

Delegated Report

Planning Ref: 24/00841/LBC
Applicant: Mr & Mrs Taylor
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Help Out Mill, Shackerstone Lane, Newton Burgoland

Proposal: Alterations to internal layout, replacement windows and doors, addition of an oil tank and replacement of existing rainwater goods.

1. Recommendations

1.1. Grant Listed Building Consent subject to:

- Conditions detailed at the end of this report.

2. Planning Application Description

2.1. This application seeks Listed Building Consent for internal and external works to the Grade II* Listed Building at Help Out Mill, Shackerstone Lane, Newton Burgoland. The Applicant has stated that these works are required to improve the functionality of the property.

2.2. The proposed internal alterations consist of:

- Relocating the kitchen into the existing living room, with the creation of an opening in the solid wall through to a proposed dining room and replacement of the inter-war fireplace and surround with the relocated Aga stove
- A minor extension of the masonry wall between the existing kitchen and dining room and creating an opening for a door with arch above to match the arrangement within the corridor between these rooms
- Removal of a section of solid wall between the existing kitchen and living room 2
- On the first floor, removal of partition walls in bathroom 2 to extend these services out into the hallway, and closing off the doorway (in the retained arch) from bedroom 3 to the bathroom, with a cupboard for a relocated water tank being created in this space
- On the second floor, a re-ordering of the existing rooms and services to create an ensuite and dressing room for bedroom 4, consisting of a new door opening within a solid wall and removal of some doors within partition walls

2.3. The proposed external alterations comprise:

- Within living room 2 replace the two sets of UPVC patio doors with steel framed Crittal doors
- A replacement timber framed window to bathroom 2

- Replacing the existing UPVC rainwater goods with painted black cast iron rainwater goods
- The installation of a 1000lt oil tank within a raised bed and abutting up against the side elevation

3. Description of the Site and the Surrounding Area

- 3.1. Help Out Mill is a complex of three buildings that are subject to a single Grade II* Listed Building Entry. The Help Out Mill complex comprises a mill from the early nineteenth century, and a nineteenth century granary, which are both attached to a Georgian house from the 1730s. All three buildings are Listed as Grade II* for being of more than special historic and architectural interest.
- 3.2. Each of these buildings has architectural significance. The mill features a rare example of surviving 1902 roller-mill machinery and it is believed to be the last water-driven mill in Leicestershire that supplied flour. The Georgian house includes a fanlight in the entrance with round-arched recesses and glazing bar sash windows, which is typical of the Georgian architectural style.
- 3.3. In addition to having architectural interest, the site also has group value in the mill and its adjoining buildings and tracks the development of the mill complex from small-scale industry to a multi-use site. The relationship between these buildings and their planned form represents the historic use of space between the mill, mill house, and granary, and their interrelations.

4. Relevant Planning History

- 4.1 The proposal was discussed with the Council's Conservation Officer at the application site on 11 July 2024, who suggested that a Listed Building Consent should be submitted to the Local Planning Authority.
- 4.2 There is no planning history that is relevant to the current application.

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2 No responses have been received.

6. Consultation

- 6.1 On 23 September 2024, Historic England stated that it did not support the proposal as they could not adequately assess the significance of the internal features and plan form of The Mill House. Therefore, Historic England requested a full assessment of the internal features of the Listed Building as part of a further

Statement of Significance or Heritage Impact Assessment. An addendum to the Heritage Statement was supported by the Council's Conservation Officer.

- 6.2 The Applicant submitted a revised Design, Access, and Heritage Statement on 31 October 2024.
- 6.3 On 15 November 2024, Historic England confirmed that the revised document addressed their concerns and therefore Historic England did not provide any further comments on the scheme.
- 6.4 The Council's Conservation Officer confirmed that the proposed internal alterations and external works to the house at the Grade II* Listed Building complex Help Out Mill are appropriately specified and compatible with its significance.
- 6.5 The Georgian Group, the Historic Buildings Panel, the Leicestershire Archaeological and Historical Society, Shackerstone Parish Council, and the Victorian Society did not respond to the Listed Building Consent application.

7. Policy

7.1 Core Strategy (2009):

- N/A

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets

7.3 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

- 8.1 The key issue in respect of this application is therefore the impact upon the Listed Building and Conservation Area

Impact upon the Listed Building and Conservation Area:

- 8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Local Planning Authority when considering whether to grant Listed Building Consent to have special regard to the desirability of preserving the building or its setting or any special features of special architectural and historic interest which it possesses.
- 8.3 Section 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.4 Therefore, Paragraph 205 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.
- 8.5 Paragraph 206 of the NPPF also states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. The need for clear and convincing justification is re-iterated in Policy DM12 of the SADMP.
- 8.6 Nevertheless, Paragraph 212 of the NPPF confirms that local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 8.7 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.8 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.9 The amount of original solid wall masonry required to be removed to allow for the altered use of each room on the ground floor (and the new doorway opening on the second floor) is limited in extent, and due to the retention of wall nibs either side of the new openings on the ground floor the original floor plan, principle use, and volume of the rooms would remain discernible following the changes.

- 8.10 There is no adverse impact from the loss of the interwar fireplace and surround within the existing living room, and by relocating the Aga stove into this area and building out nibs to flank the stove reinforces the historic position of a fireplace and chimney breast within the room. Other features of minor interest in the proposed kitchen, including the skirting and architraves, would remain. The extension of the masonry wall between the kitchen and dining room and creation of the arched doorway in between would reinforce the original floor plan arrangement and position of a corridor between the rooms. On the upper floors, the minor alterations to the partition walls and works to install refurbished bathrooms have no adverse effect on any historic fabric or the floor plan of the building.
- 8.11 For these reasons it is considered that the internal works proposed to the house are compatible with its significance as a Listed Building.
- 8.12 Externally, the replacement doors and windows would match the appearance of the existing building and be of a traditional frame material (timber and steel) that reflect the character and age of the building. The replacement of the uncharacteristic UPVC rainwater goods with a cast iron material would reinstate a traditional characteristic of the building and result in a minor enhancement to its significance. The oil tank is limited in scale and mass and would be appropriately sited to the side and away from the most significant front elevation of the building, and visually screened to a large degree by its siting within a raised garden bed. For these reasons it is considered that the external works proposed to the house are compatible with its significance as a Listed Building.
- 8.13 Overall, it is considered that the proposal is compatible with the significance of the Listed Building known as Help Out Mill, and therefore the proposal complies with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF and the statutory duty of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

9. Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 The proposal is compatible with the significance of the Listed Building known as Help Out Mill, and therefore the proposal complies with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF and the statutory duty of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

11. Recommendation

11.1 Grant Listed Building Consent subject to:

- Conditions detailed at the end of this report.

11.2 Conditions and Reasons

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Existing Elevations 0030 EX300 (submitted: 04.09.2024)
- Existing First Floor Plan 0010 EX101 (submitted: 04.09.2024)
- Existing Ground Floor Plan 0010 EX100 (submitted: 04.09.2024)
- Existing Second and Third Floor Plans 0010 EX102 (submitted: 04.09.2024)
- Existing Sections A 0040 EX400 (submitted: 04.09.2024)
- Existing Sections B and C 0040 EX401 (submitted: 04.09.2024)

- Proposed External Elevations 0300 A300 (submitted: 13.09.2024)
- Proposed External Elevations Drg No. A300 (submitted: 13.09.2024)
- Proposed First Floor GA Plan 0100 A101 (submitted: 04.09.2024)
- Proposed Ground Floor GA Plan 0100 A100a (submitted: 04.09.2024)
- Proposed Internal Elevations 0400 A402 (submitted: 04.09.2024)
- Proposed Sections A 0400 A400 (submitted: 04.09.2024)
- Proposed Sections B and C 0400 A401 (submitted: 04.09.2024)
- Proposed Second and Third Floor GA Plans 0100 A102 (submitted: 04.09.2024)
- Site Location Plan (submitted: 04.09.2024)

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

a. **Notes to Applicant**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.