

8. FULL APPLICATION - CONVERSION OF THE MILL TO RESIDENTIAL USE. REPAIR AND CONSOLIDATION OF THE SHELL AND INTERIOR INCLUDING, NEW CAST-METAL RAINWATER GOODS, FENESTRATION & JOINERY. RE-ROOF AND TIMBER REPAIRS. PEDESTRIAN BRIDGE TO CONNECT TO THE A6, REINSTATE SMALL ROOF LIGHTS, THE MILL, MILL LANE, ASHFORD IN THE WATER, (NP/DDD/1214/1290, P2524, 419831/369520, 24/12/2014/ALN)

APPLICANT: DR ROBERT GRIFFITHS

Site and Surroundings

The application site, known locally as Ashford Mill, is located approximately 200m to the south east of the main body of the village of Ashford in the Water. The site abuts the northern side of the main A6, east of the junction with the A6020. To the east, a minor road (now a cul-de-sac) leads north from the A6 over Lees Bridge.

The River Wye is located some 38m to the north of the site. A series of leats, created by diverting water from the main river run adjacent to the mill building itself. The south leat, which consists of two channels, runs immediately to the south of the mill building, between it and the A6. The water runs through a series of sluices and weirs and served a former water wheel on the south elevation of the mill. The north leat served a second waterwheel on the north side. As such, the buildings effectively stand on an island between the diverted watercourse and the River Wye.

The mill building is the only building within the red edged application site. The former corn mill is grade II listed and the site is within the Ashford in the Water Conservation Area. Also included in the application site is the land to the east of the mill in the form of two spurs between the three water channels, a hardstanding area to the north of the building and the leats and small areas of intervening land to the west of the mill.

The mill is an L-shaped building that is 1½ storey in height. It is predominantly constructed from locally quarried limestone interspaced with limestone blocks. The roof largely retains its original gritstone slates. At the east end of the south wing is a kiln at ground floor with a drying room above. The mill is redundant, having ceased milling in 1963. It was used as a general farm suppliers until the early 1980s. It is currently used for domestic storage purposes by the applicant who has owned the site since 2008.

Immediately to the north of the mill and also within the applicant's control is a two storey barn. To the north east is a pair of semi-detached houses. The westernmost property, Mill Cottage, is in third party ownership. The easternmost property, the Old Mill House is occupied by the applicant and is grade II listed. Lees Bridge, which is also a grade II listed structure, abuts the eastern side of the application site.

Vehicular access is gained to the mill building along with Old Mill House and Mill Cottage along a shared driveway off the cul-de-sac leading north off the A6.

The whole site falls within the Environment Agency Flood Zone 3, which is land assessed as having a 1% or greater annual probability of fluvial flooding.

Proposals

The application proposes the conversion of the mill building to a single open market dwelling. The dwelling would have two bedrooms and lounge accommodation on the first floor and kitchen/dining room, utility room and storage on the ground floor.

A pedestrian bridge would be constructed across the mill leat to the north of the mill building linking the land immediately adjacent to the mill to the A6. The bridge is intended to provide emergency egress from the building in the event of a flood.

A parking area for up to four vehicles would be provided on the hardstanding to the north of the building.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt amended plans including plans for the sloped bridge with yachting wire infill panels.**
- 3. Conversion to be within shell of building with no demolition or rebuild without the prior written agreement of the National Park Authority.**
- 4. All repairs to historic fabric outlined in the submitted 'Condition Survey and Repair Methods' to be completed before the dwelling is first occupied.**
- 5. No development to commence until a detailed scheme for the bridge has been submitted and agreed in writing. The details shall include cross sections, design calculations and details of construction, materials etc., a schedule for installation and a remediation plan in the event that the conversion is not carried out.**
- 6. Pedestrian bridge to be completed before dwelling is first occupied.**
- 7. The pedestrian bridge shall be ancillary to and for the use of occupiers of The Mill only in emergency flood situations.**
- 8. Sample of colour for steelwork and yachting wire to bridge to be submitted and agreed.**
- 9. Any gates to the pedestrian bridge shall open inwards only. Excluding the means of attachment no part of the proposed pedestrian bridge shall be located within the public highway.**
- 10. Extent of domestic curtilage to be limited to area edged green on plan no. 14158/P/102.1a**
- 11. Parking spaces and bin store and bin dwell area to be provided and maintained throughout the life of the development.**
- 12. Details of construction compound to be submitted and agreed prior to commencement.**
- 13. Recommendations of Protected Species Survey to be fully adhered to.**
- 14. Submission and agreement of a scheme of archaeological monitoring measures.**
- 15. Lighting scheme to be submitted and agreed.**

16. **Details of internal doors to be submitted and agreed.**
17. **Details of etched map on lobby glass to be agreed.**
18. **Windows and doors to be repaired on a like for like basis unless otherwise agreed in writing by the National Park Authority.**
19. **Photographic record of internal and external features to be submitted before work commences.**
20. **Minor Design Details.**

Key Issues

1. Whether the proposed development meets the requirements of the Authorities Core Strategy and Local Plan policies in relation to the provision of open market housing on the basis of conservation and/or enhancement; and
2. Whether the proposed bridge would provide safe egress in the event of a flood and whether it would conserve and enhance the setting of the listed building and Conservation Area.
3. Highways Issues

History

February 2015 – Enquiry opened with regard to unauthorised use of barn as a dwelling.

Feb 2012 – Retrospective planning and listed building consent granted for turbine housing, bridges and path creation.

2009 – Planning and listed building consent applications for conversion of barn to holiday accommodation and storage withdrawn.

Consultations

Highway Authority – no objections subject to conditions. However, the retaining boundary wall onto which the bridge would abut is in the ownership of the County Council and as such the applicant would need to secure a licence agreement with the County Council to indemnify DCC against any costs associated with the bridge structure, maintaining/inspecting the wall, removing the bridge structure etc. Additionally a legal mechanism whereby the agreement could be transferred to all future owners would be required.

District Council - no response

Parish Council - has reservations about this plan as a whole and the conversion to living accommodation. This building is part of the local heritage which the parish council feel should be preserved as its original function. The Parish Council objects to the bridge as it is out of character in the setting of a listed building and is also in a conservation area. It is also felt to be unnecessary. No response received to re-consultation on amended bridge design.

Environment Agency – no objections to amended bridge design.

Derbyshire County Council Emergency Planning Team - the overall assessment of flood risk and particularly for flooding from the River Wye appears accurate and in line with the flood outline data held by the County Council. The assessment and development proposal seems to take

account of flood levels, with residential accommodation floor levels being above the 1-100 year flood height (including allowance for climate change). The proposed route of the walkway and bridge confirm the necessary clearance above flood water heights and also that flood zone 1 areas will be reached. Main concern regarding such an arrangement would be its effectiveness for people with a disability, particularly sight or mobility impairment.

English Heritage - The application should be determined in accordance with national and local policy guidance, and on the basis of the Authority's specialist conservation advice.

Natural England – satisfied that the proposals will not damage or destroy features in the Wye Valley SSSI which is proximity to the site. Refer to standing advice with regard to protected species. The Authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application

Authority's Built Environment Team – amendments to the design of the conversion itself both internally and externally are acceptable. No objections to the bridge in principle and amended design acceptable although the additional of metal mesh to the sides is regrettable and may make the bridge appear more substantial. Would prefer a less obtrusive addition such as horizontal yachting wire (climbing on it should not be an issue given the bridge is only for emergency use). Favours the horizontal rather than the curved form as this may help to reduce its obtrusiveness. Considers that the mill should remain ancillary to the main house to preclude future problems over curtilage, parking etc.

Authority's Ecologist - recommends that section 4 of the submitted Protected Species Report pertaining to bats, birds and water quality is conditioned in full.

Authority's Archaeologist – no objections subject to a condition requiring the submission and agreement of archaeological monitoring measures.

Representations:

One letter has been received in support of the proposals on the grounds that the mill would be preserved for future generations.

Eight letters of objection have been received which raise the following issues:

- the proposals would prevent future use of the building for its original purpose as a mill;
- conversion to a dwelling is not the only means of preservation of the mill;
- the owner has a duty to undertake repairs to the listed building;
- concerns that other suitable uses such as garaging or uses incidental to the dwelling have not been investigated;
- the proposed bridge would detract from the setting of the listed building and the wider Conservation Area;
- concerns about introducing a residential use into an area of high flood risk;
- mobility impaired people would have difficulty accessing the bridge due to stairs within the building;
- lack of side panels on submitted plans for bridge results in risk of falling into the river;
- land beyond the boundary wall with A6 is still at risk of flooding;

- the mill should remain ancillary to Mill House; and
- acceptance of bridge may lead to others seeking to build further bridges.

Main Policies

Relevant Core Strategy policies include: GSP1, GSP2, GSP3, L2, L3, HC1, CC1, CC5, T1 and T3

Relevant Local Plan policies include: LC4, LC5, LC6, LC8, LC15, LC16, LC17 and LT18

National Planning Policy Framework

The National Planning Policy Framework ('the Framework') was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent national planning policies in the Framework with regard to the key issues that are raised in the determination of the current application.

It is considered that policy HC1 of the Core Strategy provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This is because HC1 (c) allows for the provision of housing where in accordance with GSP1 and GSP2 it is required in order to achieve conservation and or enhancement of a valued vernacular or listed building. Para 55 of the Framework outlines the circumstances where isolated dwellings in open countryside in rural areas can be accepted and that includes where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

The planning considerations that are key issues in the determination of the current application include design considerations and the impacts arising from the proposed bridge adjacent to the listed building and within the Conservation Area as well as flood risk issues. In these respects, Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2 and L3 of the Core Strategy. The Framework states that local planning authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, including safe and suitable access provisions. These provisions are consistent with the requirements of Policies GSP3 and L3 of the Core Strategy and saved Local Plan policies LC4 and LT18.

The Framework also states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This is consistent with Core Strategy policy CC5 which discourages development that would increase flood risk and Core Strategy policy GSP3 and Local Plan policy LC4 which requires attention to be paid to impacts on living conditions.

Finally paragraphs 132 and 134 of the Framework state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This is consistent with the aims and objectives of policies GSP1, GSP2, GSP3 and L3

of the Core Strategy and LC5, LC6 and LC8 of the Local Plan.

Assessment

Issue 1: Whether the proposed development meets the requirements of the Authorities Core Strategy and Local Plan policies in relation to the provision of open market housing on the basis of conservation and/or enhancement.

Core Strategy policy HC1 (c)(i) states that exceptionally new housing can be accepted where, in accordance with core policies GSP1 and GSP2 it is required in order to achieve conservation and enhancement of valued vernacular or listed buildings.

Principle

Ashford Mill is a fine grade II listed building which contributes significantly to the character of the Conservation Area in which it is located, as evidenced in a 'Statement of Significance' submitted with the application. This provides a chronology of the history of the mill dating back to the 17th century and highlights its importance in terms of the local heritage of the area. Therefore in terms of the provisions of HC1(c) in principle its conversion to a single unit of open market housing is acceptable subject to considerations with regard to whether the proposals would conserve and or enhance the listed building and its setting and whether the new use is 'required'.

Impact of Conversion on Character and Setting of Listed Building

In addition to the requirements of HC1 and policies GSP1 and GSP2 of the Core Strategy, policy L3 and Local Plan policies LC5 and LC6 require that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings and say development will not be permitted where it is likely to cause harm to the significance of a listed building or the special qualities of a designated Conservation Area.

Local Plan policy LC8 allows for the conversion of buildings of historic or vernacular merit provided that the new use can be accommodated without changes that would adversely affect its character (such changes include significant enlargement, or other alteration to form and mass, inappropriate windows spacings and major rebuilding or changes to the buildings curtilage or require new access that would adversely affect its character). Local Plan policy LC4 and policies GSP3 set out further detailed considerations on the design of new development.

In this case the proposed conversion would be carried out within the shell of the existing mill building. A structural survey has been submitted which indicates that the building is in reasonable condition with no major rebuilding required, although some strengthening and repair of internal beams and trusses would be required, along with local rebuilding and consolidation of external walls.

The application has been supported by a Historic Building Appraisal, an Archaeological Evaluation report and a Design and Access Statement incorporating a Statement of Significance. These reports explain that the building is unusual in that internally it retains 19th century grinding machinery, including the stones, line shafting, hopper chutes, grain storage bins and hoist mechanism. The submitted plans show that these elements would be repaired and retained 'in situ'. As such the residential accommodation has been designed in a 'loose fit' manner, around the historic features.

On the ground floor the kitchen/dining space would be provided without subdivision of the existing space. The machinery which sits along the south wall would be retained and the existing timber partitions would be repaired and remounted such that they can slide open to reveal the gear train behind. The kiln at the east end of the ground floor would be unaltered. A new

staircase would provide access to the first floor, where a bedroom would be provided in the drying room above the kiln. A glass floor would be installed which would provide views of the remaining perforated tiles and kiln below. In the second bedroom at the northern end of the building the grinding stones and one hopper would be retained with a second hopper partially dismantled to provide access to the room. Within the living room space the granary storage bins would be retained along with associated millstones and housing. In the attic space above, the top of the hoist and associated machinery would remain in situ.

Externally existing window and door frames would be repaired. A single rooflight would be reinstated on each of the north, west and east facing roofslopes. Otherwise there would be no change to the external appearance of the building. Following negotiations it has been agreed that conditions will be attached to agree details of internal doors and the proposed etched map on the lobby glass. Subject to these conditions it is considered that the proposed scheme would serve to conserve, and by repairing and revealing the historic features within the building, enhance the special architectural and historic qualities of the building in accordance with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC5, LC6 and LC8.

With regard to the impact on the setting of the listed building, following negotiations a plan has been submitted showing the extent of the proposed domestic curtilage. This is limited to modest areas of land between the leats on the west side of the building, the area between the south side of the building and the leat and a narrow strip of land to the east of the building, together with the hard surfaced parking area to the north. Whilst this would be quite a modest sized garden for a detached property, it is considered that it would provide adequate amenity and parking space consistent with the preservation of the setting of the listed building. On this basis, a condition limiting the domestic curtilage to this area is considered to be reasonable and necessary. As the mill is a listed building planning consent would be required for the erection of any extensions, domestic outbuildings or wall, fences and gates so the removal of permitted development rights is not necessary.

In conclusion, it has been demonstrated that the conversion of the building itself and the impact of a domestic use on its setting would not harm the significance of the heritage asset and therefore the proposals are compliant with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC6 and LC8 and accordingly with paras 128 to 134 of the Framework. It follows therefore that the proposed development would conserve and enhance a building of historic and vernacular merit in accordance with Core Strategy policy HC1(c).

Is the development 'required' to achieve conservation and/or enhancement?

In assessing whether the requirement of HC1(c) are met it must be determined whether the impetus of open market values is required for the conservation and enhancement of the building.

In this case, the building is in reasonably sound condition but the submitted archaeological appraisal states that the building is at risk of dereliction in the long term through redundancy. It ceased use as a mill in the 1960s, had an intervening use as an animal feed suppliers and has had a low key use for domestic storage since 2008. HC1(c) does not require alternative uses to be investigated for change of use to a single open market dwelling. However, given the concern expressed by the Parish Council and local residents with regard to the principle of the proposed new use and the resulting permanent loss of access to the building by the public, the agent has submitted information with regard to a possible use of the building as a working museum. This states that museums are dependent on ownership and operation by a charitable trust and no such trust exists. It argues that unlike other nearby mills such as Cauldwell's Mill, this mill would be too small to be viable as a visitor centre or museum and parking and access to the mill would be problematic.

A cost plan by a firm of Quantity Surveyors has also been submitted which estimates that costs

of repair and conversion at £815,000 excluding VAT (£780,000 if the bridge were excluded). Whilst officers consider that these costs might be an over-estimate, it is clear that given the necessary repairs to the fabric of the building including the internal equipment, the costs of conversion would clearly be significant. The submitted details state that conversion to office use would encompass less fitting-out, but a structural glass floor costing £20,000 would still be required to the first floor kiln. With current office rental values of £96.85m² - £118.40m²/per annum and a maximum £5,900.00 annual income generated, an approximate 160 year investment payback has been calculated (excluding interest).

Clearly the mill could continue to be used for domestic storage ancillary to the Mill House but this use would not bring forward the investment required to conserve the building.

Given that the condition of the mill is likely to deteriorate further if a viable use is not found and in the light of the information provided with regard to costings and alternative uses, officers consider that open market values are 'required' in order to secure the conservation and enhancement of the building, and therefore, the proposals meet the requirements of HC1(c) in full. In these respects, the proposed conversion of the mill to a dwelling is also considered by officers to be development that would represent the optimal viable use of the heritage asset.

Issue 2 - Whether the proposed bridge would provide safe egress in the event of a flood and whether it would conserve and enhance the setting of the listed building and Conservation Area.

Whilst it has been established that the proposed development in terms of its impact on the listed building and its immediate surrounds would not cause harm, it is necessary to consider whether the bridge would provide a safe egress in the event of a flood and to consider the impact of the bridge on the setting of the listed building and Conservation Area.

Flood Risk Issues

Core Strategy policy CC5 states that development proposals that would unacceptably increase flood risk will not normally be permitted. Core Strategy policy GSP3 and Local Plan policy LC4 seek to ensure that impacts on living conditions including amenity and security are considered. Local Plan policy LT18 states that the provision of safe access will be a pre-requisite for all development.

In this case the whole of the application site falls within the Environment Agency's Flood Risk Zone 3, which is land assessed, as having a 1% or greater annual probability of fluvial flooding. A Flood Risk Assessment has been submitted which concludes that the site falls within Flood Zone 3b having a 1 in 20 annual probability of river flooding. As the proposals are for a change of use of an existing building, there is no requirement for the Sequential or Exception Tests to be applied. The report recommends essential mitigation measures including the construction of a footbridge over the river to the existing footway adjacent to the A6 to provide safe access and egress from the proposed bedroom accommodation to an area of higher ground outside of Flood Zone 3. Also recommended is the provision of a flood evacuation plan and signage of the escape walkway.

As a result, the application seeks consent to construct a new pedestrian bridge across the river from mill building to the A6. The bridge would key into the retaining boundary wall that forms the edge of the highway. As submitted, plans showed a flat bridge, which would extend from the piece of land that separates the two leats to the north of the mill building and the footplate of the bridge would meet the boundary wall on top of its coping stones. The footplate of the bridge would be 1m wide wooden slats and as submitted would sit upon stainless steel or 'Corten' (steel alloy with a rust-like appearance) beams. Uprights of the same material would be provided at 1m intervals along both sides of the bridge and would be fitted with a top handrail. The bridge would extend to replace an existing timber footbridge across the smaller channel of water to the north

and adjacent to the existing housing to the turbine pit.

The plans show that in the event of a significant flood residents would exit the building from a half landing on the new staircase, and through an escape window which sits adjacent to ground level on the west elevation of the mill building, before traversing the bridge to the A6. The point where people would set down onto the A6 is within Flood Zone 2 and Flood Zone 1 can be reached within a few metres.

The Environment Agency was involved in pre-application discussions regarding the bridge and has raised no objections to the scheme as submitted and as amended. It is considered therefore that in general terms the bridge would provide an adequate means of access and egress to an area less liable to flooding. However, objectors to the scheme have raised an issue with regard to the design of the bridge and whether the absence of side panels between the upright members would result in a danger to vulnerable people, exiting over a fast flowing river, potentially in darkness.

As a result of these concerns, amended plans have been submitted which seek to resolve this issue in one of two ways. One is to provide an anodised wire 'mesh' between the uprights and the second is to use horizontal 'shipping wire' at intervals. Whilst mesh might provide the most secure solution, this must be balanced against the impact upon the setting of the listed building and the Conservation Area. It is considered that its use would give the bridge a more robust and substantial appearance which would draw the eye and interfere with views of the mill from the A6 more significantly than yachting wire would. Given that the bridge is intended for use in emergencies only and therefore climbing up on the yachting wire should not be an issue, it is considered that its use would be preferable as it would secure an adequate barrier to the sides of the structure whilst still retaining a degree of openness to the design.

On balance, it is considered that with the additional of yachting wire to the sides, the proposed bridge would provide a safe means of access and egress in the event of the flood thus protecting the amenity and safety of residents of the dwelling in accordance with Core Strategy policy GSP3 and Local Plan policies LC4 and LT18. Consequently flood risk would not be significantly increased in accordance with CC5 and national planning policies.

Given that the whole of the application site and most of the lands in ownership including the vehicular access to the property are within flood risk zone 3, officers are satisfied that there is no alternative means of emergency escape from the property other than a bridge across the river. Technically a bridge could cross the river some way to the west or east, further away from the mill building. However the river is wider at these points, resulting in the necessity for a longer bridge and residents would then have to walk further from the mill building along the narrow spits of land to reach a more remote bridge. Consequently it is considered that the proposed location represents the most appropriate option for the bridge in the interests of the safety of occupants.

Location and Design

Whilst it has been established that the bridge is necessary in the interests of the safety of the occupants of the proposed dwelling and the proposed location is the most suitable in respect of minimising flood risk, these considerations must be weighed carefully against the impact of the bridge structure on the setting of the listed building and Conservation Area.

As noted above, GSP1 and GSP2 of the Core Strategy support sustainable development proposals that reflect and respect the statutory purposes of the National Park's designation. L3 emphasises the need to conserve and enhance the setting of historic asset, LC6 states that planning applications for development affecting the setting of listed building should demonstrate how these will be preserved and where possible enhanced, and LC5 says development will not be permitted where it is likely to cause harm to the special qualities of a designated Conservation Area. Core Strategy policy GSP3 and Local Plan LC4 state that development must respect,

conserve and enhance all valued characteristics of the site with particular attention being paid to a range of considerations including impact on the character and setting of buildings.

The principal elevation and main entrance to the mill faces north towards the barn and the other dwellings adjacent to the site. The rear of the mill faces south towards the A6. In the winter months, when the riverside trees are not in leaf, the rear elevation of the mill and its surrounding leats and water features are visible from the A6 and the footway that runs alongside it. This is an attractive view into the Conservation Area. The proposed bridge would be clearly visible in views of the mill at these times of year from stretches of the road and its adjacent footway. It may also be seen in more distant views from Lees Bridge to the east. In support of the application the agent has submitted a historic plan for the site which shows that in 1898 there was a crossing over the river just to the east of the site for the proposed bridge but it is not clear whether this was a ford or a bridge.

Aside from its prominence, the overall design of the bridge, which is simple and industrial but lightweight in style, is in keeping with the working mill heritage of the site, and consequently is considered to be appropriate. However, officers were concerned that the height of the bridge as shown on the submitted plan was such that its intersection with the boundary wall at a high level would appear incongruous. As a result amended plans have been received which show the height of the bridge reduced whilst maintaining the necessary clearance of the river in flood and also the design amended so that it slopes down towards the wall, thus reducing its prominence when viewed from the road. As amended the footplate would be approx. 400mm below the top of the coping stone. An alternative design for a gently arched bridge, which would achieve a similar effect was also submitted but officers and the Authority's Built Environment Team consider that the straight, sloped bridge is, on balance, more functional in appearance, slightly lower overall and therefore more appropriate in this setting.

Officers were also concerned about the use of stainless steel as it is considered that its bright appearance would make the bridge more prominent and the orange coloured 'Corten' finish might also stand out against the backdrop of trees. As a result amended plans have been received which show the use of steel pre-coated in a dark recessive colour.

The bridge would appear at quite a high level in relation to the adjacent road in that the uprights would be visible above the roadside boundary wall. As amended however, whilst it would be visible from the A6 at certain times of the year, it is considered that its lightweight structure and the recessive colour mean that it would not stand out significantly and the mill building would still be visible beyond its structure. Trees that are growing along the river bank would be retained and these would help to soften its appearance.

The harm that has been identified in terms of the fact that the bridge would be seen in views of the mill from the road is considered to be 'less than substantial' in terms of the requirements of the National Planning Policy Framework. The public benefits of the scheme would be that the existing building and its internal workings would be repaired and conserved albeit that the building would be put to a different use to that for which it was designed. On balance, it is considered that these benefits outweigh any harm that the bridge might bring to the setting of the building and the wider Conservation Area. As such the proposals are compliant with the Framework and with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC5 and LC6.

Highways Issues

With regard to car parking, a plan has been submitted which shows that there is space to park 4 vehicles on the forecourt to the north of the mill building. Adequate space would remain within the curtilage of Mill House for parking to serve that property.

The Highway Authority (Derbyshire County Council - DCC) owns the boundary wall to the A6,

into which the new bridge would key. DCC have emphasised that the wall is a retaining wall to the edge of the footway and also acts as a flood defence. They are concerned that the structural integrity of the wall is not damaged by the bridge. Consequently they have requested that loading calculations be submitted along with a requirement for the applicant to secure a licence agreement with the County Council to indemnify DCC against any costs associated with the bridge structure, maintaining/inspecting the wall, removing the bridge structure etc. Additionally a legal mechanism whereby the agreement could be transferred to all future owners would be required. It is understood that the agent has had further discussion with DCC in these respects and he is confident that their requirements can be met. At the time of writing a final response from DCC on this element of the proposals has not been received but informally officers have been advised that a negatively worded “Grampian” condition which requires that no work shall commence until full details of the abutment details are submitted and agreed is likely to be acceptable.

Other Planning Considerations

Impact on Amenity of Neighbouring Properties

Core Strategy policy GSP3 and Local Plan policy LC4 require that the impact on living conditions and the amenity, privacy and security of neighbouring properties are considered.

The nearest residential property to The Mill building is Mill Cottage which lies approximately 23m to the north east. Given the intervening distance and the fact the Mill Cottage is set diagonally away from The Mill building, it is not considered that overlooking from/to habitable room windows would cause harm to the amenity to either property. Although vehicles associated with the new dwelling and pedestrians accessing the site would pass in front of Mill Cottage along the driveway, it is not considered that this would cause an unduly harmful loss of amenity to its occupants, bearing in mind that adequate parking provision would be provided adjacent to the property. In conclusion therefore it is considered that proposals accord with policies GSP3 and LC4 with regard to impact on amenity.

Protected Species

A Protected Species Survey has been submitted with the application which concludes that there is no evidence to suggest that the mill is used by roosting bats, although the building does offer high roost potential. A precautionary approach the building works is therefore recommended along with the provision of gaps underneath ridge tiles. No evidence of breeding birds was found but the report recommends that either works should be avoided between March to August or that suitable cracks and holes be inspected prior to commencement of re-pointing to ensure no active nests are present. In the event that nests are present re-pointing should be delayed until after fledging. Despite the River Wye providing suitable areas of habitat for water voles, the survey suggests that they are not present in the vicinity of the mill. It is therefore recommended that the Environment Agency Pollution Control guidelines are adhered to during the construction phase.

Subject to a condition requiring the recommendations of the report to be adhered to it is considered that the proposals would conserve species of biodiversity and their setting in accordance with Core Strategy policy L2 and Local Plan policy LC17.

Archaeological Considerations

The submitted Archaeological Evaluation explains that three trial holes were dug inside The Mill and that no features of archaeological significance were encountered. The submitted Historic Building Appraisal recommends that a further archaeological survey is undertaken in accordance with a written scheme of investigation and the Authority’s Archaeologist is satisfied that this can be required by condition. Subject to this condition, the proposals would accord with the requirement of Core Strategy policy L3 and Local Plan policies LC15 and LC16.

Environmental Management

On the south side of the mill there is a hydropower turbine and associated housing, which was approved retrospectively in 2009. Currently the turbine supplies power to the adjacent barn only and the remaining is fed to the National Grid. The agent states that it is the intention that the turbine will provide all the power and heating required for the Mill and the remaining output will be supplied to the National Grid. In the future it is also probable that the turbine will supply power to the Mill House. The Design and Access statement also explains that it is proposed to improve thermal insulation values within the building as much as possible without compromising historic fabric. As such it is considered that the proposals meet with the requirement of Core Strategy policy CC1.

Ancillary Accommodation

Finally the Authority's Built Environment Team considers that the proposed dwelling should remain ancillary to the main house to preclude future problems with regard to curtilage and parking. It is understood that there is a restrictive covenant in place which prevents sale of the mill separately from the Mill House. Officers have considered this issue carefully but given that the dwelling has all of the features that would enable it to be occupied independently, sufficient parking would be provided within its curtilage, the proposed domestic curtilage, whilst modest would be adequate for a detached dwelling, and there would be no issues with regard to loss of amenity to neighbouring properties, it is concluded that there are no valid planning reasons to impose such a condition.

Conclusion

For the reasons set out in this report the proposed development meets the requirements of Core Strategy policy HC1(c) in that it is considered that the new use is necessary to conserve a building of historic and vernacular merit. The design of the conversion would be of an appropriately high quality. Flood risk issues have been adequately addressed and the 'less than substantial' harm caused by the proposed footbridge is outweighed by the public benefits of bringing the redundant Mill building back into a viable use. The proposals are therefore compatible with the relevant Development Plan policies and policies in the National Planning Policy Framework. Accordingly, taking these and all other relevant planning considerations into account, the application is recommended for conditional approval.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)