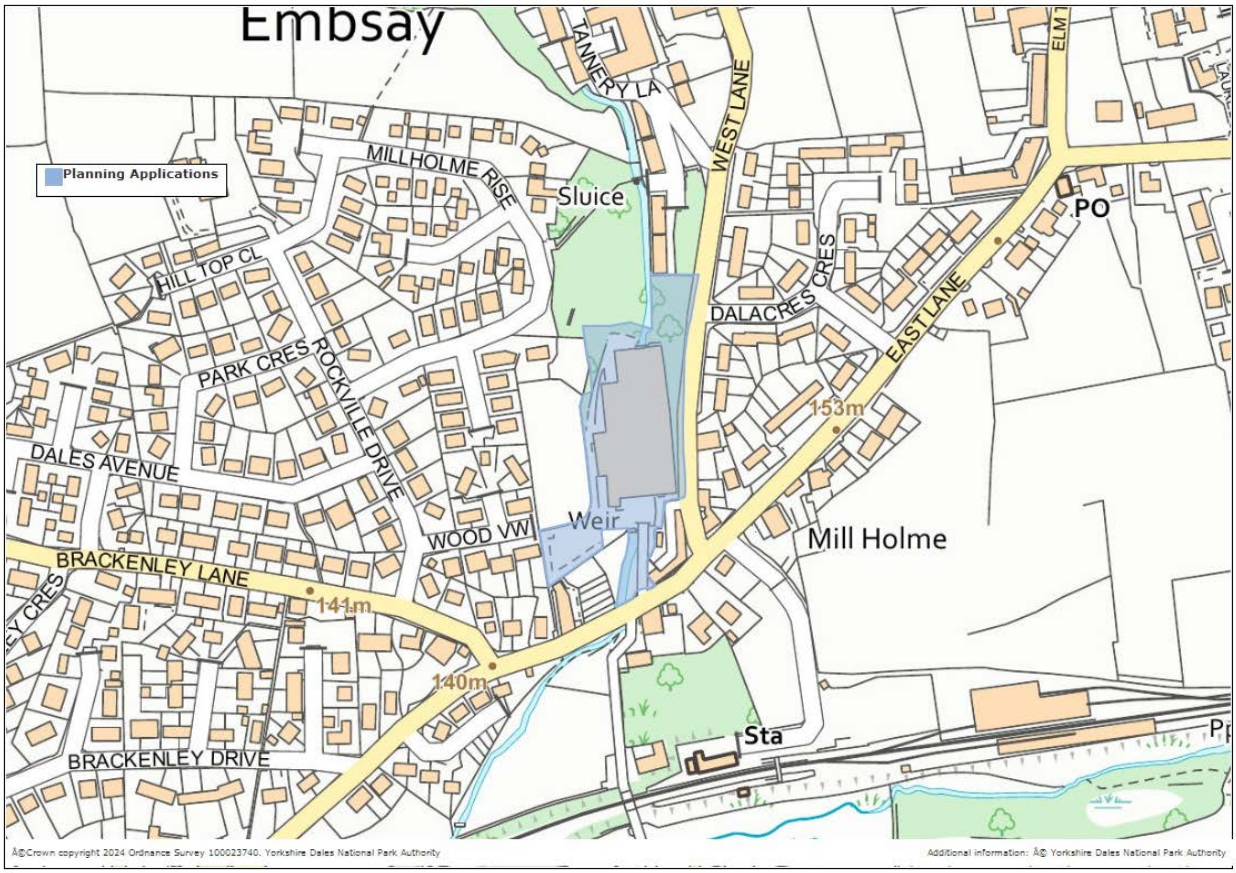
Parish: Embsay with Eastby

Officer: Wendy Thompson

Application No: C/26/110C

Site Address: Embsay Mills, Skipton Road, Embsay, Skipton, BD23 6QF

Proposal: Full planning permission for demolition of a dilapidated extension located at the rear of Embsay Mill (erected in the 1970s) to create a turning space for goods vehicles (retrospective)



Purpose of Report

1. That Members APPROVE planning permission for the above development in accordance with the recommendations below.

Reason For Committee Consideration

2. This application is reported to Committee for the following reason: the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

Application Site

3. Embsay Mill is a large complex of former mill buildings now used for a variety of business uses, including a café, an auction house, a gym and a holiday letting business. It is located towards the centre of Embsay and is accessed via a narrow access road. The site comprises the mill building and an area of car parking to the front and side. The mill has been extended during its former life and these various extensions lie towards the rear of the mill. An internal access road passes to the side of these buildings to the rear, where the new turning space has been created.
4. The turning area is on the site of a former small warehouse extension which was built in the 1970s. It was a flat roofed building constructed of concrete blocks with steel girders holding up a flat sheeted roof.

5. To the north of the mill is the Embsay nature reserve, a densely treed area that overhangs part of the site, and to the west is an area of open space, both are allocated within the Local Plan as Important Open Space.

Proposal

6. This application seeks full planning permission for the demolition of a dilapidated extension located at the rear of the Mill to create a turning space for light goods vehicles. This is a retrospective application for both the demolition and creation of the turning space and has been submitted following an initial discussion with the Enforcement Team. Following this intervention, work stopped on the development other than making the newly exposed building water tight, pending the outcome of this application.

7. The hardstanding measures approx. 13m x 26m and will be surfaced with tarmac. A length of low retaining wall has been erected and a new façade on the remaining west facing building has been rendered and new doors installed. Replacement flood lighting will be needed so that the area can be used in the dark, and the applicant is

willing to submit a lighting plan to ensure that any new lights are compatible with any wildlife in the surrounding nature conservation area.

8. The mill site is constrained by a lack of space and the turning space is to be used by cars and light goods vehicles such as transit and courier vans . It is not to be used as a parking area, but for turning, to create a better flow of traffic around the site. The applicant has confirmed that there will not be any additional traffic generated by this development, it is merely to manage existing traffic to reduce the need for difficult reversing manoeuvres.

Relevant Planning History

9. The following applications are relevant:

None

Consultations

10. The comments of statutory and non-statutory consultees are summarized below:
Trees & Woodlands

Chief Environmental Health Officer– Not received

Highways – Not received

Embsay-with-Eastby PC – Embsay with Eastby Parish Council object to this application for reasons based on the following summarised comments:

- The unapproved industrial development has taken place alongside a designated 'green corridor' and a Nature Reserve forming the biodiversity link between the National Park moorland and Embsay Valley.
- The Mill buildings are home to bat roosts and a bat survey should have been carried out, and it is suggested that a retrospective bat survey now be carried out.
- Is concerned that there may be an increase in the size and number of vehicles accessing the site and the Skipton road junction has restricted visibility.

Wildlife Conservation Officer – Recommend either a financial contribution towards the upkeep of the nature reserve next to the site or to erect bat boxes on trees on any unlit part of the site – preferably one that is connected by habitat to the nature reserve.

Trees and Woodlands Officer – Not received.

Public Responses

Public responses received at the time of writing: 0

11. Advertised by site notice displayed 29th April 2024.

Assessment

Key Issues:

- Planning policy
- Visual Impact
- Nature Recovery
- Parish Council comments
- Equality Act

Planning Policy

12. Policy BE1 of the Yorkshire Dales Local Plan 2015-2030 refers to business development sites and establishes that proposals for the development of business uses on sites in or adjacent to settlements will normally be permitted, providing that Policy SP4 is complied with. The application site is within the business site at Embsay Mill and is to provide turning space for existing users of the Mill. It is located at the rear of the site and not visible from outside of the application site and complies with Policy BE1.

13. Policy W1 refers to Wildlife sites, species and networks and addresses development that may result in an adverse effect on a European protected species and Policy W2 refers to biodiversity enhancement opportunities. The applicant has not provided a bat survey with this application but is willing to site bat boxes within the site to provide biodiversity enhancement opportunities.

Visual Impact

14. The area is at the back of the mill site and is wholly screened from external public views by a high retaining wall and the mill itself. The surfacing of the hardstanding will be dark tarmac consistent with hard surfaces within the site and the rendered frontage of the remaining building will also match adjacent buildings. Conditions are recommended to ensure that the colour of materials is acceptable and that a lighting plan is submitted to ensure that this part of the site is not overly lit at night. The development has a neutral impact on the appearance of the Mill and its wider setting within Embsay and accords with Policy SP4 of the Yorkshire Dales Local Plan (2015-2030).

Nature Recovery

15. The Parish Council has suggested that a retrospective bat survey be carried out as the building may have had potential to have been occupied by bats. The applicant has clarified that the building was a block built and flat roofed, a structure unlikely

to have been occupied by bats. It is therefore not necessary to carry out a bat survey as the building does not exist, and it would be difficult to note whether any bats resided in the mill complex or the adjacent nature reserve.

16. The Senior Wildlife Officer has commented that the applicant may be asked to contribute to the upkeep of the local nature reserve, however this is considered excessive in relation to the scale of the development. The applicant has however agreed to the siting of bat boxes within the site to improve biodiversity and the comments of the Parish Council and this will be covered by a condition to ensure compliance with Policy W2.

Parish Council Comments

17. Embsay Parish Council is concerned about three issues as noted above in para 8. Embsay Mill has always been in an industrial or business use and has coexisted with the nature reserve and important open space for a very long time. It is highly unlikely that the replacement of a small industrial building with an open area within the mill complex would harm the ecological integrity of the adjoining open spaces. A condition has been suggested to ensure that additional bat boxes are provided to address the second issue and a lighting plan is required if any new lighting is needed in this area to ensure that it is low level to not interfere with bats. The views of the Highway officer have not yet been received and so the final comments will be addressed in due course and reported at the meeting.

Equality Act

18. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

19. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

Conclusion

20. It is regrettable that the application is retrospective, but the application was submitted as soon as the applicant was made aware of the situation. The creation of the turning area will provide a valuable facility within the complex at Embsay Mill as parking and turning is quite difficult at the site. This will go some way to alleviate the issues faced by drivers visiting the businesses at the site. In order to provide habitats for bats, a condition has been suggested to ensure that bat boxes are installed around the site, and a lighting plan is also required to ensure that the

lighting is low level to accommodate the protected species. The development therefore accords with Policies BE1, W2, and SP4 of the Yorkshire Dales Local Plan (2015-2030) and guidance contained within the National Planning Policy Framework (2023)

Recommendation

21. It is recommended that permission is GRANTED subject to conditions including the following:

i) Accordance with plans
ii) Approval and retention of materials
iii) Submission and approval of lighting plan
iv) Provision of biodiversity enhancement opportunities.
v) Any conditions required by Highways Authority.