

Application Number

P/2015/0053

Site AddressFernicombe Windmill
Adj To Windmill Cottage
Windmill Lane
Paignton
TQ3 1AA**Case Officer**

Mr Alexis Moran

Ward

Preston

Description

Conversion and change of use of the Fernicombe Windmill to a single residential unit, erection of new roof structure and single storey extension.

Executive Summary/Key Outcomes

The site relates to a windmill tower on Windmill Lane which is located between Dolphin Court Road and Longmead Road, Paignton. The structure is Grade II listed and is included in Historic England's Buildings at Risk Register.

The application seeks permission for the conversion and change of use of the windmill tower to a single residential unit with the erection of a new roof structure, based on the traditional form of cap found on West Country tower mills, and a single storey extension.

The key issue in relation to this application is the affect the proposal would have on the character and appearance of the listed building.

The proposed cap to the building provides an authentic, traditional design solution, whilst also providing sufficient accommodation to make the proposal viable. The single storey extension is subservient to the main tower and would not materially affect its character. The use of the windmill for residential purposes provides a more certain future of the heritage asset, that is currently at risk, and the proposal is deemed to comply with policy BE6 of the saved adopted Torbay Local Plan 1995-2001 and paragraphs 131 and 132 of the NPPF.

Recommendation

Conditional approval; suggested conditions are listed at the end of this report. Final drafting and determination of appropriate planning conditions to be delegated to the Director of Place.

Statutory Determination Period

31.03.2015

Site Details

The site relates to a derelict windmill tower on Windmill Lane which is located between Dolphin Court Road and Longmead Road, Paignton. The windmill was originally built in the late 1700s and has been redundant since approximately 1860. The structure is Grade II listed and has been included in Historic England's Building's at Risk Register.

The windmill tower has an elevated position, given its former use, and is surrounded primarily by single storey dwellings, gardens and public amenity space.

Detailed Proposals

The application seeks listed building consent for the erection of a new roof structure, based on the traditional form of cap found on West Country tower mills, and a single storey extension which includes solar panels. As the building is at risk this application constitutes a proposal to protect the long term future for the building with the primary intention of enhancing and preserving its heritage features.

Summary Of Consultation Responses

English Heritage - No objection, consideration to be given to solar slates rather than solar panels.

Senior Heritage and Design Officer - No objection.

Summary Of Representations

Two objectors to the proposal have been recorded, the objections related to the following issues:

- Should be restored to its original state
- Overlooking/loss of privacy.

Relevant Planning History

P/2015/0052 - Conversion and change of use of the Fernicombe Windmill to a single residential unit, erection of new roof structure and single storey extension - associated planning application awaiting determination, recommendation for approval.

P/2013/0530 - Windmill Cottage, Windmill Lane, Paignton - Demolition of Windmill Cottage and formation of Two x Three bedroom dwellings with garages (Revised Plans received); application withdrawn.

ZP/2011/0533 - Alterations/extensions use for accommodation - officer advice was that an application would be likely to be looked upon favourably 18.06.2014

P/1992/1235 - Conversion of former Windmill tower to form a single dwelling unit

(as revised by Plans Received 21st October 1992) - approved 28.10.1992
P/1992/1236LB - Conversion of former Windmill tower to form a single dwelling unit (as revised by plans received 21st October 1992) - approved 28.10.1992

Key Issues/Material Considerations

The key issues in relation to this application is the impact it would have on the character and appearance of the Listed Building.

Impact on the listed building and street scene appearance

When assessing the impact of the proposed development on a the listed building policy BE6 (Development affecting listed buildings) of the saved adopted Torbay Local Plan 1995-2011 states that there are two principal factors to be taken into account -

1. Development should have special regard for the desirability of preserving any listed building and its setting
2. Planning proposals for the for the alteration or extension of any listed building will not be permitted if the character of the building would be adversely affected

Section 66 of the Listed Buildings Act requires LPAs to pay "special regard" to the desirability of preserving Listed Buildings.

The NPPF accords with s.66 in that;

- Paragraph 131 states that "in determining planning 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; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness."
- Paragraph 132 advises that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be."

The windmill is on Torbay Council's at Risk Register and its long term future requires resolution. The proposal to convert it to residential accommodation provides a viable solution to ensure that the building is enhanced and preserved. The principle of the development is therefore considered to comply with the requirements of policy BE6 of the saved adopted Torbay Local Plan 1995-2011 and the relevant paragraphs of the NPPF as highlighted above.

The proposed roof cap provides an authentic solution to the windmill tower which is based on the traditional form of cap found on West Country tower mills and would be of a timber construction. The single storey extension would be subservient to the listed building and would not be significantly detrimental to its character. The extension helps ensure the proposed development is viable.

These additions are necessary in order to ensure that the heritage asset is preserved and the cap to the tower provides a design which would be in keeping with the original appearance of the working windmill whilst providing sufficient room for accommodation. The proposed extensions to the listed building are therefore deemed to comply with policy BE6 and paragraphs 131 & 132 of the NPPF.

Conclusions

The proposed development is considered to be appropriate for Listed Building consent approval, having regard to all national and local planning policies and all other relevant material considerations.

Condition(s)/Reason(s)

01. Prior to the insertion of the new doors, windows and roof lights, 1:1 sections and 1:10 elevations of the windows shall be submitted the Local Planning Authority for approval. The works shall then proceed in accordance with the approved details. Reason: To ensure an acceptable form of development in the interests of the character and appearance of the listed building in accordance with policy BE6 of the Torbay Local Plan 1995-2011.
02. Prior to the insertion of the proposed solar panels, details of their size, siting and fixing shall be submitted to the Local Planning Authority for approval. The works shall then proceed in accordance with the approved details. Reason: To ensure an acceptable form of development in the interests of the character and appearance of the listed building in accordance with policy BE6 of the Torbay Local Plan 1995-2011.

Relevant Policies

- BES - Built environment strategy
- BE1 - Design of new development
- BE6 - Development affecting listed buildings