

REPORT SUMMARY

REFERENCE NO - 21/504393/LBC			
APPLICATION PROPOSAL Listed Building Consent for internal and external alterations.			
ADDRESS Mill House Upper Street Hollingbourne Maidstone Kent ME17 1UL			
RECOMMENDATION - APPROVE SUBJECT TO CONDITIONS set out in 8.0			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would result in only a low level of harm to the significance of the listed building. The harm is considered to have been minimised and the proposal is considered to provide the optimum viable use for the listed building. The public benefits, relating to providing a viable use for the building, are considered to outweigh the harm and to warrant the granting of listed building consent.			
REASON FOR REFERRAL TO COMMITTEE The recommendation is contrary to the views of the Parish Council and they have requested consideration at Planning Committee.			
WARD North Downs	PARISH/TOWN COUNCIL Hollingbourne	APPLICANT Mr And Mrs Stephen Whorlow And Kathryn Seeger AGENT D.C.Husdon And Partner LLP	
DECISION DUE DATE 04/10/21 (EOT until 28/4/22)	PUBLICITY EXPIRY DATE 23/09/21	OFFICER SITE VISIT DATE 01/09/21	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
06/2164	Boundary fence	Approved	02/01/07
14/500888	Listed Building Consent for wooden pillars on ground floor to support floor and additional purlins	Approved	08/08/14
20/502392 & 20/502404	Conversion of mill building to additional accommodation to Mill House, together with extensions and alterations to both buildings – Planning Permission and Listed Building Consent	Refused	24/07/20

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This application relates to a grade II listed water mill building, and an attached dwelling, also grade II listed. The list description advises that the Watermill building

dates from the late 19th century, upon earlier foundations, with the house being added later in the century or early 20th century.

- 1.02 The water mill is constructed of red brick in Flemish bond to the ground floor, with grey bricks introduced towards the top, with the first floor being blended red and grey bricks in English bond. It also includes some elements of rag stone. The mill building is of approximately 2 storey height with attic, with the house being one and a half stories. The heritage statement submitted with the application indicates that the origins of the Watermill date from as early as the Domesday survey, and it retains a well preserved setting, with the building having a strong visual relationship with the mill pond and Millstream. The waterwheel still exists, but is currently in poor condition.
- 1.03 The site also lies within Upper Street Hollingbourne conservation area, to which it makes a strong and important contribution. It also falls within the open countryside and is located in the Kent Downs Area of Outstanding Natural Beauty, again to which it makes a strong and positive contribution to the character and appearance of the landscape.

2.0 PROPOSAL

- 2.01 Listed Building Consent is sought for the conversion of the water mill building to additional accommodation ancillary to the dwelling, Mill House, together with internal and external alterations. These include the renovation of the existing single-storey rear extension to the house, alterations to its roof and alterations to fenestration.
- 2.02 This application is a resubmission of the refused scheme references 20/502392 & 20/502404. Both the Planning Permission and Listed Building Consent were previously refused for a number of reasons which are set out in more detail below.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: Maidstone Local Plan 2017: SP18 DM4
Supplementary Planning Documents: Residential Extensions
Maidstone Local Plan review (regulation 19), October 2021: LPRSP15, LPREnv1,

4.0 LOCAL REPRESENTATIONS

Site notice posted on 01/09/21, expired on 22/09/21.
No representations received from local residents.

5.0 CONSULTATIONS

- 5.01 Hollingbourne Parish Council: wish to see the application refused and requests that it is considered at Planning Committee. Initial comments were that they had concerns over the change of use of the mill, as it is a listed building and very important to the history of the village. Subsequent comment that the changes would make the mill a separate dwelling in its own right due to the facilities provided.
- 5.02 Historic England: Do not wish to comment.
- 5.03 Conservation officer (summary of comments) : Conservation officer: suggested amendments. In relation to the cottage, suggested a reduction in the extent of

internal demolition of walls, and a reduction in the extent of glazing to the walls and roof of the extension. (Officer comment: amended plans have been submitted in response to these issues).

In relation to the mill, suggested that the residential conversion of the mill be confined to just 2 floors with the other floor not being converted. Considered the spiral stairs to be out of keeping, had some concerns over the doors to the end elevation and considered the conversion should be more sensitive. (Officer comments: it was not considered justified or reasonable to insist upon the suggested changes in relation to the mill. Further commentary upon these issues is given particularly in paragraph 6.16 below).

5.04 Council for British Archaeology: Supports the application. Objected to the previous proposal, but considers this proposal to be a great improvement, having much reduced impact on the mill, the conservation area and the area of outstanding natural beauty. Will also ensure the sustainable future of the site. Request a conservation led methodology to deal with issues of damp and thermal efficiency and materials.

5.05 Other 5 national amenity societies: no response.

6.0 APPRAISAL

- 6.01 The key issues for consideration relate to:
- Site Background/Principle of development/Policy context
 - Impact upon the Listed Building

Site Background/Principle of development/Policy context

6.02 The previous applications of specific relevance are planning application 20/502404 and listed building consent application 20/502932. The LBC was refused for the following reasons:

(1) The proposed extensions, external staircase and alterations to fenestration, including rooflights, would harm the significance, simple and industrial form, character and appearance of the grade II listed mill building and the character and appearance of the Mill House building. The public benefits are not considered to outweigh this harm and the proposal is therefore contrary to policies DM4 and SP18 of the Maidstone Local Plan 2017 and paragraphs 184, 190, 192, 193, 194 and 196 of the National Planning Policy Framework.

(2) The proposed rear extension and bridge would harm the significance and setting of the grade II listed Mill and Mill House, by destroying the rustic appearance of the setting, obscuring historic masonry, dominating and harmfully altering key views of the waterwheel and diminishing the appreciation of the water management works and earthworks which are considered fundamental to the significance of the heritage asset. The public benefits are not considered to outweigh this harm and the proposal is therefore contrary to policies DM4 and SP18 of the Maidstone Local Plan 2017 and paragraphs 184, 190, 192, 193, 194 and 196 of the National Planning Policy Framework.

(3) There is insufficient information to demonstrate that the proposed internal works, including removal of the fireplace and cupboards within the Mill House and fabric within the mill building and tanking works would not harm the significance, character, appearance and longevity of the listed building. The proposal is therefore contrary to policies DM4 and SP18 of the Maidstone Local Plan 2017 and paragraphs 184, 190,

192, 193, 194 and 196 of the National Planning Policy Framework.

- 6.03 Policy DM31 of the local plan relates to the conversion of redundant rural buildings to other uses, including residential, subject to a number of criteria. It requires that firstly, a business reuse is considered before a residential use and secondly, amongst other things, that the building is of sufficient character and quality to warrant its retention. It further advises that the building must be capable of being converted without major or complete reconstruction. In this case, firstly it is considered that a business use would not be appropriate. This is because the mill building is physically attached to the dwelling and one aspect of high significance is its setting. The use of the building for a business use would be likely to necessitate subdivision and boundary treatments, as well as potentially additional parking.
- 6.04 Both the water mill and Mill House have a strong visual relationship with the mill pond and Millstream. There is a Historic England document entitled “Mills” and this indicates that whilst Mills sometimes changed function and had internal refits over time, the water management works probably needed little alteration over the years/centuries. Indeed, it is considered that the water management works, the earthworks, the mill race, the wheel race and the tailrace, are likely to have remained predominantly unchanged for almost 1000 years, since the heritage statement indicates the existence of a water mill in this location in the Domesday survey. Therefore, the earthworks and Millstream are considered of very high significance to the listed buildings and their setting.
- 6.05 Therefore, the addition of a boundary treatments, such as fences, to subdivide the buildings into 2 separate uses is likely to result in clear harm to an aspect of high significance and therefore is likely to be strongly resisted. I am therefore satisfied that in this particular case, no further information is required to demonstrate that a business use would not be viable, since a business use would be very likely to be harmful to the significance and special interest of the listed building.
- 6.06 With regards to the other points within the policy, the building is clearly of sufficient character and quality to warrant its retention – it is a listed building which makes a very strong positive contribution both to the conservation area and the area of outstanding natural beauty. It appears to be in a reasonable state of repair and seems clearly capable of being converted without major or complete reconstruction. I therefore conclude that in principle, the use of the mill building as ancillary accommodation to Mill House is acceptable.
- 6.07 It is further emphasized that the previous application was *not* refused in terms of the principle of the development.

Impact upon the Listed Building

- 6.08 The local planning authority has a statutory duty to have special regard to the desirability of preserving listed buildings and their settings under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.09 Policies SP18 and DM4 of the local plan seeks to preserve heritage assets in a manner appropriate to their significance. The NPPF similarly seeks this end. Importantly, it is clear that the NPPF does seek to put heritage assets to “viable uses consistent with their conservation”.
- 6.10 The previous refusal included 3 reasons relating to the heritage assets. The areas of the proposed development which were considered to result in harm were the

proposed extensions, external staircase, alterations to fenestration, including rooflights, and the proposed bridge.

- 6.11 Firstly, importantly, a number of the previously identified harmful aspects of the development have simply been removed and are no longer proposed. These include the two-storey front extension to the water mill building, the single storey rear extension to the water mill building, the proposed external staircase, the rooflights and the bridge over the mill stream. All of these proposals, which were considered to be unacceptable in principle and very harmful, have been deleted and no longer forms part of the proposals.
- 6.12 In terms of the remaining aspects, the rear extension to the house is still proposed to be altered, as is fenestration, but changes have also been made to the scheme in relation to these elements to result in a more sympathetic appearance.
- 6.13 Internally there would be some loss of fabric, but the internal area is considered of lower significance. Indeed, the Historic England guidance on Mills states that Mills often had successive internal refits over time, but that the water management works were the area which rarely changed. As such, it is considered the water management works which are of higher significance and the internal fabric of lower significance. With regards to the internal fabric within the house, the fireplace previously shown to be removed is now shown to be retained and more information has been submitted regarding cupboards, which is considered to demonstrate that they are not important to the significance of the building. Previously tanking works were shown to the mill which had the potential to result in much harm, but this has now been amended to state that some repairs to waterproofing to the wall adjacent to the mill pond are proposed. It is considered that a condition can be attached to deal with this issue to ensure that any works which are carried out are sensitive to the fabric and character of the building and do not result in significant harm to longevity.
- 6.14 It is now considered that this revised scheme, which is *very* significantly different to the refused scheme, would preserve the special interest and significance of the listed buildings. The simple and industrial form and character of the mill building would be preserved – there are no extensions proposed to the mill building and the rooflights, which were considered resolutely residential in character, are again no longer proposed. The external staircase was also considered of residential character and harmful and this has been omitted. A change to the scale in the window opening to the end elevation is proposed, but this would generally retain the simple, functional character of the building it is considered. Although the conservation officer comments refer to this opening as doors, as the external staircase has been removed it would no longer be externally accessible and large-scale details can be sought to ensure a satisfactory appearance which is not inappropriately domestic.
- 6.15 An extension to the Watermill was previously proposed to obscure historic masonry, possibly being the earliest surviving section of the building, but again this is no longer proposed, so the masonry would remain visible. Views of the waterwheel would also be retained through the omission of this extension. Furthermore, in terms of the setting, the formerly proposed bridge was considered to have a heavily engineered and harmful appearance and would have dominated the water management works which, as stated above, are considered fundamental to the significance of the heritage asset. This part of the development is also no longer proposed, so that the mill stream and water management works would remain as existing, with the existing low-level bridge over the millstream being of very low key and retaining the high significance of this area of the site. The changes to the rear extension to the house would not be of a scale or position to significantly harm the appreciation of

management works and earthworks and therefore these elements of high significance would be preserved. Garage would be of a sympathetic design to the host building and situated somewhat to one side, so as not to harm key views of the building.

- 6.16 With regard to other issues raised by the conservation officer, the use of only 2 floors and the omission of the internal staircase is considered unreasonable – this would prevent the viable use of the building as a whole and it is not considered reasonable to seek to secure such a scheme. Although the internal changes are considered to result in a low level of harm, it must also be borne in mind that internally significance is considered to be lower - as stated, the Historic England guidance on Mills indicates that they often had internal refits over time, whereas the water management works were generally more historic and therefore are considered of much higher significance. Changes to the cottage has been amended following the conservation officer's comments to retain more of the internal walls and to reduce the amount of glazing. The changes which have been made are considered to have a satisfactory visual appearance and have significantly reduced the extent of glazing to the roof and walls such that it is no longer considered to dominate the cottage. I note that the conservation officer comments did not recommend refusal, but only sought amendments.
- 6.17 In conclusion, with regards to the impact upon the heritage assets, being the listed building and the conservation area, it is concluded that there would be a very low level of harm, particularly resulting from some internal changes to the mill building. However, it is concluded that the harm has been minimised and would be of a very low level, much less than substantial.

Other Matters

- 6.18 The parish council have raised the issue of the accommodation being used as a separate dwelling. This is a planning issue which is dealt with in the report for the concurrent planning application.

Balancing exercise

- 6.19 Paragraph 197 of the NPPF advises under point a) that in determining applications, local planning authorities should take account of “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation”.
- 6.20 Paragraph 199 requires great weight to be given to the conservation of designated heritage assets. This is irrespective of the amount of harm, whether this be substantial or less than substantial.
- 6.21 Where harm is identified and the level of harm is considered to be less than substantial, paragraph 202 advises that the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.22 In this case, it is considered that the level of harm to the heritage assets, being the listed buildings and conservation area are considered to be low.
- 6.23 It is clear from the NPPF that securing viable uses for heritage assets is a very important consideration, providing that such uses consistent with their conservation.

- 6.24 In this case, as explained, the residential use of the mill building as part of one dwelling unit comprising the mill and mill house, is considered likely to be the least harmful use to significance and the most appropriate use. Any use of the building is likely to require some changes clearly in order to make it fit for purpose. It is considered in this case, under this revised scheme, but harm has been minimised and is of a low level. Key elements of the significance of the buildings would be preserved. These include the simple, functional form of the mill building, its setting and water management works, and the simple character of the mill.
- 6.25 Great weight must be given to the conservation of the heritage asset. However, as stated, the key aspects of its significance would be preserved and the level of harm is considered to be low. This proposal is considered likely to secure the optimum viable use of the building. This is a public benefit in terms of providing long-term preservation for the building. In essence, if no use is found, ultimately the building could fall into disrepair and become at risk. This scheme is a generally sympathetic scheme, with harm being minimised and of a low level and is considered to secure the optimum viable use.
- 6.26 Therefore, having regard to give great weight to the asset's conservation and considering policy and the guidance within the NPPF it is concluded that in this case, the public benefits outweigh the harm and therefore a recommendation of approval is appropriate.

7.0 CONCLUSION

- 7.01 This revised scheme is very significantly different to the previously refused proposal. The key elements resulting in harm has been removed – the extensions to the mill, the bridge, the rooflights and the external staircase. The revised scheme is now considered to result in only a low level of harm to the listed building.
- 7.02 The NPPF requires harm to be balanced against public benefits, including securing the optimum viable use of the building. The proposal is considered to secure the optimum viable use of the building, with harm being of a low level and minimised. It is therefore concluded that in this case, the public benefits to designated heritage assets outweigh the harm and approval is therefore recommended.

8.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The works hereby permitted shall be carried out in accordance with the following approved plans:

2214/01 Rev E received on 09/08/21 and 2214/05 Rev E and 2214/04 Rev H received on 14/10/21;

Reason: To clarify which plans have been approved and to ensure the quality of the development.

- (3) The works shall not commence until written details and photographs of samples of the materials to be used in the construction of the external surfaces of the works hereby permitted, including rainwater goods, have been submitted to and approved in writing by the Local Planning Authority and the works shall be completed using the approved materials;

Reason: To ensure a satisfactory appearance and that the historic significance of the listed building is maintained.

- (4) The works shall not commence until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-
- a) All new external and internal joinery in the form of large scale drawings. This shall include detailed drawings to scale 1:5 and 1:1 of typical details of all new joinery, in addition, sections, mouldings and glazing bars shall be to a scale of 1:1 or 1:2 and will show means of fixing glazing. Details of finishes shall also be included.
 - b) The proposed new staircase in the form of large scale drawings,
 - c) All new balustrading including any railing to the proposed doors to the north east side elevation,
 - d) 1:10 scale drawings illustrating proposed eaves and ridge detailing, indicating the provision of eaves and ridge level ventilation and the specification of any roof insulation where proposed,
 - e) 1:10 scale section through all external walls (masonry or timber framed) which is proposed to alter the existing details to achieve better insulating, weatherproofing or for other purposes.

The works shall be carried out in accordance with the approved details;

Reason: To ensure a satisfactory appearance and that the historic significance of the listed building is maintained.

- (5) No works to the existing water wheel shall take place unless and until full details of any such works, and the methodology for any such works, have first been submitted to, and approved in writing by, the local planning authority. The works shall thereafter be undertaken strictly in accordance with the approved details;

Reason: In order to preserve the special interest and significance of the listed mill building.

- (6) No works to the area of sloped wall to the secondary kitchen area (for entertaining) shown on drawing number 2214/04 Rev H shall take place until full details of any such works, including methodology, have been submitted to, and approved in writing by, the local planning authority. The works shall thereafter be undertaken strictly in accordance with the approved details;

Reason: In order to preserve the significance and longevity of the listed building.

- (7) Any hidden historic features revealed during the course of works to the walls, floors, ceilings shall be retained in situ, with work to be suspended in the relevant areas of the building and the local planning authority notified immediately and given the opportunity to inspect. Prior to the commencement of any further works, details including a schedule of works, drawings and annotated photographs as appropriate shall be submitted to and agreed in writing by the local planning authority and the works thereafter shall be carried out in accordance with these approved details.

Reason: To ensure that special regard is paid to the interests of protecting the special architectural and historic character detailing the integrity of the Listed Building.

INFORMATIVES

Rainwater goods should be cast metal.

Fenestration within the mill building should be single glazed and timber. Secondary glazing could additionally be considered if required.

Any railing to the proposed doors to the North East side elevation should have minimal visual impact and should avoid a domestic appearance.

Case Officer: Louise Welsford

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.