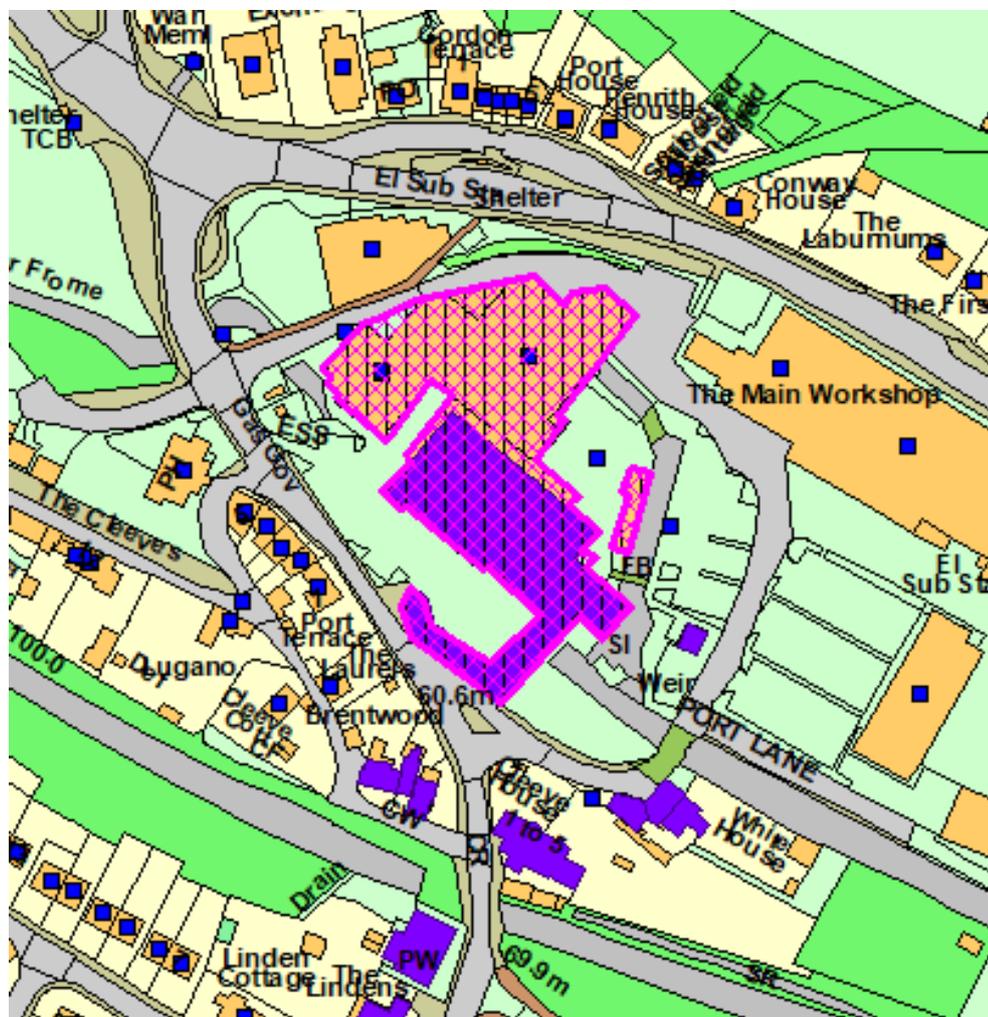




## Development Control Committee Schedule 23/02/2021

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| <b>Item No:</b>         | <b>03</b>  |
| <b>Application No.</b>  | S.19/1503/LBC  |
| <b>Site Address</b>     | Brimscombe Port Business Park, Port Lane, Brimscombe, Gloucestershire                                |
| <b>Town/Parish</b>      | Brimscombe And Thrupp Parish Council   |
| <b>Grid Reference</b>   | 386891,202331  |
| <b>Application Type</b> | Listed Building Application  |
| <b>Proposal</b>         | Demolition of industrial modern buildings attached to Port Mill and the demolition of the Port House |
| <b>Recommendation</b>   | Consent  |
| <b>Call in Request</b>  | Requested by Head of Development Management  |





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| <b>Applicant's Details</b>   | Ms A Fisk<br>Stroud District Council, Ebley Mill, Stroud, Gloucestershire GL5 4UB   |
| <b>Agent's Details</b>       | None  |
| <b>Case Officer</b>          | Kate Russell  |
| <b>Application Validated</b> | 12.07.2019  |
|                              | <b>CONSULTEES</b>   |
| <b>Comments Received</b>     | Historic England SW<br>Brimscombe And Thrupp Parish Council   |
| <b>Constraints</b>           | Aston Down Airfield Consultation Zones<br>Adjoining Canal<br>Affecting the Setting of a Cons Area<br>Consult area<br>Conservation Area<br>Flood Zone 2<br>Flood Zone 3<br>Kemble Airfield Hazard<br>Key Employment Land (LP)<br>Key Wildlife Sites - Polygons<br>Listed Building<br>Within 50m of Listed Building<br>Neighbourhood Plan<br>Brimscombe and Thrupp Parish Council<br>Rodborough 3km core catchment zone<br>Settlement Boundaries (LP) |
|                              | <b>OFFICER'S REPORT</b>   |

### DESCRIPTION OF BUILDING

Brimscombe Port site is situated within the Stroud Industrial Heritage Conservation Area. The application site includes the Grade II listed Port Mill, a fine example of a stone-built mill complex of early to mid-19th century date, with high quality detailing, and a late C18 century Salt Warehouse, also Grade II.

### PROPOSAL

The proposed demolition relates to the Port House, an ancillary warehouse to the mill, and the 20th century portal framed buildings attached to the north-west side of the mill.

### REPRESENTATIONS

#### Statutory Consultees

The Parish Council has supported the application.

#### Historic England:

We have no objection to the proposed demolition of the C20 elements of the building, as their removal will reinstate the full northern elevations of the mill, presently consumed by the lower portal-framed structure. This will have a moderate heritage benefit, but combined with the future planning of the space to north of the mill, there is opportunity to enhance the setting of the mill through careful place-making and landscaping.



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While we do not object to the applications, the proposed removal of Port House is very regrettable and we advise that this would result in harm to significance to both the warehouse and the setting of the Grade II mill. The harm caused by loss of the historic building would be less than substantial; para 196 of the NPPF requires you to weigh the public benefits of the proposals against the harm. We are aware that the longer term plans for the wider site includes some meaningful heritage benefits to include the reinstatement of the canal basin and the presently severed section of canal. You should satisfy yourselves that these benefits cannot be delivered in a way that would retain the warehouse.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

### Recommendation

Historic England does not object to the applications on heritage grounds. However, we consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 189, 193 and 194 of the NPPF. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

### Public

One comment received, relating to planning matters and the potential impact of the wider scheme on the historic bridge into the Port.

### **PLANNING CONSIDERATIONS**

For the purposes of Regulation 2 of the Planning (Listed Buildings and Conservation Areas) (England) (Amendment) Regulations 2003, the reasons for the Council's decision is summarised below. In considering the Application, the Council has given special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest that it possesses. Where relevant, reference is made to Government policy set out in the National Planning Policy Framework.



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### **PLANNING POLICY AND GUIDANCE**

#### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Section 16(2).

Section 66(1).

Section 72(1).

#### **National Planning Policy Framework**

Paragraphs 189-202

#### **Historic England Advice Note 2 - Making Changes to Heritage Assets and The Historic Environment Good Practice Advice in Planning: Note 3 The Setting of Heritage Assets**

#### **Stroud District Council Local Plan, Adopted 2015**

Policy ES10. Valuing our historic environment and assets.

### **DESIGN/APPEARANCE/IMPACT ON THE BUILDING**

It is not just the set-piece landmark buildings that are important in the IHCA: the special historic interest of the earlier main mill ranges is greatly strengthened by the group value of their supporting cast of ancillary buildings. Most were built to serve the purposes of the original woollen mill; some were built to facilitate the later industries on the site in their various incarnations. These buildings, better than any written document ever could, help tell the story of the continuous advances in manufacturing processes and industry. Importantly, the ancillary buildings also bring with them a mixed palette of building materials, some reflecting the original mill range, others modern.

Although large, sheet and block construction buildings are part of the character of the Industrial Heritage Conservation Area, the loss of the attached buildings on the north-west side of the mill is non-contentious. In exposing the original elevation of the mill, the significance of the building would be better revealed.

There is likely to have been some physical impact on the fabric of the mill at the time of the affixation of the modern structures, therefore a making good condition is recommended to ensure that any damage is rectified.

Historic England has raised concerns over the loss of the Port House. This is a curtilage listed building, dating from the 19th century with later alterations; it has nice architectural detailing in the form of arch-headed windows, and through its siting and design, definitely plays a supporting role in the setting of the main mill building and the Salt Warehouse. It also has evidential value, being part of the historic expansion of the site.

The loss of the Port House would result in substantial harm to the curtilage listed building. In such instances, Paragraph 195 of the NPPF requires that it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The loss of the building would also cause some harm to special interest of the adjacent listed buildings through development in their setting, and to the character and appearance of the conservation area. This harm would be less than substantial. In such cases, Paragraph 196 of the NPPF requires that this harm should be weighed against the public benefits of the proposal.

With regard to the weighing the balance, Historic England's response noted,



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*"We are aware that the longer term plans for the wider site includes some meaningful heritage benefits to include the reinstatement of the canal basin and the presently severed section of canal. You should satisfy yourselves that these benefits cannot be delivered in a way that would retain the warehouse."*

The loss of the building is required in order to facilitate the installation of a sewer to serve the wider development. There are therefore demonstrably sound infrastructure reasons that would preclude the retention of the Port House; Officers are satisfied that the benefits of the wider scheme, which includes the reinstatement of the canal from Bourne Mill to Goughs Orchard lock and the construction of a new basin at Brimscombe Port, could not be achieved without its loss.

### REVIEW OF CONSULTATION RESPONSES

Noted and addressed above.

### RECOMMENDATION

The proposals are in accordance with the objectives and policies for the historic environment stated in the Government's National Planning Policy Framework (NPPF) and the Historic Environment Good Practice Advice in Planning, Note 2 - Managing Significance in Decision-Taking in the Historic Environment, and Planning Note 3- The Setting of Heritage Assets.

### HUMAN RIGHTS

In compiling this recommendation, we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

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|  | <p>1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.</p> <p>Reason:<br/>To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:</p> <p>Site Location plan of 02 Aug 2019<br/>Plan title = Brimscombe Port Site Location Plan dated 20/08/2019</p> <p>Demolition Plan of 12 Jul 2019<br/>Plan title = B_PORT_LBC_PLAN_1250 dated 11/07/2019</p> |
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General arrangement plan of 21 Jan 2021  
Plan number = 5159615-ATK-ZZ-LR-DR-C-0100 P06

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. Following the demolition of the buildings to the north-west side of the mill, full details (including an implementation timetable) of 'making good' exposed areas revealed by demolitions are to be submitted and approved by the Local Planning Authority. The work shall then be carried out in accordance with the approved details.

Reason:

To ensure the preservation of the character and special interest of the listed building these matters require further consideration.