

Development Management Delegated Decision Report

B/20/0452



SUMMARY OF APPLICATION

Application Reference	B/20/0452		
Application Type	Listed Building Consent		
Proposal	Listed Building Consent for 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 Listed Building Consent		
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 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 will involve:

- repairs to 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; and
- 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 2: Development Management
- Policy 3: Design of New Development; and
- Policy 29: The Historic Environment.

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; and
- 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.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of a local planning authority to have special regard to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest. In the context of Section 66 of the Act, the objective of preservation is to cause no harm. The courts have said that this statutory requirement operates as a paramount consideration – ‘the first consideration for a decision maker’. Planning decisions require a balanced judgement but, in that exercise, significant weight must be given to the objective of heritage asset conservation.

This statutory duty sits above the policy objectives identified within the earlier section of this report. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. Beyond this, where harm would be caused, there is a necessity to establish the extent of that harm, and consider this within the policy context.

In practice, this requires a methodical approach to be followed wherein the relevant assets which would be affected need to be identified, along with their significance. Consideration can then be given to any effects on this significance resulting from the proposals, which may be reduced through mitigation. If harm is identified, it is then required to establish the scale and

extent of such harm, before moving on to matters such as the planning balance and weighing the public benefits arising against any identified harm.

Heritage assets affected

The Mill Tower is a grade II listed building, but it is not located within a conservation area and there are no other listed buildings in the vicinity. Thus, it is considered that only one heritage asset is potentially affected – the Mill Tower itself.

Impacts of the works on the asset

The works involve:

- repairs to 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; and
- 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.

The paragraphs which follow consider the impacts of each of these elements in turn.

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.

New internal stairs – there are no extant historic stairs within the tower, and it is proposed to install a new enclosed, fire-protected stairway which will spiral up the tower with a landing at each floor. The design of this stairway will not match that of the mill's original ladder-stairs, as this would preclude safe residential use. It is considered that these works will cause no harm, and Heritage Lincolnshire expresses no concerns about this aspect of the works.

CONCLUSION:

It is considered that the majority of the proposed works will cause no harm to the listed building's special interest, and that some aspects of the proposed works will enhance its interest. Two elements of the proposals are assessed as causing minor harm to the building's special interest – the removal of existing historic floors and existing windows. However, it is considered that this harm is outweighed by the benefits that will be delivered. Consequently, it is considered appropriate for listed building consent to be granted.

RECOMMENDATION:

GRANT Listed Building Consent subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	<p>The works must be begun not later than the expiry of four years beginning with the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
2.	<p>The works 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 works are undertaken in accordance with the approved details, and to accord with Policies 3 and 29 of the South East Lincolnshire Local Plan (2011-2036).</p>
3.	<p>The brickwork repairs shall not take place until:</p> <ol style="list-style-type: none"> a sample of the replacement bricks; and 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>
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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>	