



REGULATORY SERVICES COMMITTEE

13 March 2014

REPORT

Subject Heading:

L0002.14: Upminster Mill, St. Mary's Lane, Upminster

Listed building consent for repair of mill. Reopening of doorway on north side (application received 3 February 2014).

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application relates to proposed works for the repair of Upminster Windmill, which is a Grade II* listed building. The site is owned and managed by the Council. The proposals are considered to provide for a sympathetic programme of repair works and it is recommended that listed building consent be granted. Members will note that the application will need to be referred to the Secretary of State before listed building consent can be issued.

RECOMMENDATIONS

That subject to no material objections to the proposal being received by the expiry of the consultation period on 14 March (and should further material planning considerations be raised in representations on or before 14th March 2014 the matter be remitted to the Regulatory Services Committee for further consideration), it is recommended that the application and all relevant documentation be forwarded to the Secretary of State for determination in accordance with Section 12 of the Listed Building Act 1990 and regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990 and that should the Secretary of State be minded to grant Listed Building Consent that the conditions and Reason for Approval below be considered in respect of such consent::

1. Time limit - The development to which this consent relates must be commenced not later than three years from the date of this consent.

Reason: To comply with the requirements of Section 18(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning Compulsory Purchase Act 2004).

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice) and the Schedule of Repairs produced by Bonwick Milling Heritage Consultancy.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC67.

3. Notification to English Heritage: Written notification of the intended start of works on site shall be sent to English Heritage, London Region (23 Saville

Row, London W1X 1AB), with a copy sent to the Local Planning Authority, at least seven days before the works hereby approved are commenced.

Reason: In order that English Heritage and the Local Planning Authority may be given the opportunity of monitoring the progress of works on site to ensure the preservation of the special interest of the building affected by the works hereby approved.

4. Hours of construction: All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:- To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

Informatives:

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. Site Description

- 1.1 Upminster Windmill is a Grade II* listed building. It is located on the north side of St. Mary's Lane, set within an area of open land. The windmill occupies a prominent position on higher ground, which gradually falls towards the west. The mill itself is set well back from the road, approached by a gravelled track, which leads into the site from St. Mary's Lane.
- 1.2 The majority of the site surrounding the mill is open grassland (the mill field), with a hard surface surrounding the mill itself. There is a hedge to the western boundary of the site, other boundaries are fences with a

mixture of hedges and shrubs to the front. At the northern end of the site there is a dense area of scrub, together with a sycamore and fruit trees.

- 1.3 The site is bordered to its northern, western and eastern sides by the curtilage of residential properties. The gardens of dwellings in Cranborne Gardens back on to the eastern boundary and houses in Highview Gardens back on to the northern boundary. There is a small area of land to the north-eastern corner, bounded by a 2m high brick wall, that originally but no longer forms part of the site. This piece of land is presently undeveloped. To the west of the site is flatted development and associated garages forming part of Carlton Close.

2. Description of Proposal

- 2.1 The application is for listed building consent for repair works to the mill and the re-opening of a doorway on the north side of the mill.
- 2.2 The extent of the proposed works is explained in detail in the Schedule of Repair submitted with the application. The Schedule breaks the repair works into individual components, such as fantail frame repairs, cap repairs, repairs to the smock tower (both wall framing and doors/windows) and machinery repairs etc.
- 2.3 The repair programme seeks to retain as much of the original structural fabric as possible through the application of face path repairs to the exterior faces of the timbers. Whilst some of the modern timbers from previous repairs will be retained, the majority of the replacement timber will be renewed in order to:
- insert replacement timbers of the correct species, section and surface finish
 - reintroduce authentic joints to connect the timbers strongly.
- 2.4 The new door to the north doorway entrance will match that used in the existing south elevation.

3. History

- 3.1 There is no previous planning history of direct relevance to this application. A separate application for planning permission for a visitor/maintenance building has recently been submitted (reference P0137.14) and is reported separately on this agenda.

4. Consultation/Representations

- 4.1 The application has been advertised on site and in the local press as affecting the setting of a listed building. Neighbour notification letters have also been sent to 52 local addresses. At the time of writing this report no representations have been received. The site notice and newspaper advertisement does not however expire until 14 March and authority is

therefore requested to be delegated to the Head of Regulatory Services to approve the application subject to no new material representations being received by this date and no contrary direction being received from the Secretary of State.

4.2 English Heritage confirm that they provided pre-application advice in 2013 and are pleased that the proposals reflect the advice given. The Local Planning Authority is authorised to determine the application as it sees fit. No comments are made on the application.

4.3 The Society for the Protection of Ancient Buildings has been consulted on the application. No response has been received at the time of writing this report. Members will be advised of any comments that are received.

4.4 English Heritage (Archaeology) has been consulted but has not yet commented at the time of writing this report. Members will be advised of any response received.

4.5 The Council's Heritage Officer makes the following comments:

- the preliminary works to record the condition of the site and the site preparatory works are acceptable

- there is a significant amount of renewal to carry out the fantail frame repairs but the extent of decay justifies the renewal works

- the curb repairs include repair and re-use of a number of the elements. Where elements are being renewed they will generally be made of stainless steel, which is judged to add longevity to the working mill and provide distinction between the modern and historic fabric.

- there has been extensive research and assessment of the smock tower and the approach to repair and replacement where necessary is supported

- details of window and doors are acceptable and re-opening of doorway to north face is supported.

- brick base repairs are considered to be acceptable and the replacement of the concrete floor with limecrete will benefit the mill.

- some query with regard to the extent to which existing material can be retained or will need replacing at the reeving stage.

5. **Relevant Policy**

5.1 The National Planning Policy Framework, particularly Sections 7 (requiring good design) and 12 (conserving and enhancing the historic environment) is relevant to consideration of this application.

5.2 Policies 4.6 (support for and enhancement of arts, culture, sport and entertainment), 7.4 (local character), 7.6 (architecture) and 7.8 (heritage assets and archaeology) of the London Plan are material considerations.

5.3 Policies CP5, CP17, CP18, DC61,DC67 and DC70 of the Core Strategy and Development Control Policies Development Plan Document are also material considerations.

6. **Staff Comments**

6.1 The issues arising from this application are the principle of the development and its impact on the character and setting of the Grade II* listed windmill.

6.2 **Principle of Development**

6.2.1 The application is primarily for works of repair to this Grade II* listed building. The application is accompanied by a detailed analysis of the history and present condition of the building and staff are satisfied that the works are necessary to retain and protect the character and quality of this listed building.

6.2.2 Upminster Windmill is presently owned and managed by the Council. Under the provisions of Regulation 13 of the Planning (Listed Building and Conservation Areas) Act 1990 the Council is required to apply to the Secretary of State to obtain listed building consent. In the event that Members are minded to grant listed building consent such decision cannot be issued without the written consent of the Secretary of State.

6.3 **Heritage Issues**

6.3.1 Upminster Windmill is a Grade II* listed building, dating from 1803. There have been a number of repairs to the mill over the years, not all of them sympathetically undertaken. In particular, many replacement timbers in the mill are constructed of oak rather than softwood and are of incorrect section, being rectangular rather than square. Furthermore, several timbers have a planed finish rather than a rougher, sawn-finish. Whilst the proposal will retain some of the replacement timbers this also presents an opportunity to replace many of the timbers with those that are more authentic to the building.

6.3.2 The wall timbers of the mill were limewashed during its working days. This authentic surface treatment will be re-applied in certain areas and omitted in other, providing a clear distinction between original fabric and replacement timber.

6.3.3 The re-opening of the original doorway in the north elevation is considered acceptable in principle and the details of the replacement door, which will match that to the south elevation, are acceptable.

6.3.4 The schedule of works is detailed and is judged by the Council's heritage officer to be both justified and acceptable. The works are considered to maintain and protect the heritage value of this listed building, provided they are carried out in accordance with the detailed schedule of works. The proposal is therefore considered to be acceptable and to accord with both national and local planning policies. Subject to no contrary direction from the Secretary of State it is recommended that listed building consent be granted.

6.4 Mayoral CIL

6.4.1 The application is not liable to Mayoral CIL.

7. Conclusion

7.1 The proposal is primarily for repairs to this Grade II* listed building. Staff are satisfied that the proposed works are necessary and justified. The proposed works are set out in detail in the submitted Schedule of Works and Staff are satisfied that they are to be sensitively carried out and are of a nature that would protect the special character of this listed building. The proposal is considered to accord with national and local planning policies and, subject to no contrary direction from the Secretary of State, it is recommended that listed building consent be granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None arising from this application.

Legal Implications and risks:

None arising from this application.

Human Resource Implications:

None arising from this application.

Equalities and Social Inclusion Implications:

The application will enable the repair of the building and assist in securing its long term retention. This heritage building is a valuable asset to the Borough and its preservation will therefore benefit the community in general.

BACKGROUND PAPERS

1. Planning application P0137.14, received 3 February 2014.