

Development Management Delegated Decision Report

B/20/0451



SUMMARY OF APPLICATION

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Application Reference	B/20/0451		
Application Type	Full Planning Permission		
Proposal	Proposed change of use and conversion of The Old Mill to form a self contained annexe in connection with existing dwelling		
Location	The Old Mill, Mill Lane, Sutterton, Boston, PE20 2EN		
Applicant	Mrs K Simonds, c/o Neil Dowlman Architecture Ltd		
Agent	Mr Neil Dowlman, Neil Dowlman Architecture Ltd		
Received Date:	11-Nov-2020	Consultation Expiry Date:	18-Mar-2021
Valid Date:	19-Feb-2021	Statutory Expiry Date:	16-Apr-2021
Date of Site Visit:	26-Apr-2021	Extension of Time Date:	30-Apr-2021
Objections received?	None		
5 day notification record: Not applicable			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	26 th April 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located at the corner of Wigtoft Road and Mill Lane, Sutterton and contains:

- a two-storey former granary building, which is now in residential use;
- a five-storey Mill Tower which, at the time of the site visit, was surrounded by scaffolding, had boarded windows, and appeared unused;
- a single-storey element which links the granary building to the mill tower;
- a single-storey double garage;
- a timber shed/outbuilding; and
- a residential curtilage comprising gardens and a parking/manoeuvring area.

The site has an approximately 1.4m-high hawthorn hedge along its Wigtoft Road and Mill Lane frontages and has: dwellings to its east; agricultural land and a copse of trees to its west (on the opposite side of Mill Lane); a gravel and grass surfaced yard to its south; and a



dwelling and agricultural buildings to its north (on the opposite side of Wigtoft Road. Vehicular access to the site comes from Mill Lane.

The Mill Tower is a prominent feature in the surrounding landscape and is Grade II listed. The list description reads:

“Tower mill. c. 1840. Red brick partly tarred, tapering tower, with plinth and moulded brick cornice. 5 storeys with planked double doors with 4 steps, above are single glazing bar windows to each floor, all with brick segmental heads. Not inspected internally. No machinery or stones remain. The mill worked until 1921 when the sails were removed. Source: P. Dolman”

DETAILS OF PROPOSAL:

It is proposed to use the Mill Tower as a self-contained residential annexe, comprising of:

- a kitchen/dining room on the ground-floor;
- a bedroom with ensuite shower-room on the first-floor;
- a bedroom on the second-floor;
- a bathroom on the third-floor; and
- a living room on the fourth-floor.

The works involve:

- repairs to the external brickwork with lime mortar and reclaimed bricks to match the existing;
- the installation of a new ogee cap;
- the introduction of new floor, with a continuous run of windows below the ogee cap and on top of the mill's existing brickwork;
- the construction of an external balcony and balustrading at first-floor level, using existing sockets;
- the installation of new internal floors;
- the installation of hardwood, sliding sash windows of a design to match that of the oldest existing windows; and
- the installation of new internal stairs.

RELEVANT HISTORY:

Full planning permission (B/01/0160) and Listed Building Consent (B/0161) were granted for the replacement of the ogee cap, internal and external alterations, and construction of a detached garage and link wall

Applications seeking the conversion of the disused mill to residential use (B/06/0086 – full planning permission, and B/06/0087 – listed building consent) were withdrawn.

Full planning permission (B/06/0535) was granted for the change of use of the mill to domestic including internal and external alterations.

Listed Building Consent (B/06/0542) was granted for new windows, roof, floors and staircase and conversion to domestic living space.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being in the Countryside, approximately 550m outside of the nearest Settlement Boundary (Sutterton), but it is not the subject of any particular allocations or designations. The Policies of relevance to this proposal are:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management);
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk; and
- Policy 23: The Reuse of Buildings in the Countryside for Residential Use,
- Policy 29: The Historic Environment, and,
- Policy 36: Vehicle and Cycle Parking.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2019)

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes;
- Section 11: Making effective use of land;
- Section 12: Achieving well-designed places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change,
- Section 16: Conserving and enhancing the historic environment.

CONSULTATION RESPONSES:

Sutterton Parish Council indicates that it has no objections.

Heritage Lincolnshire identifies that the building is Grade II listed and that any proposals therefore need to preserve or enhance its special interest. It goes on to identify that the building has been vacant for some time, is at risk of further deterioration, and that the proposal describes sympathetic repair with minimal loss of original fabric and the use of appropriate materials. However, it expresses concern that the existing windows are proposed to be replaced without evidence that they are not capable of repair.

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) indicates that the access and parking arrangements are unchanged, and it is therefore considered that the proposals will not result in an unacceptable impact on highway safety. Consequently, it concludes that the proposed development is acceptable, and accordingly does not wish to object.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise.

Potential impacts upon the special interest of the listed Mill Tower have been considered in listed building consent application B/20/0452. Therefore, the key considerations in regards to this application are: matters of principle: impacts upon neighbours' amenity; and flood risk issues.

Principle

Policy 1 of the Local Plan identifies that, in the Countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. It is considered that the conversion of a rural building to residential use accord with the provisions of this Policy.

Policy 23 of the Local Plan identifies that proposals for the conversion of existing buildings in the Countryside to residential use will be permitted, subject to 5 criteria. Thus, the principle of the conversion of rural buildings is acceptable, provided that the detailed objectives of the Policy are met. The assessment now follows the criteria in Policy 23.

Is the building structurally sound, and capable of conversion without the need for significant extension, alteration or rebuilding?

The planning application is accompanied by a Structural Appraisal Report which concludes that the Mill Tower is in a good condition and has not deteriorated significantly since 2013 when it was previously surveyed. Specifically, it identifies that:

- the foundations are sound, and that the proposed residential use will impose significantly less loading than the previous use for the milling of flour;
- although there is some cracking of the walls between window openings, this stems from historic movement and that little further movement is likely;
- the brickwork will require minor repairs (localised areas of repointing, and the filling of open sockets), but the conversion will involve no substantial loss of original wall fabric.

Taking account of the above findings and the fact that the proposals involve no extension or significant external rebuilding, it is considered that the proposals meet the requirements of this criterion of Policy 23.

Is the building of architectural or historic merit, or does it make a positive contribution to the character of the landscape, to justify conversion to ensure retention?

The Mill Tower is a traditionally constructed, listed building. It sits comfortably in the landscape, and makes a positive contribution to the character and appearance of its surroundings. The various proposed works will retain the building's overall character, and indeed will significantly enhance that character. The building has been vacant for some years, and is at risk of further deterioration without the introduction of a viable use.

Brick work - The Mill Tower's brick work is proposed to be repaired with lime mortar and reclaimed, matching bricks. It is considered that these works will prevent further deterioration in the building's condition and ensure that its fabric is sustainable, and Heritage Lincolnshire expresses no concerns about this aspect of the works. Nonetheless, in order to ensure that the works will not undermine the listed building's special interest, it is considered necessary to apply conditions to require the submission of:

- a sample of the replacement bricks; and

- details of the mortar mix to be used.

Ogee cap - The Mill Tower is proposed to be topped by a new ogee cap of 4m in height. The ogee cap will be constructed in white-painted fibreglass, and will have a ball finial. The design, materials, scale and proportions of the proposed ogee cap are considered to be sympathetic to the listed building's special interest, and indeed will represent a significant enhancement. It is considered that these works will cause no harm, and Heritage Lincolnshire expresses no concerns about this aspect of the works.

New 360° glazing - A new top floor is proposed, which will be manifested externally by a 360° run of windows below the ogee cap and on top of the tower's existing brickwork. These windows will be: 90cm in height; constructed in timber; painted in a dark blue-grey colour; and be glazed in grey-tinted glass. The design, materials, finish, scale and proportions of these proposed new windows are considered to be sympathetic to the listed building's special interest. It is considered that these works will cause no harm, and Heritage Lincolnshire expresses no concerns about this aspect of the works.

External balcony - A new external balcony is proposed at first-floor level. It will: be located using the sockets which supported the original (and no longer extant) balcony structure; project approximately 1m from the tower; be surrounded by a balustrade of approximately 80cm in height; and be constructed in timber. The design, materials, scale and proportions of the proposed balcony are considered to be sympathetic to the listed building's special interest, and indeed to represent a significant enhancement. It is considered that these works will cause no harm, and Heritage Lincolnshire expresses no concerns about this aspect of the works.

Internal floors - It is proposed to retain existing intact timber floor structures but, above the second-floor (where they are substantially less intact) it is proposed to remove existing historic floors and install new timber floor joists and support beams. The levels of these new floors will not match those of the originals, to enable residential use to be accommodated. These works involve the loss of historic fabric and alterations to the Tower's historic layout. As such, they will inevitably lead to some harm to the listed building's special interest. However, given that some of the original floors will be retained and those existing floor structures which are proposed to be removed are in very poor condition, it is considered that the impact of these works will be 'less than substantial' (in the terminology used by the NPPF). Indeed, it is considered that the net effect of the works would be towards the lower end of the spectrum of less than substantial harm.

Nonetheless, in such circumstances, the provisions of the NPPF indicate that the "harm should be weighed against the public benefits of the proposal". Given that these works:

- will cause only minor harm to the listed building's special interest;
 - will enable the building's on-going viable use to be secured; and
 - are part of a set of proposals which will lead to overall enhancements to the building
- it is considered that, within the planning balance, the harm will be comfortably outweighed by the positive public benefits arising.

New windows – It is proposed to replace all existing windows with new timber sash windows which will be painted in an off-white colour. In all cases, existing stone cills will be retained, window openings will not be altered, and the design of the windows will match that of the oldest existing windows in the tower. However, the replacement of the existing windows involves the loss of some of the listed building's historic fabric, which will inevitably cause

some harm to its special interest – albeit harm towards the lower end of the spectrum of less than substantial harm, given that the proposed replacement windows will (in visual terms) be identical to what are assumed to be the original windows. Heritage Lincolnshire has expressed concerns that existing windows are proposed to be replaced without evidence that they are not capable of repair.

Expert evidence has since been provided that:

- several of the existing openings do not contain windows; and
- all of the remaining windows are not in a repairable state – “previous attempts to improve the integrity of the sashes with metal brackets has long failed as well as surface mounted timber battens on the exterior of the window frames. What timber remains is in a very poor state, so it would not be possible to do any splicing on any of the remaining sections.”

It is accepted that the windows are beyond repair and that their replacement is necessary. In these circumstances, it is considered that the public benefits that will accrue from the replacement of missing and decayed windows will be sufficient to outweigh the minor harm to the listed building’s special interest that will be caused by the loss of some of its historic fabric.

Taking account of the above factors, it is considered that the proposals meet the requirements of this criterion of Policy 23.

Is the proposal in keeping with its surroundings?

The proposed works are sympathetic to the Mill Tower’s character, and indeed will significantly enhance its appearance. The annexe accommodation will not appear as a separate dwelling, given that: it is linked physically to the original dwelling; and the parking and garden areas of the curtilage will be shared by the original dwelling and the annexe. The original dwelling and the annexe accommodation will appear functionally linked, and will fall within the same planning unit as defined by the red line which defines the application site. Nonetheless, it is considered necessary to apply a condition to ensure that the annexe will only be occupied for purposes ancillary to the residential use of The Old Mill, Mill Lane, Sutterton PE20 2EN.

Taking account of the above factors and subject to the above condition, it is considered that the proposals meet the requirements of this criterion of Policy 23.

Is the design sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction?

The proposals involve significant external works to the Mill Tower, namely:

- repairs to external brickwork with lime mortar and reclaimed bricks to match the existing;
- the installation of a new, white-finished, fibreglass full ogee cap;
- the introduction of new floor below the ogee cap and on top of the mill’s existing brickwork, with a continuous run of windows;
- the construction of an external balcony and balustrading at first-floor level, using existing sockets; and
- the installation of hardwood, sliding sash windows of a design to match that of the oldest existing windows.

It is considered that these works and materials will be sympathetic to the Mill Tower's character and appearance, and that they therefore meet the requirements of this criterion of Policy 23.

Will development lead to an enhancement of the immediate setting of the building?

The proposals involve no changes to the curtilage, and the annexe accommodation will not appear as a separate dwelling. The works will, however, ensure that the condition of the Mill Tower itself does not continue to deteriorate.

Taking account of the above factors, it is considered that the proposals meet the requirements of this criterion of Policy 23.

In all, therefore, it is considered that the proposals meet the requirements of Policies 1 and 23 of the Local Plan, and that the principle of the Mill Tower's residential conversion is acceptable.

Neighbours' amenity

Policies 2 and 3 of the Local Plan require the amenity of neighbouring land users to be protected. The application site has agricultural land and a copse of trees to its west and a gravel/grass surfaced yard to its south, and it is not considered that the proposed works/change of use will have any adverse impacts upon these land users. However, impacts upon the residential properties to the east and north require more detailed consideration.

Mill Farm is located to the north of the Mill Tower, on the opposite side of Wigtoft Road. The dwelling at Mill Farm is located more than 40m from the Mill Tower, and is screened by numerous trees on the roadside and within its curtilage. Although the proposals will increase the height of the Mill Tower significantly (by approximately 4.8m (or by 40%)) it is considered that, at this distance and given existing screening, the works will have no harmful impacts upon Mill Farm in terms of over-shadowing, loss of light, or harm to outlook. The proposed conversion will introduce residential use to the currently unused Mill Tower which will increase the potential for overlooking from existing windows and from the proposed new first-floor balcony and top floor. However, it is considered that there will be no significant harmful impacts upon Mill Farm in terms of loss of privacy, given the separation distances involved and the effects of the existing tree screening.

There are several dwellings to the east of the application site, the closest of which is approximately 18m from the Mill Tower. Although the proposals will increase the height of the Mill Tower significantly, it is considered that there will nonetheless be no significant harmful impacts upon these dwellings in terms of over-shadowing, loss of light, or harm to outlook, given: the separation distances involved; and the fact that the increase in height involves very little additional mass. Views towards the dwellings to the east and their curtilages will be possible from existing windows and from the proposed new top floor, but it is considered that there will be no unacceptable impacts upon privacy because of the separation distances involved and the screening effects of the intervening former granary building.

In all, it is considered that the proposals will not harm neighbours' amenity to an unacceptable extent, and that they therefore meet these requirements of Policies 2 and 3.

Flood Risk

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. The application is accompanied by a Flood Risk Assessment which identifies potential sources and likely severity of flooding, and indicates that:

- the level of the ground-floor accommodation will be higher than predicted flood levels;
- the level of the lowest sleeping accommodation will be considerably higher than predicted flood levels; and
- there will be no increased risk of off-site flooding as a result of the development.

It is considered that the proposals meet the requirements of Policy 4.

CONCLUSION:

The proposals:

- involve the conversion of a structurally sound building with architectural and historic merit;
- are in keeping with their surroundings and are sympathetic to the character and appearance of the building;
- will have no unacceptably adverse impacts on neighbours' amenity;
- are acceptable in flood risk terms; and
- meet the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036.

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in strict accordance with the application received 11-Nov-2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none">• Location Plan;• Drawing Number B3422-4002: Proposed Block Plan;• Drawing Number B3422-4001: Plans, Section & Elevation (Revision A);• Drawing Number B3422-4004: Top Floor Window Details (Revision A);• Drawing Number B3422-4005: Elevations (Revision A); and• Drawing Number B3422-4003: Window & Gallery Details. <p>Reason: To ensure the development is undertaken in accordance with the approved</p>

	details, in the interests of residential amenity and to comply with Policies 2,3, 4 and 23 of the South East Lincolnshire Local Plan (2011-2036).
3.	<p>The brickwork repairs shall not take place until:</p> <ul style="list-style-type: none"> a) a sample of the replacement bricks; and b) details of the mortar mix to be used <p>have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.</p> <p>Reason: To ensure that the special interest of the listed building is preserved, in accordance with Policy 29 of the South East Lincolnshire Local Plan (2011-2036).</p>
4.	<p>The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Old Mill, Mill Lane, Sutterton, Boston, identified by the site edged red on the approved plan.</p> <p>Reason: To ensure the building is used in accordance with the intentions identified in the application, to prevent the creation of an additional dwelling on the site, and to comply with Policies 1, 2, and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>	