

Application No: 07/92329/FULL Full Application

Site: The Mill House, Mill Lane, Pylewell, East End, Lymington

Proposal: Use for business purposes (Use Class B1), roof and elevations alterations; car park

Applicant: Lord J Teynham

Case Officer: Mark Funnell

Parish: BOLDRE

1. DISTRICT/BOROUGH: New Forest District Council

2. REASON FOR COMMITTEE CONSIDERATION

Previous Committee Consideration

3. DEVELOPMENT PLAN DESIGNATION

Listed Building
Conservation Area

4. PRINCIPAL DEVELOPMENT PLAN POLICIES

DW-E1 General development criteria (page 57)
NF-B2 New employment uses in the New Forest (including farm diversification) (page 152)
NF-RB1 Re-use of buildings on the New Forest (page 179)
DW-E22 Exceptional development to retain listed buildings or other important buildings (page 69)

5. MEMBER COMMENTS

None received

6. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommends permission but would accept a delegated decision. Accepts the need for some sort of commercial enterprise on this site but is concerned that the character of this historic building is maintained. Office space would seem appropriate thereby not facilitating an increase of heavy traffic to the area. Alternatively the restoration of some of the rural trades i.e. forge, dairy, sawmill and use as a tourist centre.

7. CONSULTEES

- 7.1 Ecology Officer: The application contains the old bat and bird survey, now a year out of date. On a more positive note the details within the drawings present welcome compensation which may be adequate depending on whether further details have been obtained on the usage of the roosts by bats.
- 7.2 Highway Authority (HCC): No highway objections subject to conditions covering the implementation of the car parking as shown prior to first occupation of the building, and cycle parking arrangements.
- 7.3 Environmental Design – Listed Building: Support the proposal. Pylewell Mill is on the Authority's listed buildings at risk list. Significant restoration of the building is required. The middle section of the building has partially collapsed, further collapse halted by scaffold support, and the remainder is in a poor state of repair. The building is in need of immediate repair and a use which would secure its long term future. This is an exceptional site and setting. The mill building, and buildings adjacent, and their setting appear essentially untouched by C20 alteration.

On the one hand there is the importance of retaining these special qualities in any alteration and on the other finding a use which would ensure the future of the building and these special qualities. The implication is that some change is inevitable, but that this needs to be managed in a sensitive and appropriate manner. The proposed alterations largely retain the internal spaces of the building, which are important to its character, subdividing only a limited area to provide service accommodation. The proposal makes use of existing openings and introduces additional new glazing where essential in a sympathetic manner. It is proposed to locate car parking a distance from the mill building behind an existing hedge hence leaving the space immediately in front of this and adjoining buildings, which is fundamental to their setting, open and unaltered by the proposals.

A financial case is set out to justify this use and the associated proposals at Carters Farm which if granted permission would assist in funding the repair and renovation of the mill. A section 106 agreement would be essential to tie up full details of all new work and the timed repair of the buildings. Full working details of the new work and a full schedule of repairs to the building would need to be agreed.

- 7.4 English Heritage: No comments received.
- 7.5 Natural England: No comments received.

8. REPRESENTATIONS

- 8.1 Letter from applicant's agent: refers to the information accompanying the application including a revised highways assessment, an "Our Proposals for the Future" leaflet and a November 2007 review / estate plan. Confirms that an appeal has been lodged against the refused Pylewell Mill application but that the appeal would be withdrawn if the current application is approved.
- 8.2 One representee in support: Important to maintain heritage.
- 8.3 12 representees and East End Residents Group in objection:
- proposal is not much different from refused application;
 - loss of character of the site and building;
 - the site is now within a Conservation Area;
 - volume of traffic in narrow access roads;
 - serious road safety problems;
 - lack of public transport;
 - danger of livestock and disturbance to wildlife;
 - spoiling of tranquil and rural character of the area;
 - light pollution;
 - office use not appropriate or needed in this rural location;
 - an office use proposal at Sowley Farm was recently refused;
 - should be less harmful ways to save this listed building;
 - the Mill should be converted or sold for residential use;
 - the estate has just sold Norley Wood Farm for over £3 million;
 - cumulative impact in addition to traffic impacts of moving the Montessori School from Lymington and potential development of the Home Farm buildings;
 - The Resident Group's own traffic survey indicates that the proposal would result in a 25% increase in traffic in Lymington Road.

9. RELEVANT HISTORY:

- 9.1 Use for business purposes (Use Class B1); roof and elevational alterations; car park (86950) refused on 14 April 2007 and under appeal.
- 9.2 Roof, elevational & internal alterations (Application for Listed Building Consent) (86951) granted on 11 October 2007
- 9.3 Roof and elevational alterations; car park (Application for Listed Building Consent) (92327) granted on 16 January 2008.

10. ASSESSMENT

- 10.1 Members may recall that a planning application similar to the current proposal was refused in April 2007, and the current application aims to overcome the reasons for refusal. An application (ref. 92318) has also been submitted for Carters Farm, which it is proposed would part fund the proposed alterations to Pylewell Mill (Item 5). For information, the applicant has also appealed the refusals for both the Pylewell Mill and Carters Farm original applications.
- 10.2 To recap on the site and the planning history, Pylewell Mill is an important building lying within Pylewell Estate, a small country estate near the southern boundary of the National Park. The building, a grade II Listed Building, is clearly part of its history and is important to the cultural heritage of the area.
- 10.3 The Mill lies in a relatively remote location with access from a long drive itself leading off minor roads. There is a scatter of houses in the area but otherwise the site lies within an open, part wooded, landscape. It is fair to say that this is an exceptional building in an exceptional setting, essentially untouched by twentieth century alteration. The building is now in a perilous state and has been on the 'At Risk' register for some time.
- 10.4 In terms of the wider area, the site's access point to the highway network, plus 160 metres of highway before the nearest cattle grid, is within the perambulation boundary of the New Forest. The Solent Way passes along the road near to the site, whilst the site is also within the newly created Forest South East Conservation Area. In addition, this locality is towards the edge of one of the two more tranquil areas of the New Forest as identified through a 1996 Countryside Commission study: "Tranquil Areas – The New Forest Heritage Area".
- 10.5 The previous planning application (ref. 86950) aimed to secure a new use for the Mill building in order to arrest its further deterioration and to give it a secure future. This is a complex building with a lot to be done to re-establish its structural integrity and to leave it in a reasonable condition. The cost of the repairs alone have been estimated to be over £500,000. It is therefore considered that a new use needs to be found to generate income for its upkeep.
- 10.6 The previous application was refused as it was concluded that (1) the re-use of an existing building in the open countryside for business purposes would involve a level of activity that would cause undesirable disturbance to the particular tranquillity of this rural part of the National Park; and (2) it had not been demonstrated that the proposed use was the only way that the restoration of the listed building could be achieved, and as such the proposed use would have an unacceptable impact on the setting of the building.

- 10.7 The current application is still to convert the building for B1 office use with associated alterations to the building and the addition of car parking. However, the following changes have been made to the proposal:
- a reduction in office floorspace of 26 square metres (giving a total floorspace of 692 sq metres), with the space in question now identified for cycle parking;
 - five fewer car parking spaces (25 in total rather than 30 in the last application);
 - other minor internal and external alterations; and
 - further information / justification regarding the proposal (set out in more detail below) and impacts on tranquility.
- 10.8 The main planning policies regarding the principle of a new use are NF-RB1 (re-use of buildings), DW-E18 (alterations to listed buildings), DW-E21 (change of use of listed buildings) and DW-E22 (exceptional development to retain listed buildings). Policy NF-RB1 has an allowance in principle for office uses in existing buildings, subject to a number of detailed criteria. Policy DW-E22 provides for development which would otherwise not have been approved if it is the only way to restore a listed building. In addition, government guidance in relation to the setting of listed buildings is also relevant.
- 10.9 In this case, with respect to physical impacts, it is considered that the proposed use could take place in the listed building without adversely affecting its character and interest. The proposed conversion would largely retain the internal spaces, subdividing only a limited area for service accommodation and making use of existing openings. The scheme would therefore be a sympathetic one and the Environmental Design team continues to raise no objection. The provision of less parking spaces than originally proposed would be an improvement on the previous application in terms of the setting of the building.
- 10.10 With the previous application, it was noted by officers that a detailed financial appraisal had been carried out in relation to this proposal to examine whether there are uses for the building which would have a return sufficient to cover the costs of repair and the conversion to a sustainable new use. Of the options considered only a full use of the building for offices had been shown to be viable but then only if additional money was available for helping to cover the costs of restoration. The proposal was and still is for this additional money to come from the sale of Carters Farm (if planning permission were to be granted for its use as live/work unit). Then the project would just about break even. The above conclusions are still relevant, although the applicant has submitted further information and justification to address the previous refusal.

- 10.11 The submitted "review" dated November 2007 states:
- in 1988 Heritage Property Relief was obtained for the majority of the estate, the remainder being put into a Maintenance Fund to support the heritage property;
 - a February 2005 estate review concluded that the estate's income could not maintain the estate and recommended that redundant buildings should be restored and converted to 'sustainable uses' to generate income;
 - in 2006 a Heritage Landscape Management Plan was agreed for the estate;
 - in order to safeguard the heritage property, a 15 year loan was provided to convert South Baddesley Hall (Phase 1);
 - Phase 2 is the repair of Pylewell House, which will cost around £100,000 per year, plus £30,000 per year in landscape maintenance costs;
 - the proceeds from the proposed conversion of Carters Farm (the subject of application 92318), estimated at £350,000, would fund repairs to Pylewell Mill - total cost £500-675,000);
- 10.12 The information supports the view that the proposed development is the only way to secure the restoration of the mill building. Other business uses are likely to generate additional traffic, whilst residential use would involve more significant alterations to the building (particularly the interior) with no clear benefit in terms of traffic generation or funds available for restoration. No other viable (or less intensive) means to secure funding for restoration has been identified. However, clarification has been sought from the applicant as to how the sale/restoration of other buildings would affect the estate's financial situation (namely the sale of Norleywood Farm and any future re-use of other buildings). Officers will report orally at the committee meeting on any further information received, and the implication thereof.
- 10.13 Notwithstanding the above, it should also be noted that the estate now lies within the Forest South East Conservation Area, which adds weight to the argument that the Mill building should be restored, not just because it is a listed building, but also because it is part of a heritage property.
- 10.14 The proposed use would however be a compromise solution with respect to the special qualities of the National Park, in particular to tranquility. Previously, the applicant's transportation adviser indicated that there would be just over 100 vehicle movements per day associated with the office use. The slightly reduced floorspace has led this figure to be revised to just under 100 movements per day. The vehicles would travel out and along a short stretch of Tanners Lane, within the perambulation boundary of the forest, before crossing a cattle grid onto the 'C' road towards Lymington.

- 10.15 This level of activity in this more sensitive location would normally have taken this proposal outside the scope of policy NF-RB1. However, in light of the exceptional circumstances, and the reduction in floorspace and parking spaces, the proposal is considered to have overcome the first reason for refusal. The previous officer recommendation suggested a limitation on the overall number of personnel occupying the building at any one time, and such a limitation should also be reflected in a s106 legal agreement should the current proposal be permitted, as should the requirement to prepare a Green Travel Plan.
- 10.16 Finally, with respect to ecology and protected species, although the old surveys have been re-submitted with this application, it is considered that there is sufficient information and mitigation that - subject to conditions - the proposal would comply with policies relating to protected species.

11. RECOMMENDATION

Subject to the submission by the applicant/agent of a short statement clarifying how the sale/restoration of other buildings would affect the estate's financial situation (namely the sale of Norleywood Farm and any future re-use of other estate buildings), and officers being satisfied with the additional information; and

Subject to the prior completion of a Section 106 Agreement to cover:

- (a) the restoration of the building to a certain specification before first occupation for the approved use;
- (b) the need to seek approval for any future detailed changes to the external spaces on the site (such as the display of advertisements);
- (c) the preparation of a Travel Plan and adherence to the actions it specifies; and
- (d) a limitation on the overall number of personnel occupying the building at any one time;

the Head of Development Control be authorised to grant permission subject to the following conditions:

Condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Within one month of the date when development first commences a scheme of landscaping of the site shall have been submitted for approval in writing by the New Forest National Park Authority. This scheme shall include :
- (a) the existing trees and shrubs which have been agreed to be retained;
 - (b) a specification for new planting (species, size, spacing and location);
 - (c) areas for hard surfacing and the materials to be used
 - (d) other means of enclosure;
 - (e) a method and programme for its implementation and the means to provide for its future maintenance.

No further development shall take place after 3 months unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with DW-E1 and DW-E6 of the New Forest District Local Plan First Alteration.

3. No parking shall take place on the site other than in the areas which have been indicated on the approved plans approved.

Reason: To retain the appearance of the site and to discourage the use of the private car as a means to travel to the site so as to comply with policy DW-T9 of the New Forest District Local Plan First Alteration and government guidance on the setting of Listed Buildings.

4. No activity shall take place on the site in connection with the approved use other than between the hours of 7am and 7pm on Monday to Saturdays, not including recognised public holidays.

Reason: To safeguard the peaceful enjoyment of these rural surroundings as far as possible in accordance with DW-E1, NF-E1 and NF-RB1 of the New Forest District Local Plan First Alteration.

5. Before any work is undertaken in relation to the adaption of the building to its approved use a further survey of the building shall be undertaken to establish the presence of bats and the arrangements which will need to be made to mitigate any disturbance which might arise from the implementation of this planning permission.

Reason: To ensure appropriate arrangements are made to avoid undue disturbance is caused to species which are subject to legal protection as required by policy DW-E41 of the New Forest District Local Plan First Alteration.

6. No external lighting shall be installed on the site before details of such proposals have first been submitted to and approved by the New Forest National Park Authority.

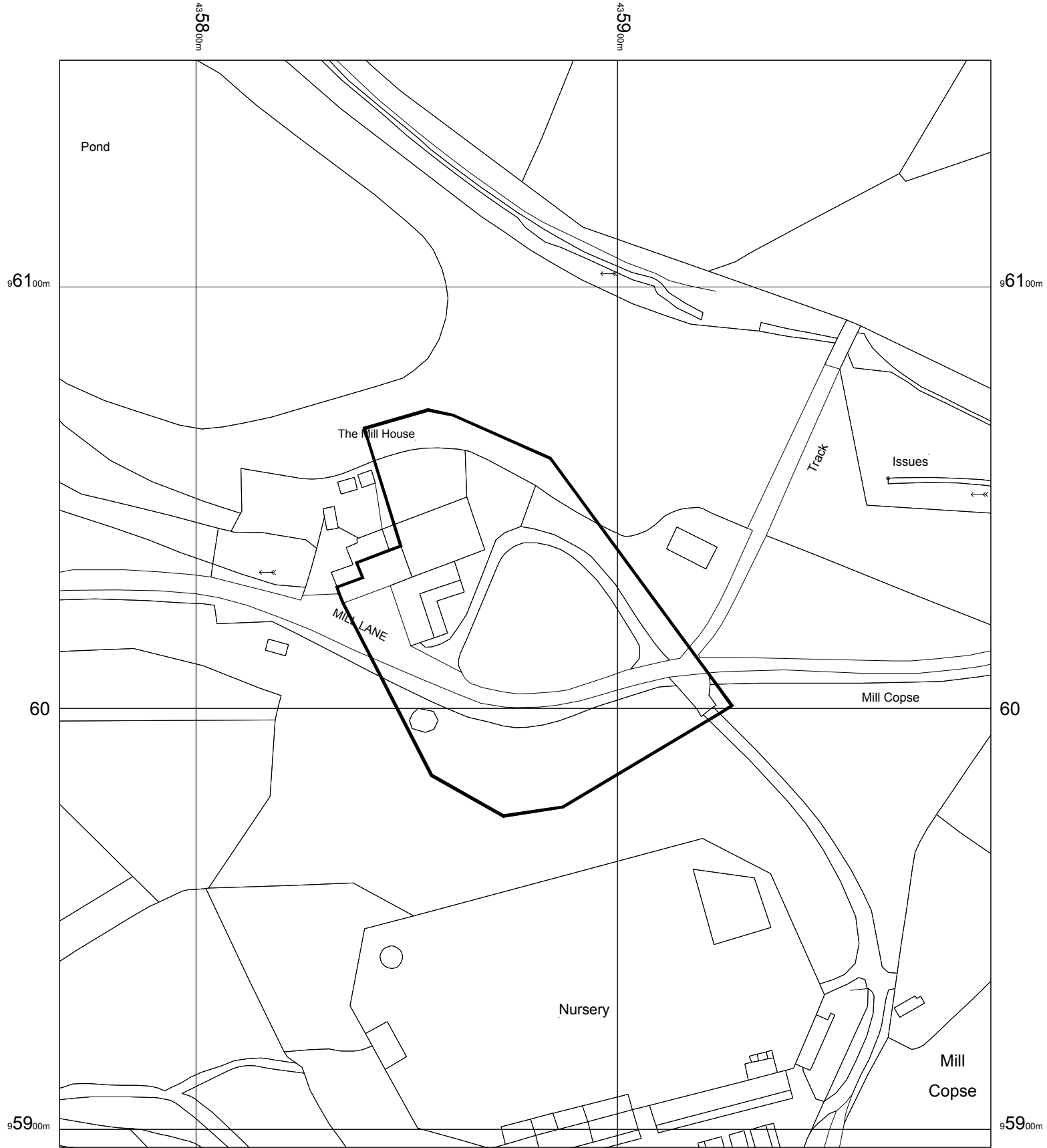
Reason: To protect against unjustified intrusion of light the amenities and rural character of this part of the National Park so as to accord with policies NF-E1 and DW-E43 of the New Forest District Local Plan First Alteration.

7. The development hereby permitted shall not be occupied until the agreed arrangements for parking within its curtilage have been implemented. These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with policy DW-T9 of the adopted New Forest District Local Plan First Alteration.

8. The development hereby permitted shall not be occupied until the arrangements for the provision of cycle parking facilities within its curtilage have been implemented in accordance with a scheme to be agreed by the National Park Authority. These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with policy DW-T9 of the adopted New Forest District Local Plan First Alteration.



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