

No.6	APPLICATION NO.	2018/0730/LBC
	LOCATION	The Windmill 24 Wigan Road Ormskirk Lancashire L39 2AU
	PROPOSAL	Listed Building Consent - Change of use, extension and refurbishment of the Windmill Inn into student accommodation. Erection of a new build two storey apartment block on part of the existing bowling green.
	APPLICANT	McComb Property Company
	WARD	Derby
	PARISH	Unparished - Ormskirk
	TARGET DATE	2nd October 2018

1.0 SUMMARY

1.1 This is an application for Listed Building Consent for extension and refurbishment of the Windmill Inn and the erection of a new build, two-story apartment block on part of the existing bowling green. In determining this application the Council is required to give the duty imposed by the Planning (Listed Building and Conservation Areas) Act 1990 considerable weight in its planning judgement; in this regard it is considered that the proposed development is considered to cause some slight harm to both the significance of the listed building and its setting. Paragraph 196 of the National Planning Policy Framework states that any harm to a heritage asset should be weighed against the public benefits of the proposal. In this instance there is a considerable public benefit in securing a new use of the listed building. Therefore it is considered that the benefits of the proposal outweigh the likely harm to the significance of the building and on that basis the proposal meets the statutory duty and is compliant with the requirements of the NPPF and Policy EN4 of the West Lancashire Local Plan.

2.0 RECOMMENDATION: That Listed Building Consent is GRANTED.

3.0 THE SITE

- 3.1 The site constitutes the Windmill Public House which is a Grade II listed building and is set along the frontage of Wigan Road with a bowling green to the rear of the pub.
- 3.2 The site is located within the settlement area of Ormskirk; it is located outside of the Town Centre and the Primary Shopping Area.

4.0 THE PROPOSAL

- 4.1 Listed Building Consent (LBC) is sought for conversion works to the Windmill Public House to facilitate use for student accommodation together with a single storey extension to the north side/rear of the existing building. The proposed development would see the introduction of 14 rooms spread over three floors together with shared amenity services. In addition, Listed Building Consent is sought for the erection of a two-storey apartment building located fronting and accessed from Mill Street. This building would contain 6 x 2 bed apartments and 1 x 1 bed apartment, spread over 3 floors including dormer accommodation in the roof space. Access throughout the building would be via a stairwell and lift shaft located on the north side of the building.
- 4.2 Vehicular access serving the new building would be located adjacent to No. 2 Mill Street and would lead to a parking area to the rear (adjacent to Windmill Avenue). A total of 13 spaces would be provided, along with a bike store. Landscaping areas and a communal garden area would also be located to the rear. With respect to the proposed conversion,

vehicular access would remain along Wigan Road, leading to 5 parking spaces for drop off/pick up purposes. The existing beer garden to the north of the building would become a private garden area for the student occupants. Landscaping areas are also proposed to the north and south of the building. An enclosed bin storage area would be located attached to the south of the building. With the exception of some new openings, little would be altered in respect of the fabric of the existing building, albeit a modest extension is proposed.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2018/0729/FUL – PENDING Change of use, extension and refurbishment of the Windmill Inn into student accommodation. Erection of a new build two storey apartment block on part of the existing bowling green.
- 5.2 2015/0756/FUL – REFUSED (17.11.2015) Change of use and refurbishment of the Windmill Inn into student accommodation. Erection of a new build two storey student accommodation block on part of the existing bowling green.
- 5.3 2001/0430 – Listed Building Consent GRANTED (03.07.2001) Partial demolition of boundary wall.

6.0 OBSERVATIONS OF CONSULTEES

- 6.1 None.

7.0 OTHER REPRESENTATIONS

- 7.1 West Lancashire Conservation Areas Advisory Panel (13.09.2018) –No objections to the conversion and re-use of the existing building as student accommodation but object to the design of the new build development block (in particular the northern gable) and consider that the new building would harm the historic setting to the listed building. The scheme should deliver better landscaping proposals than those offered.
- 7.3 A total of 27 representations have been received in respect of both this and the full application for this site. The issues raised which are relevant to the LBC application are as follows:

Poor design (new build), containing incongruous features such as stairwell and lift structures and 'bay windows'.

Contrary to NPPF design principles

The condition of the Windmill PH should not be given any weight

The cobbles at the front of the PH should not be replaced

Loss of bowling green

Contrary to Policy GN3 of the Local Plan

Removal of bowling green affects Listed building

Disagree this would address negative perceptions of the town

New build is out of character with Mill Street

8.0 SUPPORTING INFORMATION

- 8.1 Structural Report
- Bat Survey
- Design and Access Statement
- Planning Statement
- Heritage Statement

9.0 RELEVANT PLANNING POLICY

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan (2012-2027) DPD (WLLP) provide the policy framework against which the development will be assessed.
- 9.2 The site is located with the Key Service Centre of Ormskirk as designated in the WLLP. The Windmill Public House is a Grade II listed building. Therefore, the following policies are relevant: -

NPPF

Achieving well-designed places
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

West Lancashire Local Plan Policies

GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets

Supplementary Planning Document – Design Guide (January 2008)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Impact on Listed Building

- 10.1 The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. Local Planning Authorities (LPA) should in coming to decisions refer to the principle act in its decisions and/or assessments, which requires for:
Listed Buildings – Section 66(1) – In considering whether to grant permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architecture or historic interest which it possesses.
- 10.2 National planning policy guidance about heritage protection is provided by Chapter 16 of the NPPF. This states that in determining planning applications LPA’s 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.
- 10.3 Local Plan Policy EN4 reiterates the presumption in favour of the conservation of designated heritage assets. It goes on to advise that development will not be permitted which will adversely affect a listed building and development affecting the historic environment should seek to preserve or enhance the heritage asset and any feature of special interest.

- 10.4 The applicant has submitted a Heritage Assessment in support of the proposed development and I agree with the assessment regarding the attributed significance of the building and the wider site. In my view the principle heritage value of the current building is embodied in the main front elevation. The building was designed to front onto Wigan Road with its principle elevation having a decorative fenestration. The appearance of the building is characterised by a number of retained tall chimneys. The rear two-storey service wing is rather plain architecturally and has altered windows and doors. Whilst the rear wing forms an integral part of the building, it is of lower significance; the modern alterations and additions to the western side are of no heritage value. The interior of the building has been massively altered through the history of the building and the use as Public House, it is largely modern and has very little value. Having said that the proposed internal works would interfere with some original characteristics such as the removal of the ground floor west wall and loss of chimney breasts in both the front building and rear wing. The submitted Structural Condition report advises that further investigations would be required as reconstruction/strengthening works may be necessary and these in turn may have some impact on the historic fabric of the building. Given the changes the building has experienced throughout the years, combined with its current condition, I am satisfied that the proposed works, internally, are acceptable although I would recommend that a condition be imposed requiring the results of the aforementioned investigations prior to any works taking place.
- 10.5 The proposed extension to the building largely replaces the existing modern toilets. The flat roofed addition fills in the gap behind the front-range and rear wing and would be largely screened from view. Given its limited scale and low-key design I do not feel the extension would harm the character of the existing building. With respect to the external fabric of the building, further details regarding the window detailing and materials would be required and could be secured by way of a condition.
- 10.6 With respect to the proposed new build, Historic England's guidance on the setting of heritage assets is contained in their Historic Environment Good Practice Advice and this explains that the setting to an asset is the surroundings in which the asset is experienced. The Windmill PH was undoubtedly designed to front onto and be viewed along Wigan Road. Its principle elevations would have originally been on a north south axis. In this case the later additions to the building have affected how the building relates to the southern aspect, which became more latterly a Bowling Green. The bowling green is not an original part of the setting and whilst historic maps show it in place in the early 20th Century the sense of an open aspect to the rear is more important to the setting than the function of an operating bowling green.
- 10.7 The location of the proposed apartments preserves an area of open space behind the PH. When viewing the sites along Wigan Road, whilst the new block would be clearly seen in the street-scene, because the building sits behind and is off-set I am satisfied that the listed building would still be seen as being the predominant and principle building. Therefore, whilst there is a reduction in the open space afforded to the PH, I do not feel that this unduly harms the significance of the existing setting especially as the connection to an open southern aspect remains
- 10.8 The design of the new block references the terraced cottages on Mill Street. Whilst larger in floor plan and height than the existing terraces I do not feel that the design would intrude unduly on the immediate setting to the Windmill and would not dominate or overpower the historic building.
- 10.9 With regards to landscaping and boundary treatments, the continued use of the garden area to the western side of the listed building is acceptable and causes little change to the current arrangements. Boundary treatments would need careful consideration and it is

noted that none are provided within the submission. This could however be addressed by condition.

10.10 In conclusion, the Council is required to give the duty imposed by P(LBCA) Act 1990 considerable weight in its planning judgement. Some slight harm to both the significance of the listed building and its setting has been identified. Paragraph 196 of the NPPF states that any harm to the heritage asset should be weighed against the public benefits in securing a new and viable use for the listed building and this needs to be given considerable weight in the planning judgement. In undertaking that balance, were the scheme to be otherwise acceptable, I feel that the benefits of the proposal would outweigh the likely harm to the significance of the building and on that basis the proposal meets the statutory duty and is compliant with the requirements of the NPPF and Policy EN4 of the Local Plan.

11.0 CONCLUSION

11.1 The proposed development is considered to be compliant with the requirements of the NPPF and Policy EN4 of the Local Plan and it is therefore recommended that Listed Building Consent be GRANTED subject to the following conditions.

Condition(s)

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-

Plan no. G404, Rev A, G05 Rev A, L03 Rev B, G06 Rev A received by the Local Planning Authority on 1st October 2018

Plan no. G03 Rev A and G09 received by the Local Planning Authority on 17th July 2018

Plan no. G01, G08, and L01 received by the Local Planning Authority on 10th July 2018

3. No development works to the building shall take place until full details of windows (including any treatment for existing windows to be retained), doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development works to the building shall take place until the investigations into reconstruction/strengthening works (recommended in the submitted Structural Condition Report) have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be adhered to in full.
5. No development shall take place until full details and samples of the external brickwork and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason(s)

1. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

3. In order to preserve the special architectural or historic interest of the building and so comply with the provisions of Policy EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. In order to preserve the special architectural or historic interest of the building and so comply with the provisions of Policy EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. In order to preserve the special architectural or historic interest of the building and so comply with the provisions of Policy EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.