

**11. FULL APPLICATION – CHANGE OF USE OF UNITS 1 and 2 FROM CAFÉ/CRAFT SCULPTURE WORKSHOP TO MICROBREWERY (USE CLASS B2). RETAINING CAR PARKING AND EXTERNAL ELEMENTS (INCLUDING ELEVATIONS) AS EXISTING AT ROOKES POTTERY, MILL LANE, HARTINGTON. (NP/DDD/0815/0798, P6063, 412793 / 360345, 30/10/2015/SC)**

**APPLICANT:** MR GILES LITCHFIELD

**Site and Surroundings**

The premises which are subject of this application lie immediately adjacent to the public toilets in Hartington, close to the centre of the village and within the designated Conservation Area. The land rises gradually from Mill Lane to the rear of the premises, with the existing building appearing to be laid out broadly on two levels. The premises currently operate predominantly as a café with a pottery workshop and craft shop.

The building itself is divided into two units with one unit in the taller part of the structure at the rear of the site and another in the more substantial part of the structure lying at lower level and fronting towards Mill Lane. The roof of the building is clad with profile sheeting, with the external walls being clad with a variety of materials, including Davie Blocks, random coursed limestone, gritstone and profile sheeting.

There is a surfaced forecourt area in front of the building used for visitor parking, with space provided to the north of the building for a staff car park with a narrow grassed area beyond. Public rights of way run through the site, one in an east-west direction north of the building and another passing between the building and the public toilets; both these footpaths link up with a further footpath to the rear of the site.

The nearest private dwelling (Dove View) lies approximately 16m to the south of the main building and separated from the site by the public toilets in-between. Another private dwelling is situated approximately 32m to the north of the premises (Croft Cottage).

**Proposal**

The application seeks planning permission for a change of use of the premises from a café, pottery workshop/craft centre (mixed use), to a micro-brewery (B2 use class). The brewery would primarily make bespoke beers, but the application also indicates that some off sales are intended and the premises may provide brewery tours.

The submitted plans show the upper part of the premises would be used for storage and deliveries, with the lower unit incorporating a production process section, toilets, office space and sales area, with a mezzanine level for additional storage.

The external elevations of the building would otherwise remain unchanged with any future external alterations and/or advertising requiring separate applications if changes were to be made in the future. The existing external landscaping and access and parking would also remain unchanged.

**RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions / modifications:**

- 1. Statutory time limit**

2. To be carried out in accordance with the submitted plans
3. Restrict use to microbrewery within B2 Use Class (General Industrial)
4. Noise restriction at boundary of site
5. Odour limit at boundary of site
6. Restrict times of opening and deliveries
7. Retain existing parking and manoeuvring space

### **Key Issues**

- The impact of the proposed micro-brewery on the amenities of the local area

### **History**

- 1980 – Planning permission granted for the change of use of vehicle workshop to a B1 use.
- 2012 – Planning permission approved for the change of use to café incorporating gallery and craft shop.

### **Consultations**

Highway Authority - No objections, as the proposal is unlikely to result in any additional traffic movements over and above the existing authorised use.

District Council - No response to date

Parish Council - Object on the grounds that whilst they acknowledge the units have historically been used for industrial purposes, are concerned by a number of aspects, including the position of the microbrewery in the middle of a residential area. In addition, the microbrewery would not bring any new employment to the parish.

Other concerns surrounded smell/odour, potential 24 hour noise and possible increase in vermin around the area caused by raw materials required for the brewery. Visual impact from the storage of items was also of concern. Members felt that further information about drainage is required together with detailed information about the levels of noise associated with the operation of the microbrewery.

Environmental Health - No objections, subject to conditions being imposed to consider the mitigation of potential loss of amenity from noise and odours, including a condition to limit deliveries and dispatch of materials.

### **Representations**

Four letters of objection and two letters of support have been received. The key issues raised in these letters are summarised below:

#### **Objections**

- Traffic impact
- Impact on the historic village and the Conservation Area.

- Issues regarding effluent and drainage
- Noise issues relating to the amenity of neighbouring property
- Odour issues relating to the amenity of neighbouring property.
- Location not suitable for microbrewery.
- Impact upon the economy of the village, where a substantial percentage of income comes from tourism.

#### Support

- The microbrewery would attract more visitors and enhance the facilities for the local community in addition to providing employment, and making good use of the existing building.

#### **Main Development Plan Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1 and E1

Relevant Local Plan policies: LC4, LE6

#### Core Strategy

GSP1, GSP2, jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

GSP3 requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.

DS1 supports the conversion or change of use for business use, by seeking to direct development to the most sustainable locations.

E1 states amongst other things that proposals for employment uses of land and buildings within the National Park must be of a scale that is consistent with the needs of the local population and wherever possible, re-use existing traditional buildings or previous developed sites, and take up opportunities for enhancement.

#### Saved Local Plan

Policy LC4 expects a high standard of design with particular attention being paid to scale, form and mass, building materials, landscaping, amenity and privacy.

Local Plan policy LE6 states that where development for employment purposes is acceptable in principle, it will only be permitted provided that every practicable means is used, to minimise any adverse effects on the valued characteristics and amenity of the surrounding area. It also states, that where necessary, planning permission will restrict the future scale and intensity of the activities of the site.

#### Emerging Development Management Development Plan Document

Policy DME9 in the emerging Development Plan Document generally repeats the provisions of saved Local Plan policy LE6 and reiterates that where necessary, planning conditions will restrict future growth and intensity of the activities on an employment site.

### **National Planning Policy Framework ('the Framework')**

It is considered that the relevant policies in the Development Plan are consistent with national planning policies in the Framework because they support sustainable economic development and the reuse of existing buildings for employment uses.

In particular, paragraph 28, the Framework states, that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development and to promote a strong rural economy, local planning authorities should; 'support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. Paragraph 115 of the Framework otherwise restates that great weight should be attached to conserving and enhancing the valued characteristics of the National Park.

### **Assessment**

DS1 supports the conversion or change of use for business use, by seeking to direct development to the most sustainable locations. Policy E1 states that proposals for business premises must be of a scale that is consistent with the needs of the local population and wherever possible, proposals must re-use existing traditional buildings of historic or vernacular merit or previously developed sites, and take up opportunities for enhancement. In these respects, the premises are in a sustainable location close to the centre of the village of Hartington, and the micro-brewery would be located in an existing building already in a mixture of use that would be of a scale and size that is consistent with the needs of a small artisan type business. Therefore, there are no 'in principle' objections to the current application.

The building currently houses a sculpture workshop in the top unit and the café, gallery within the larger unit, with the internal space of this unit being mainly open plan with some internal division providing toilets, office/sales, kitchen space and a mezzanine level for storage. Outside, to the front of the building is a customer car park area, with a smaller area to the north of the units for staff parking. In these respects, the current premises are not offering any particular community facility. The access and parking arrangement for the micro-brewery would remain unaltered from the general layout already in use and the Highway Authority has no objections to the current application as they consider the micro-brewery would be unlikely result in any additional traffic movements over and above the existing authorised use of the premises. Therefore, there would be a safe and suitable access to the premises and parking arrangements would be adequate, whilst the new use of the building would not result in the loss of a community facility or employment space.

There are no proposed external alterations to the building being proposed so the new use of the building would not impact on the character and appearance of the surrounding Conservation Area. Therefore, the potential adverse impacts of the new use of the building are primarily limited to any noise and disturbance arising from deliveries to and from the site, and noise and odours arising from the operation of the micro-brewery. In these respects, there are two residential properties that would be most likely to be directly affected by the proposals (Croft Cottage and Dove View) and there is a number of other nearby dwellings in the local area albeit these are over 25-30m away and on the opposite side of Mill Lane.

However, the District Council's Environmental Health Officer is satisfied that noise and odour issues can be dealt with by appropriate planning conditions and supplementary information has been submitted by the applicant that provides evidence that only a negligible amount of noise and odours would be omitted from the micro-brewery once it was taken into use.

These findings are consistent with the operation of other micro-breweries within the National Park that do not have any significant impact on amenity and do not appear to be unneighbourly. It is therefore considered that conditions limiting noise and odour levels at the boundary of the application site should adequately safeguard the residential amenities of the neighbouring properties whilst a restriction on hours of opening and delivery times would prevent any additional noise and disturbance that might be associated with vehicle movements and visitors to the premises.

It would also be reasonable and necessary to retain the existing parking and manoeuvring areas free from obstruction in the interests of highway safety and to restrict the use of the premises to a micro-brewery rather than grant consent for an unrestricted B2 use of the building. In this respect, whilst officers consider the proposed micro-brewery would not be unneighbourly, general industrial uses within a B2 class use can give rise to amenity concerns and therefore it would be appropriate to restrict the use of the premises especially when taking into account local residents' concerns about the use of the premises as a micro-brewery.

### **Conclusion**

It is therefore concluded that the application conforms to the relevant policies in the Development Plan and national planning policies in the Framework. This is because the micro-brewery would be an appropriate use for the premises, which are appropriately located within a named settlement and have a safe and suitable access. The proposed use would not otherwise have an adverse impact on the surrounding Conservation Area or the character, appearance and amenities of the local area subject to appropriate planning conditions. Accordingly, 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)

Nil