

Planning (Listed Buildings and  
Conservation Areas) Act 1990

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**SHIRBURN MILL,  
LAWFORD:  
HERITAGE IMPACT  
ASSESSMENT**

**January 2018**

On behalf of  
David and Amelia Edmond

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**Michael Collins**  
Listed Building Planning Consultant

PO Box 262  
Stowmarket  
Suffolk IP14 9BZ

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On behalf of the owner-occupiers, David and Amelia Edmond, the report has been prepared in support of an application for planning permission and listed building consent. Shirburn Mill was constructed at the beginning of the nineteenth century (c.1800) and ceased to operate in the early 1930s. Thereafter the building has been used for purposes ancillary to the adjacent mill house which was itself constructed in about 1840. The former watermill was subsequently listed in 1966 and the mill house in 1987. Permission and consent was refused in both September 1988 and in February 1990 for the conversion of the former watermill into a separate dwelling-house. An appeal against the latter was dismissed in February 1991. Shirburn Mill was entered on the 'Essex Heritage at Risk Register' in 2010 and was recorded as being in a 'poor condition' and 'in need of repair'. It is highly desirable in conservation terms for the former watermill and the mill house to be retained as a single unit and, in particular, for the mill to continue in ancillary use with the house. There is now a timely desire to secure the future of the former watermill with the repair and conversion of the building to its 'optimum viable use'. Approval is sought for an appropriate 'enabling development' which would address the 'conservation deficit' and thereby secure the future of the heritage asset. The proposed enabling development would take the form of a single detached residence that would be constructed on land within the current extent of ownership and would be undertaken in a manner that would not materially harm the heritage values of the place or its setting. The proposed development would avoid the detrimental fragmentation of the historic entity and would secure the repair and conversion of the former watermill into 'beneficial use' for the long-term.

	page
1.0 LAW, POLICY AND GUIDANCE	2
2.0 ASSESSING HERITAGE SIGNIFICANCE	4
3.0 MANAGING CHANGE TO SIGNIFICANT PLACES	38

## 1.0 LAW, POLICY AND GUIDANCE

- 1.1 Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the Secretary of State to compile a list of buildings of special architectural or historic interest as a guide to the planning authorities when carrying out their planning functions.
- 1.2 Buildings of special architectural interest must be of importance in terms of architectural design, decoration or craftsmanship. Special interest may also apply to nationally important examples of particular building types and techniques and significant plan forms.
- 1.3 Buildings of special historic interest must illustrate important aspects of the nation's social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.
- 1.4 In accordance with sections 16(2) and 66(1) of the 1990 Act, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development that 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 architectural or historic interest which it possesses.*
- 1.5 In 2012 the Government set out its planning policies for the historic environment in the National Planning Policy Framework. One of the core principles of the Framework is that planning should conserve heritage assets in a manner appropriate to their significance.
- 1.6 The Framework defines conservation as the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
- 1.7 Significance is itself defined by the Framework as the value of a heritage asset to this and future generations because of its heritage interest, which is derived not only from a heritage asset's physical presence but also from its setting.

- 1.8 Designated heritage assets are those assets which have been recognised for their particular heritage value and which have been given formal status under law and policy intended to sustain those values. In accordance with specific heritage policy within the Framework, 'great weight' should be given to the conservation of a designated heritage asset when considering the impact of works on its significance. The more important the asset, the greater the weight should be.

*Significance can be harmed through alteration of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm should require clear and convincing justification.*

- 1.9 Heritage assets may be affected by direct physical change or by change in their setting. Assessing the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of any proposal.

- 1.10 To accord with the Framework, applicants are required to describe the significance of any heritage asset affected, including any contribution made by its setting. The level of detail provided should be proportionate to the importance of the asset and no more than is sufficient to understand the potential impact of the proposal on its significance. When determining applications, local planning authorities should then take account of:

*... the desirability of sustaining and enhancing the significance of heritage assets and of putting them to viable uses consistent with their conservation.*

## 2.0 ASSESSING HERITAGE SIGNIFICANCE

2.1 The late eighteenth and early nineteenth century witnessed a period of investment by landowners in the rebuilding of watermills. The typical corn mill that was constructed during this period was built over three or four floors and operated on gravity-fed principles. Characterised by an outward appearance of whitewashed boarded elevations and a clay plain-tiled roof, the lower storey of the otherwise timber-framed structure was normally built in brick in order to carry the weight of the building and to cope with the stresses imposed by the waterwheel.



*Fig.1 Recognised period of investment in rebuilding of watermills*

2.2 Each floor had a distinct function. The upper storey (including the loft) was the 'bin floor' and this space invariably contained a series of grain bins and hoppers. The grain from the bins was gravity fed through chutes to the millstones that were located on the 'stone floor' below. The meal from the stones was then collected within the wooden tuns before being passed by gravity through chutes to be sacked on the ground floor. The miller controlled the grade of the meal by adjusting

both the speed of the stones and the distance between the runner and bed-stones using tentering gears. The meal was then raised through the body of the building using the internal sack hoist to be stored within the bins on the upper storey.

- 2.3 The existence of a mill on the Lawford site was recorded on an early seventeenth century survey of the adjoining parish of Dedham in which a watermill named 'Sherburne mylle' was shown on the parish boundary that was 'Sherburne broke' (ERO, T/M 343/1). The Reverend Charles Alfred Jones made reference to the 'Scireburne' (or dividing brook) in his 'History of Dedham':

*The little brook which runs between Dedham and Lawford was an important boundary as it divided the hundreds of Lexden and Tendring. It was called the Scireburne, a name preserved in Sherbourne Mill ('History of Dedham', 1907).*



*Fig.2 Survey of parish of Dedham, c.1625 (ERO, T/M 343/1)*

- 2.4 John Warburton's early eighteenth century map of Essex recorded the existence of two watermills on the Lawford site (ERO, MAP/CM/24/1) and, in 1778, John Cooke (d.1779) was recorded as paying quit-rent for

the 'mills' which were held of the manor of Lawford Hall (ERO, C1032). An announcement in late 1803 for the sale of 'Sherborn or Cookes water corn-mills' referred to them as the 'upper' and 'lower' mills. The premises also included an 'accomptant's office':

*Sherborn or Cookes water corn-mills, namely the upper and lower mills, in which are four pair of French stones. The wheel of the upper mill is 18ft by 6ft, with two pair of 4ft French stones. Supplied with water from a reservoir that is fed by springs. The frame of this mill is 60ft long and 6ft wide, substantially built and in good repair. The water, when used in the upper mill, drives two pair of stones in the lower mill, the one pair 4ft and the other 3ft 9in with a water wheel 12ft by 2ft 6in. Substantial dwelling-house and accomptant's office, with stabling for six horses, hay-barn, cow-house, and cart-lodges. Seven acres of pasture land (Ipswich Journal, November 1803).*



Fig.3 John Warburton's map of Essex, 1726 (ERO, MAP/CM/24/1)

- 2.5 The sale of the two watermills and the mill house was announced again in early 1807 by which date one of the mills had evidently been rebuilt:

*Two water corn-mills, one of which has been lately rebuilt, with four pair of French stones, and also a dwelling-house with outbuildings, and upwards of seven acres of pasture land (Ipswich Journal, March 1807).*

- 2.6 A further announcement for the sale of the watermills suggests that both mills had been rebuilt by mid-1807:

*Newly erected water corn-mills, called Sherborn or Cookes, with dwelling-house, cart-lodges, stabling for six horses, and eight acres of meadow land. Comprising two complete mills upon the same stream, a convenient distance from each other, in which are four pair of French stones, water wheel 18ft by 6ft, ditto 18ft by 5ft, pit wheels 14ft, with a reservoir supplied by springs. The premises are in excellent repair (Ipswich Journal, May 1807).*



*Fig.4 Shirburn 'Lower' Mill, c.1910*

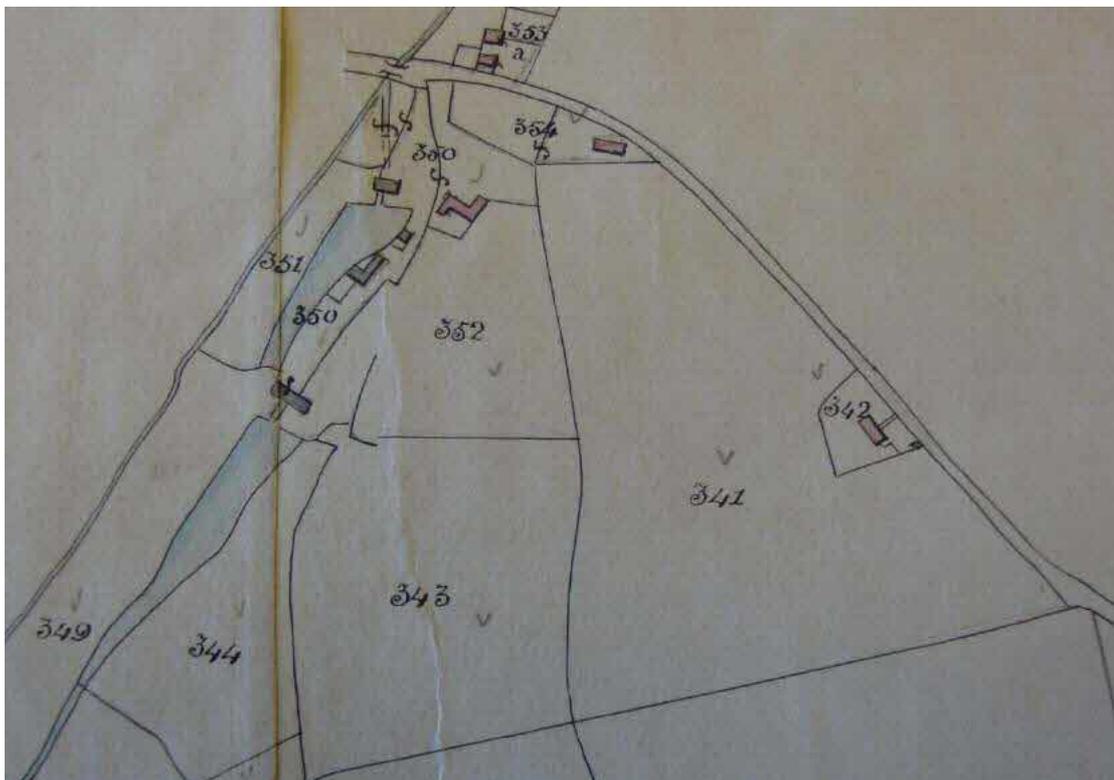
- 2.7 The sale particulars for the auction in June 1807 provided additional details for the level of accommodation within the mill house which included a 'compting-room' and four rooms at attic level:

*Dwelling house containing two parlours, kitchen, compting-room, dairy, cellar, five bedrooms, and four attics, in substantial repair (ERO, D/DRc B18).*

- 2.8 The sale of the two watermills and the mill house, together with its 'counting house', was announced again in 1828:

*Two substantial brick and timber-built water corn-mills situated within one hundred yards of each other. Two pair of French stones each, with powerful water-wheels. Dwelling-house, counting house, and six acres of pasture land adjoining. Stables, cart-sheds, and cow-houses (Ipswich Journal, August 1828).*

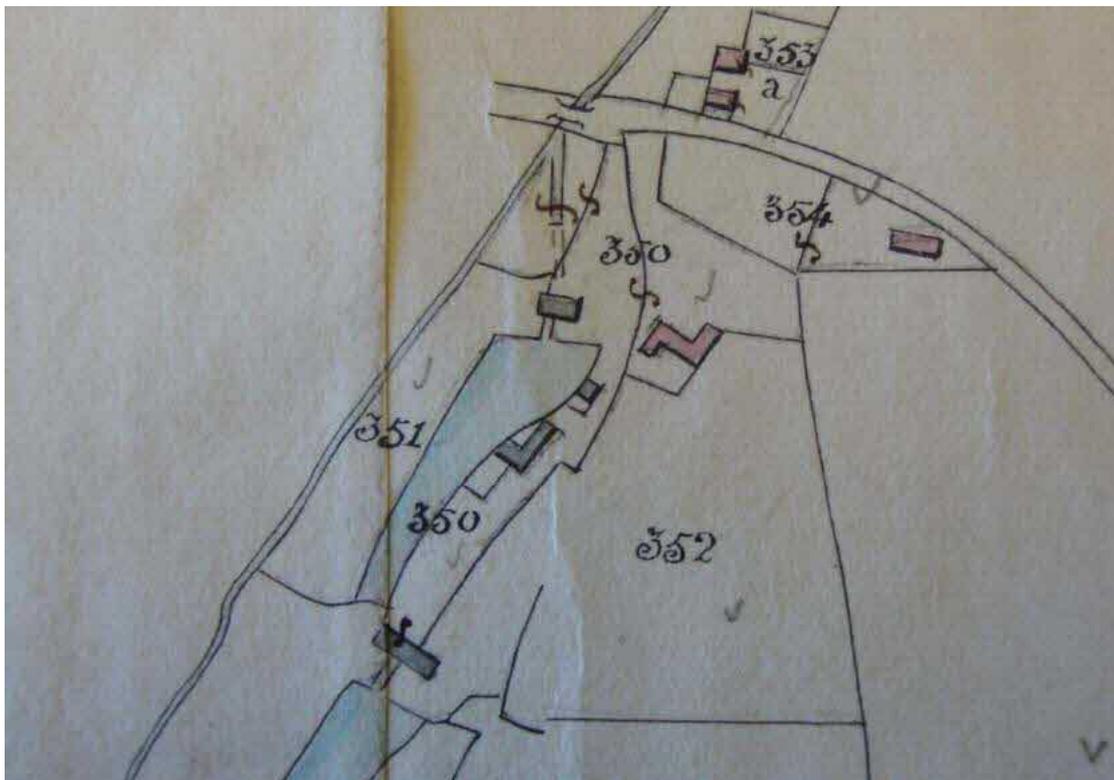
- 2.9 The 1839 tithe apportionment for the parish of Lawford recorded that the mill site was owned at that date by Richard Cremer and was occupied by William Henry Morgan (ERO, D/CT 212A). The accompanying tithe map confirmed the extent of the associated lands which included enclosures 348-352 on the southern side of Mill Hill (ERO, D/CT 212B).



*Fig.5 Map of the parish of Lawford, 1839 (ERO, D/CT 212B)*

- 2.10 The parish tithe map of 1839 depicted the footprint of the mill house at that date which was shown in pink (350). The site appears to have been served by the extant entrance off Mill Hill, whilst an internal access track appears to have run south between the mill house and

the 'lower mill', passing outbuildings which lined the east side of the lower mill pond, before arriving at the 'upper mill' with the upper mill pond further to the south. The 'upper' and 'lower' mills, together with the outbuildings ('stables, cart-sheds, and cow-houses'), were shown in grey (350). A line of meadows existed between the mill ponds and the brook (348, 349 and 351), whilst an area of pasture existed immediately south of the mill house (352). The southern boundary of the pasture (352) has since been extinguished and the land is today combined with the former arable field to the south (343).

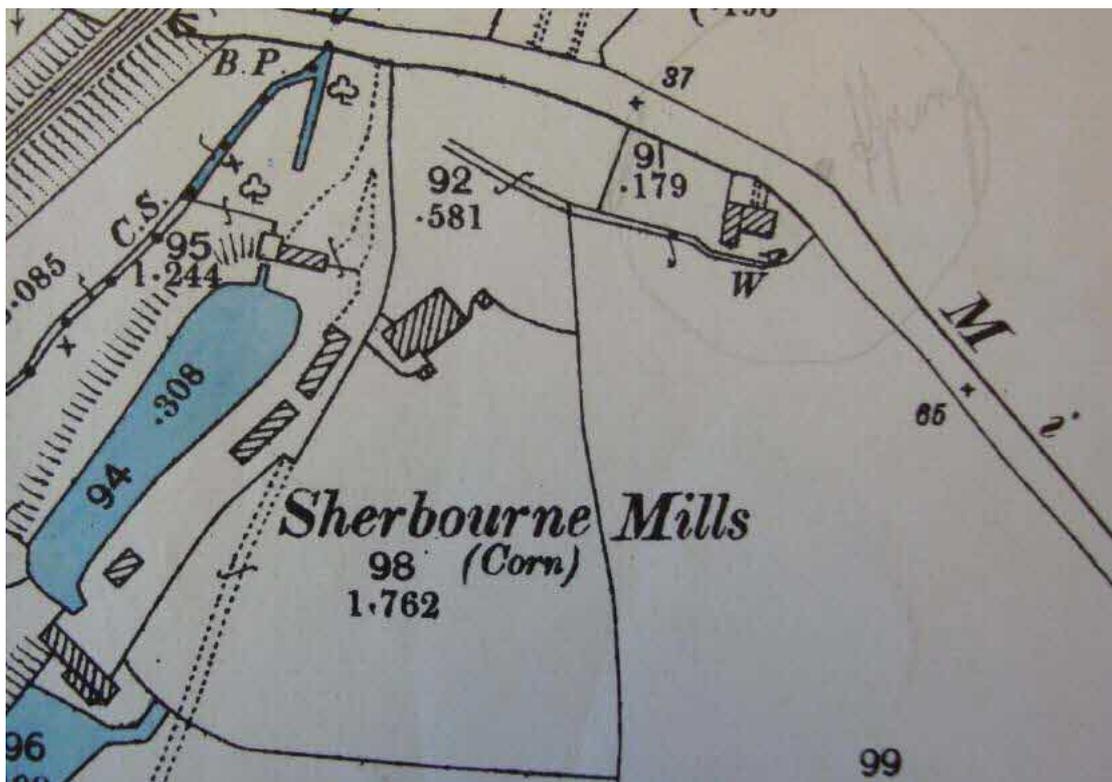


*Fig.6 Detail of tithe map of 1839 (ERO, D/CT 212B)*

- 2.11 Advertisements appeared in late 1842 and early 1843 for the two watermills which were to be let with immediate possession, and by which date the associated mill house had evidently been replaced and additional land acquired:

*Two overshot water corn-mills, now in the occupation of Mr W. H. Morgan. A newly-erected residence, suitable outbuildings, and fourteen acres of meadow land (Essex Standard, December 1842 and Suffolk Chronicle, January 1843).*

2.12 The railway reached Colchester by 1843. The section of line between Colchester and Ipswich was built by the Eastern Union Railway and was officially opened in June 1846. Construction of the line between Colchester and Ipswich commenced in October 1844 and the earthworks between Ipswich and Ardleigh were completed by May 1845. The extension of the line to Ipswich dramatically altered the landscape immediately to the west of the mill site with the construction of the railway embankment.



*Fig.7 2<sup>nd</sup> edition OS map, 1897 (revised 1896; sheet XIX.12)*

2.13 The 1896 OS survey, like that of the 1870s, depicted the railway embankment which ran to the west of and parallel with the brook and the upper and lower mill ponds. The 1<sup>st</sup> and 2<sup>nd</sup> edition OS maps recorded the site in the late nineteenth century which essentially included the new mill house, the 'lower' and 'upper' mills and their respective mill ponds, the entrance off Mill Hill and the routes of the internal access tracks, the outbuildings, and the area of pasture to the south of the mill house.

- 2.14 An entry in the court book for the manor of Lawford Hall suggests that William Henry Morgan (c.1808-82) acquired the two watermills in 1873 (ERO, C1032). The property passed into the hands of Harry Norman Dunnett (c.1853-1916) who was responsible for the enlargement of the 'lower mill' at the beginning of the twentieth century. Sherbourne Mill became part of the 750-acre 'Stour House Estate' which was eventually broken up in the early 1920s following the death of Dunnett.

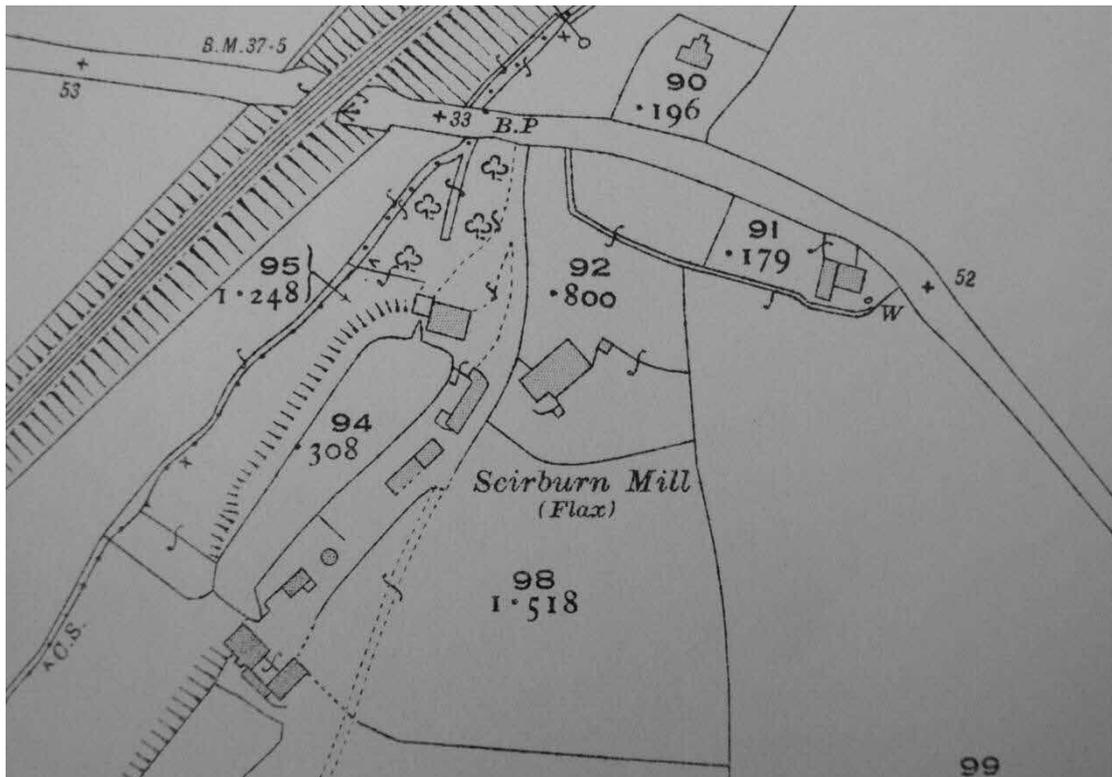


Fig.8 3<sup>rd</sup> edition OS map, 1923 (revised 1921; sheet XXIX.2)

- 2.15 Shirburn Mill was entered on the statutory list of buildings of special architectural or historic interest on 17<sup>th</sup> November 1966. The 'former watermill' was considered to be 'of special interest, warranting every effort to preserve it', and was described in the list entry as follows:

*17.11.1966. GV II. Former water mill, now empty. C18/C19. Timber-framed and weather-boarded, red brick ground floor. Red plain-tile roof. Three storeys and loft with lucam to north face, outshot lean-to to south. North face: Central lucam on curved brackets, window to north. Three window range of small paned vertically sliding sashes, moulded surrounds, those to ground floor with segmental heads, central door to first floor, central panelled door to ground floor within segmental head, small vertically boarded door to right. The south*

*lean-to faces the mill pond and the exterior overshot wheel, removed 1930s, was to the west face. Of five bays with hanging knees to tie beams. Two pairs of stones remain in the mill, one by H & C Collins (Melton) and the other by Tinsley (Ipswich), and two stone nuts. The dam wall curves to enclose the mill pond to the south and is of concrete faced brick. The mill stream passed under a bridge to the west of the Mill (not now visible) to drive the waterwheel. Once a partner to a long demolished upper mill formerly situated across the mill pond.*



*Fig.9 Principal (north) elevation of Shirburn 'Lower' Mill, 1966*

- 2.16 Shirburn Mill House was later entered on the statutory list of buildings of special architectural or historic interest on 30<sup>th</sup> November 1987. The building was similarly considered to be 'of special interest, warranting every effort to preserve it', and was described in the list entry as follows:

*30.11.1987. GV II. House. Early C19. Red brick. Hipped grey slate roof. Rear chimney stack. Two storeys. Lower range to right curved to right with hipped roof. Central bay breaks forward. Three window range of small paned vertically sliding sashes, moulded surrounds tumble-in arches to ground floor. Central panelled door with two upper lights, reveal panels, frieze flat canopy, fluted pilasters and fluted columns.*

2.17 John Booker surveyed the mill in 1971:

*Originally there were two mills, both run as part of the same venture and working the same stream. The upper of the two is reported to have been demolished in 1921. The lower mill was built c.1800 and is of three storeys with a hoist loft. The overshot exterior wheel was removed in 1937.*



*Fig.10 Shirburn Mill House to east of the 'lower' mill, 1966*

2.18 John Booker's subsequent publication, entitled 'Industrial Archaeology' (1980), included an entry for Shirburn Mill:

*Former water mill. C18/C19. Timber-framed and weather-boarded, red brick ground floor. Plain-tiled roof. Three storeys and loft, with lucam to north and outshot to south. North: Central lucam on curved brackets, window. Three window range of small paned vertically sliding sashes, moulded surrounds, those to ground floor with segmental heads, small vertically boarded door to right. South: Lean-to faces the mill pond and the exterior overshot wheel (removed in 1930s) was to the west face. Five bays with hanging knees to tie-beams. Two pairs of stones remain in the mill, one by H & C Collins (Melton) and the other by Tinsley (Ipswich), and 2 stone nuts. Once a partner to a long demolished upper mill.*

2.19 David Alderton and John Booker's publication of the same year, entitled the 'Industrial Archaeology of East Anglia' (1980), also included the following entry for Shirburn Mill:

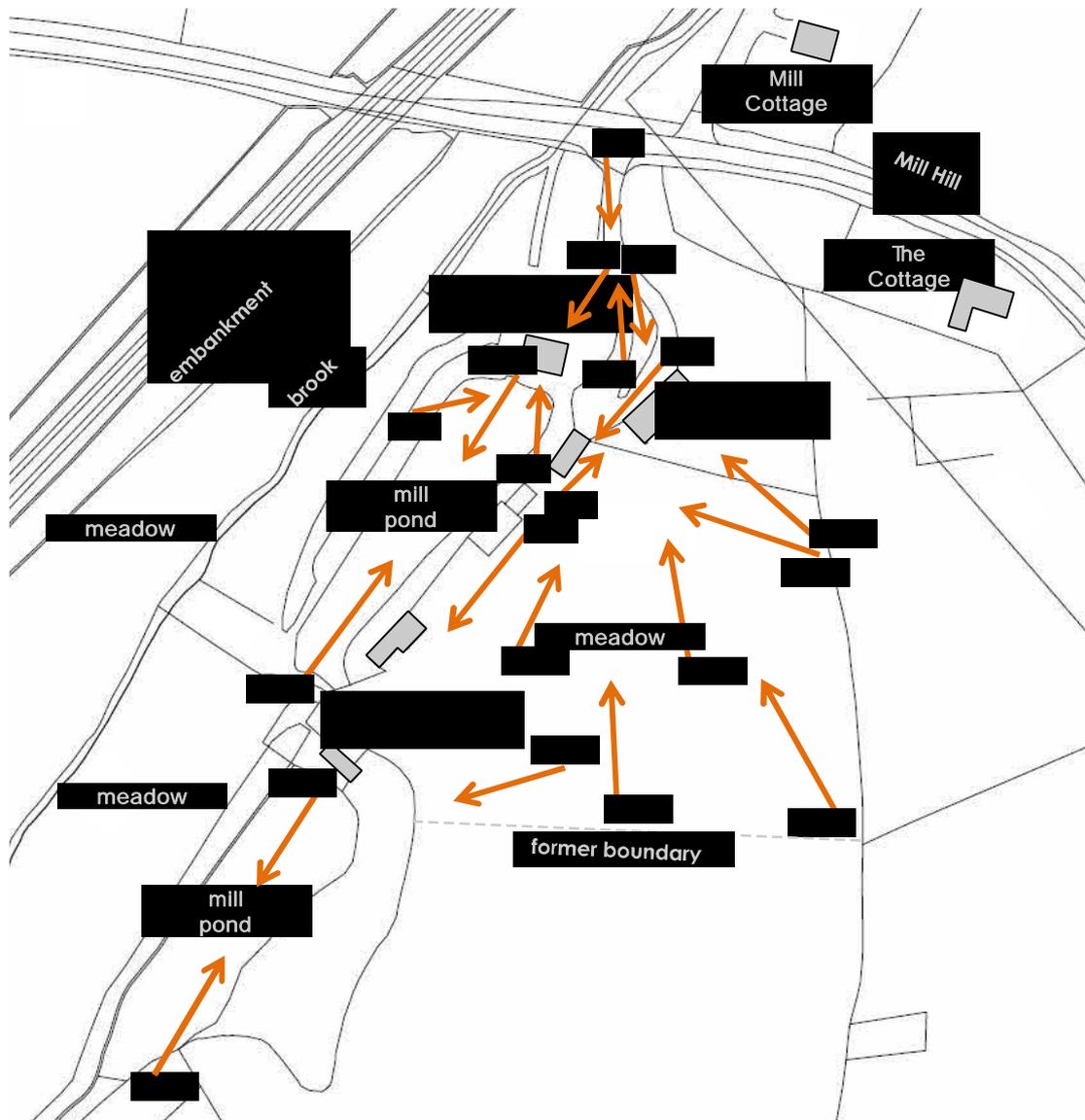
*Built c. 1800. A three-storey weather-boarded and tiled watermill with hoist loft, once partner to an upper mill (long demolished) across the mill-pond. Overshot exterior wheel removed 1930s. No machinery within except two pairs of stones, one by H & C Collins (Melton) and the other by Tinsley (Ipswich), and two stone nuts. In private ownership.*



*Fig.11 Side (east) elevation of Shirburn 'Lower' Mill, 1966*

2.20 Adam Garwood provided an inventory of Essex wa termills in the 2008 publication 'Water and steam mills in Essex: an archaeological, architectural and historical appraisal'. The following is the 'significance of the site' as taken from the entry for Shirburn Mill:

*Small two stone country mill which unusually for Essex was built with an external overshot wheel. The site has additional interest in that it once worked two mills in tandem and still retains the mill pond and structures of the demolished partner.*



*Fig. 12 Visual impression of Shirburn Mill within its surroundings*

- 2.21 Shirburn Mill and Mill House continue to be served by a longstanding entrance off Mill Hill and by an internal access track that sweeps between the house and the mill. The access track continues southwards towards the site of the now demolished ‘upper’ mill, passing between a mill pond to the west and rising ground to the east. Beyond the remains of the upper mill is a second mill pond which completes the linear arrangement of the site. The layout runs parallel with the low-lying brook to the west and with the mid-nineteenth century railway embankment beyond. The former pasture to the south-east of the mill complex rises to high ground across which previously existed a field boundary until the late twentieth century.



*Fig. 13 Lower Mill and Mill House viewed from site entrance (1)*



*Fig. 14 Mill House viewed from internal access track to north (2)*



*Fig.15 Lower Mill viewed from internal access track to north (3)*



*Fig.16 View south across front of Mill House (4)*



*Fig.17 Site entrance viewed from Mill House to south (5)*



*Fig.18 Mill House viewed from internal access track to south (6)*



*Fig.19 Site of Upper Mill viewed from internal access track to north (7)*



*Fig.20 Lower Mill viewed from east bank of mill pond (8)*



*Fig.21 Lower Mill and Mill House viewed from west bank of pond (9)*



*Fig.22 View south across mill pond from Lower Mill (10)*



*Fig.23 Lower Mill viewed across mill pond from south (11)*



*Fig.24 Mill House viewed from site boundary to east (12)*



*Fig.25 Rising ground to south of Mill House viewed from east (13)*



*Fig.26 Mill House viewed from rising ground to south (14)*



*Fig.27 Mill House viewed from rising ground to south (15)*



*Fig.28 Mill House viewed from former boundary to south-east (16)*



*Fig.29 Mill House viewed from former boundary to south (17)*



*Fig.30 Mill pond to Upper Mill viewed from high ground to east (18)*



*Fig.31 View south across mill pond from site of Upper Mill (19)*



*Fig.32 Site of Upper Mill viewed across mill pond from south (20)*

2.22 Shirburn Mill House dates from the second quarter of the nineteenth century and appears to have been constructed in about 1840. The replaced house was most probably of timber-frame construction and appears from the 1807 sale particulars to have been of two-storeys with additional rooms at attic level. The 1839 tithe map shows the footprint of the earlier house which suggests a typical seventeenth century arrangement comprising a three-cell main range together with a dairy wing to the north. The 'counting house' that was listed in 1828 could survive as the extant southern range which is not of the c.1840 phase. This structure was possibly constructed as a brick addition to the earlier timber-framed house and was then remodelled as part of a residence that was described in late 1842 as 'newly erected'.



*Fig.33 Replacement mill house (built c.1840)*

2.23 The mid-nineteenth century residence comprised a two-storey main range that was constructed in red brick (laid in Flemish bond) and which was provided with a three-bay entrance front which faced north-west towards the mill. Pilasters were formed at both ends of a façade that also included a 'break-forward' central bay and a raised

plinth (laid in English bond) that continued on the north-east return. The principal elevation incorporated flat arches over two ground floor window openings that housed small-paned sash and which were originally provided with external shutters. The openings flanked a central entrance with a panelled door set within a portico with fluted columns and pilasters. The three window openings at first floor level received matching small-paned sash, although the narrower central bay was provided with an opening of reduced width. The single-span main range was completed with a shallow-pitched hipped roof with overhanging eaves and a covering of slate.



*Fig.34 Three-bay entrance front of principal range*

- 2.24 The principal entrance opened into a central hall that housed the main stair and off which was a pair of reception rooms. The service rooms were located to the rear in a two-storey range of red brick construction which most probably was provided with a lean-to roof when first built. A pair of chimney-stacks were constructed between the front and rear rooms of the 'double-depth' layout which provided fireplaces in each of the four principal rooms, as well as in the kitchen and chamber at

the southern end of the service range. The low red brick range which adjoined the house at its southern end appears to have originally served as a 'counting house' in conjunction with the mill business. The existing tripartite sash window would have afforded an outlook across the site from an office which occupied the front section of this range. The rear service range has recently been provided with a new hipped roof and, together with that of the remodelled 'counting house', the roof-scape presents a pleasing composition in views from the south.



*Fig.35 Evolved form and appearance viewed from south*

- 2.25 Shirburn Mill was one of two 'brick and timber-built' water corn-mills on this site which appear to have been constructed at the beginning of the nineteenth century (c.1800). Both mills had evidently been built by 1807 and were described as 'two overshot water corn-mills' when advertised in 1842. Although the 'upper mill' was demolished in the early twentieth century, the industrial landscape retains the 'lower mill' alongside the mill house and the two mill-ponds.

- 2.26 The former watermill was constructed with a layout of three floors and a 'hoist loft' which was typical of the period. The 'lower mill' was primarily built with a timber-framed structure that was clad in whitewashed weather-boarding and provided with a clay plain-tiled roof. The lower storey was of red brick construction that was laid in Flemish bond on the north front and on part of the east return, with the remainder being laid in English bond. The façade incorporated a lucam at loft level that was supported on timber knee braces, and a central door opening that provided entry to the mill at ground level.



*Fig.36 North façade of Shirburn 'Lower Mill' (built c.1800)*

- 2.27 The north elevation incorporated small-paned sash windows that were arranged in a regular pattern, and the provision and treatment of window openings in this manner was continued around the exterior of the original building. The openings in the north elevation at ground floor level were formed beneath segmental heads, whilst an opening was also provided in the east elevation of the lower storey. A door was incorporated above the now blocked opening in order to provide entry to the mill at first floor level.

2.28 The three floors and the loft were maintained as a series of single spaces that each performed a distinct function. The mill was provided with an exterior overshot waterwheel at the western end of the building which was removed in the late 1930s or early 1940s. The wheel that existed in 1807 was described as being 18ft in diameter. John Fitzherbert (c.1470-1538) spoke of the superiority of overshot wheels in his 'Booke of Surveying and Improvements' (1523), whilst the civil engineer, John Smeaton (c.1724-92), discovered that waterwheels were more efficient by driving the wheel by gravity instead of by impulse alone. The water is brought to the top of the wheel and enters buckets which then turn the wheel as a result of the weight.



*Fig.37 Exterior overshot waterwheel at Shirburn Mill, c.1910*

2.29 The hursting, main stone drive (wallower, great spur wheel, upright shaft, and stone nuts) and pit wheel were within and controlled from the ground floor. The vertical waterwheel produced rotary motion around a horizontal axis. In corn mills, however, rotation about a vertical axis was required to drive the stones and therefore the horizontal rotation needed to be converted into vertical rotation by

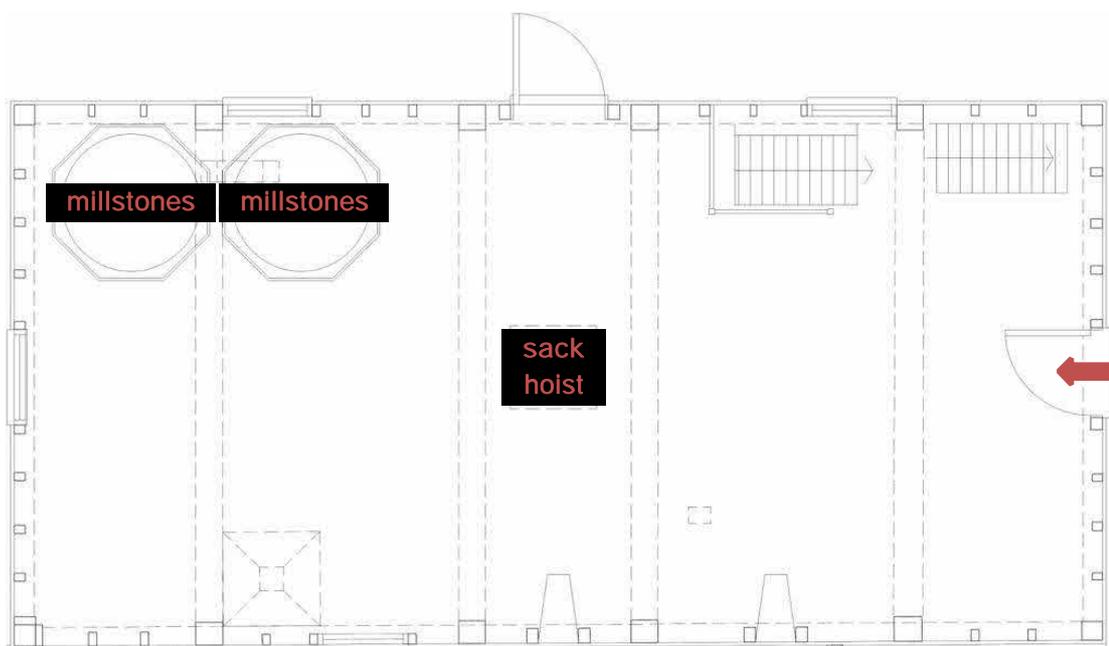
means of gearing. The usual arrangement was for the waterwheel to turn a horizontal shaft on which was also mounted a large pit wheel. That which existed in 1807 was described as being 14ft in diameter. This meshed with a wallower, mounted on a vertical shaft, which turned the great spur wheel. This wheel, in turn, turned a smaller wheel known as a stone nut which was attached to the shaft that drove the runner stone. Whilst the pit wheel and great spur wheel have been removed, two stone nuts and their shafts remain in position at ground floor level.



*Fig.38 Two stone nuts and shafts attached to millstones above*

- 2.30 The machinery was located in the two bays at the western end of the building. The end bay also included an internal pit which remains empty following the removal of the wheel. A central opening was provided in the floor structure above for the operation of an internal hoist which allowed the sacked meal to be raised through the body of the building to the bins on the upper floors. The ground floor was served by a central door opening and a pair of small-paned sash windows on its front elevation, whilst a single ladder stair towards the eastern end of the building enabled internal movement between floors.

2.31 The timber-framed structure of the mill was constructed in five bays consisting of four corner posts and eight storey posts. The central pair of storey posts at the front rise beyond the roof plate to frame the lucam. The whitewashed walls of the 'stone floor' incorporate primary bracing and the lateral rails are supported on timber knee braces. Two pairs of millstones, each approximately 4ft in diameter, survive at the western end of the building encased in octagonal wooden tuns. The stones are provided with nameplates, with one being supplied by 'H and C. Collins' and the other by 'W. Tinsley'. Henry and Charles Collins were millwrights based in Melton during the second half of the nineteenth century, whilst W. Tinsley and Co. were 'millstone builders' operating from Ipswich in the 1890s.



*Fig.39 Existing layout of 'stone floor' (Roger Balmer Design)*

2.32 The 'stone floor' was provided with an entrance door in the east (side) elevation and a loading door in the north (front) elevation. The space was also served by five openings in the external walls that housed small-paned sash windows. One window in the rear elevation has been removed and the opening is now blocked. A pair of ladder stairs at the eastern end of the building enabled internal movement to the ground floor or to the second floor, whilst a central opening in the floor structure was associated with the internal sack hoist.



*Fig.40 Timber-framed structure and internal finishes on 'stone floor'*



*Fig.41 Two pairs of millstones encased in wooden tuns*

2.33 The whitewashed walls of the 'bin floor' were lined with horizontal boarding between the principal posts which concealed the common studs and primary bracing. The space was served by seven openings in the external walls that housed small-paned sash windows. One window in the north (front) elevation has been re-positioned and the original opening blocked, whilst another window in the east (side) elevation has been removed and the opening blocked. A pair of ladder stairs at the eastern end of the building enabled internal movement to the first floor or to the 'hoist loft' above, and a central opening in the floor structure served the internal sack hoist.



*Fig.42 Walls lined with horizontal boarding on 'bin floor'*

2.34 The 'hoist loft' was provided with a side-purlin roof which incorporated pairs of raking struts. Both the purlins and the tie-beams in the end gables were provided with iron straps, whilst the four pairs of storey posts were secured to the tie-beams with iron braces. Supplementary rafters and a ridge-piece were introduced into the main roof in the late twentieth century, and the rafters of the lucam were replaced in their entirety at this time. The roof was then felted and re-tiled.

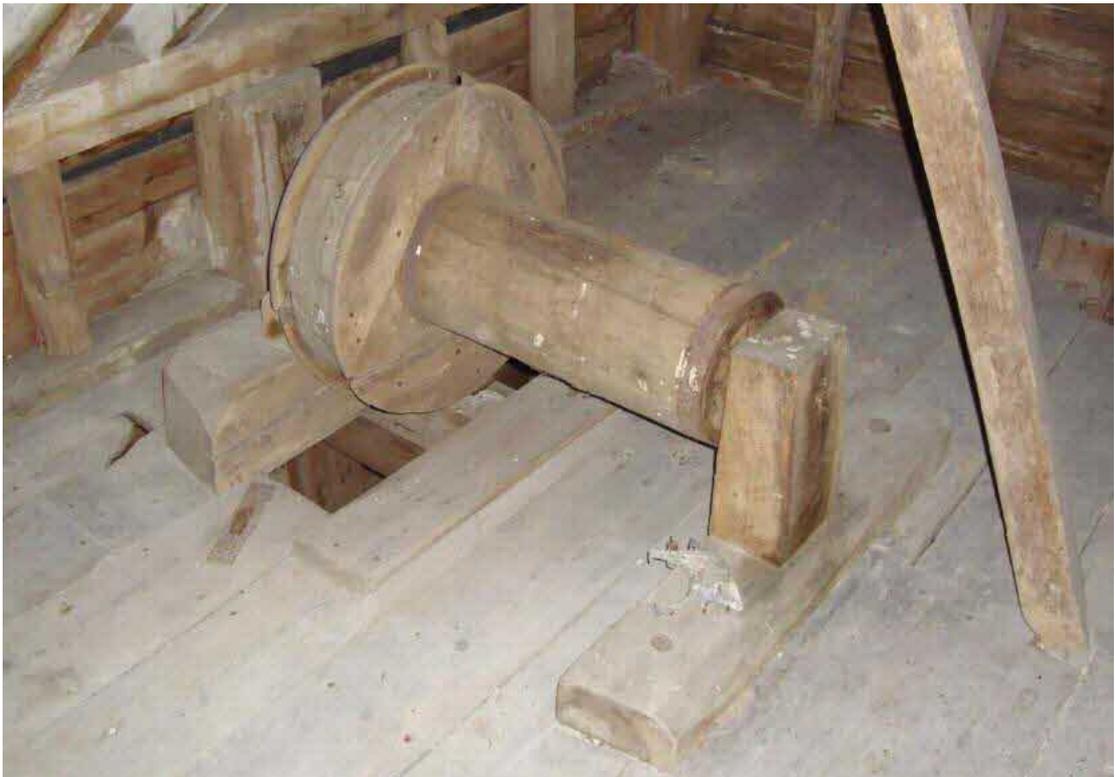


*Fig.43 Ladder stairs that enabled internal movement between floors*



*Fig.44 Wall and roof structure at east end of 'hoist loft'*

- 2.35 The loft was served with three window openings, with one in each gable end and one in the lucam. The openings housed small-paned sash windows, although that in the west gable has since been removed and the opening is now blocked. Access to the loft was via an internal ladder stair at the eastern end of the building. A pair of sack hoists survive in a loft that was served by both an external opening through the floor of the lucam and by a series of internal openings through the main body of the building.



*Fig.45 One of two sack hoists which survive in the loft*

- 2.36 Shirburn Mill was enlarged at the beginning of the twentieth century with a two-storey addition to its rear. The extension encased the rear (south) elevation of the original mill building which today retains the weather-boarding and sash windows of the 'stone floor' and 'bin floor' that previously faced south across the mill-pond. The slate-roofed lean-to was provided with a fixed 24-pane window to the west and was connected internally through a single door opening that was created in the rear wall at the eastern end of the 'bin floor'. The extension was added at a time when the mill was seeking to adapt to survive.

2.37 In summary, the list entries for Shirburn Mill and the Mill House record a late eighteenth or early nineteenth century date for the former watermill and an early nineteenth century date for the associated mill house. Assessment and evaluation suggests that the watermill was constructed as a replacement for an earlier mill at the beginning of the nineteenth century (c.1800), whilst the mill house was also a replacement albeit at a slightly later date of about 1840.



*Fig.46 Shirburn Mill as enlarged in the early twentieth century*

2.38 The significance of a place is the sum of heritage values which may be attached to it and which may range from evidential, through historical and aesthetic, to communal values. The significance of Shirburn Mill is derived in particular from its construction phase which demonstrates the relationship between design and function, and which is also illustrative of a period that witnessed the rebuilding of earlier watermills on long established sites. The 'lower mill' has group value with the mill house and today forms part of an engineered landscape that reflects conscious design and past industrial activity.

### 3.0 MANAGING CHANGE TO SIGNIFICANT PLACES

- 3.1 Planning Policy Guidance, issued in March 2014 to accompany the National Planning Policy Framework, advises that any decisions relating to listed buildings and their settings must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as satisfying the relevant policies within the NPPF and the Development Plan.
- 3.2 When considering whether to grant listed building consent for any works or whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall (in accordance with sections 16(2) and 66(1) of the 1990 Act) ‘have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.
- 3.3 Preservation has been interpreted by the courts as meaning ‘to keep safe from harm’ – that is, in this context, not harming the special interest of an individual building, its significance, as opposed to preventing any change (South Lakeland DC v SoS, 1991).
- 3.4 One of the core principles of the NPPF is that planning should ‘conserve heritage assets in a manner appropriate to their significance’. The NPPF defines ‘conservation’ as ‘the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance’.
- 3.5 A clear understanding of the significance of a heritage asset is necessary to develop proposals which avoid or minimise harm. What matters, when assessing whether proposals cause harm, is the impact on the significance of the heritage asset.
- 3.6 The Tendring District Council Local Plan was adopted in 2007. Parts of this document are now considered to be out of date and not in accordance with national planning policy (NPPF, 2012). In October 2017 Tendring District Council submitted their new Local Plan (‘2013-33 and Beyond’) to the Planning Inspectorate. However, until a new Local Plan is adopted, elements of the 2007 Plan will remain in use alongside material considerations such as national planning policy.

3.7 Policy QL9 of the Tendring District Council Local Plan (2007):

*All new development should make a positive contribution to the quality of the local environment and protect or enhance local character.*

3.8 Policy EN1 of the Tendring District Council Local Plan (2007):

*The quality of the district's landscape and its distinctive local character will be protected and, where possible, enhanced. Any development which would significantly harm landscape character or quality will not be permitted.*

3.9 Policy EN5 of the Tendring District Council Local Plan (2007):

*Development which would harm or otherwise fail to conserve the natural beauty of the landscape of an AONB will not be permitted. The Council will have regard to the Dedham Vale Management Strategy when determining applications affecting the AONB. Conflicting proposals will not be permitted.*

3.10 Policy EN22 of the Tendring District Council Local Plan (2007):

*Development involving proposals to alter a listed building will only be permitted where it would not result in the damage or loss of features of special architectural or historic interest, and the special character and appearance or setting of the building would be preserved or enhanced.*

3.11 Policy EN23 of the Tendring District Council Local Plan (2007):

*Proposals for development that would adversely affect the setting of a listed building, including group value and long distance views, will not be permitted.*

3.12 Policy EN27 of the Tendring District Council Local Plan (2007):

*Enabling development will not be permitted unless it satisfies all of the following criteria:*

- a. the enabling development will not materially detract from the archaeological, architectural, historic or landscape interest of the heritage asset or materially harm its setting;*
- b. it has been clearly demonstrated that all alternative options have been fully evaluated;*
- c. the proposal avoids detrimental fragmentation of management of the heritage asset;*

- d. *the enabling development will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose that reflects the character of the asset;*
- e. *the need for the enabling development arises from the inherent needs of the heritage asset rather than the circumstances of the present owner or the purchase price paid;*
- f. *financial assistance is not available from any other source consistent with the preservation or enhancement of the heritage asset;*
- g. *it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset; and*
- h. *the value or benefit of the survival or enhancement of the heritage asset outweighs any harm to the asset by providing the enabling development.*

*Subject to the proposed enabling development meeting the criteria above, planning permission will be granted where:*

- a. *the impact of the development is precisely defined at the outset through the submission of full rather than outline applications;*
- b. *with reference to the guidance contained in Circular 1/97 (Planning Obligations) the objective of the preservation of the historic asset is securely linked to the planning permission; and*
- c. *the historic asset is restored to an agreed standard or funds made available to secure this aim prior to the commencement of the use of the enabling development.*

### 3.13 Policy SP6 of the Tendring District Local Plan 2013-2033 (2017):

*All new development should protect and enhance assets of historical value.*

### 3.14 Policy SPL3 of the Tendring District Local Plan 2013-2033 (2017):

*All new development should make a positive contribution to the quality of the local environment and protect or enhance local character.*

### 3.15 Policy PPL3 of the Tendring District Local Plan 2013-2033 (2017):

*The Council will protect the rural landscape and refuse permission for any development which would cause overriding harm to its character or appearance. Development proposals must pay particular regard to the conservation and enhancement of the special character and appearance of*

*the Dedham Vale AONB and its setting, including any relevant AONB Management Plan objectives.*

3.16 Policy PPL9 of the Tendring District Local Plan 2013-2033 (2017):

*Proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance, fabric, and are explained and justified through an informed assessment and understanding of the significance of the heritage asset and its setting, and are of a scale, design, use, materials and finishes that respect the listed building and its setting.*

3.17 Paragraph 55 of the National Planning Policy Framework (2012):

*Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where such development would be appropriate enabling development to secure the future of heritage assets.*

3.18 Paragraph 131 of the National Planning Policy Framework (2012):

*In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of putting them to viable uses consistent with their conservation.*

3.19 Paragraph 132 of the National Planning Policy Framework (2012):

*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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

3.20 Paragraph 134 of the National Planning Policy Framework (2012):

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

3.21 Paragraph 140 of the National Planning Policy Framework (2012):

*Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*

3.22 Conservation Principles, Policies and Guidance for the sustainable management of the historic environment (Historic England, 2008):

*Alteration to a significant place should normally be acceptable if:*

- a. there is sufficient information to comprehensively understand the impacts of the proposal on the significance of the place;*
- b. the proposal would not materially harm the values of the place, which, where appropriate, would be reinforced or further revealed;*
- c. the proposals aspire to a quality of design and execution which may be valued now and in the future; and*
- d. the long-term consequences of the proposals can be demonstrated to be benign, or the proposals are designed not to prejudice alternative solutions in the future.*

3.23 Conservation Principles, Policies and Guidance for the sustainable management of the historic environment (Historic England, 2008):

*Changes which would harm the heritage values of a significant place should be unacceptable unless:*

- a. the changes are demonstrably necessary either to make the place sustainable, or to meet an overriding public policy objective or need;*
- b. there is no reasonably practicable alternative means of doing so without harm;*
- c. that harm has been reduced to the minimum consistent with achieving the objective;*
- d. it has been demonstrated that the predicted public benefit decisively outweighs the harm to the values of the place, considering*
  - i. its comparative significance,*
  - ii. the impact on that significance, and*

- iii. *the benefits to the place itself and/or the wider community or society as a whole.*

### 3.24 Conservation Principles, Policies and Guidance for the sustainable management of the historic environment (Historic England, 2008):

*Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:*

- a. *it will not materially harm the heritage values of the place or its setting;*
- b. *it avoids detrimental fragmentation of management of the place;*
- c. *it will secure the long term future of the place and, where applicable, its continued use for a sympathetic purpose;*
- d. *it is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid;*
- e. *sufficient subsidy is not available from any other source;*
- f. *it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests;*
- g. *the public benefit of securing the future of the significant place through such enabling development decisively outweighs the disbenefits of breaching other public policies.*

### 3.25 Making changes to heritage assets (Historic England, 2016):

*This advice promotes positive, well-informed and collaborative conservation, the aim of which is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure that people can continue to use and enjoy them. Change to heritage assets and their settings is, of course, acceptable where it is sustainable in terms of the NPPF; change is only unacceptable where it harms significance without an appropriate balance of public benefit.*

*The best way to conserve a building is to keep it in use, or to find it an appropriate new use if it has passed out of use, either that for which it was designed or an appropriate new use which would see to its long-term conservation. An unreasonable, inflexible approach will prevent action that could give a building new life. A reasonable and proportionate approach to owners' needs is therefore essential.*

*Each heritage asset and group of heritage assets has its own characteristics that are usually related to an original or subsequent function. These can include orientation, layout, plan-form, setting, materials and construction, the disposition of openings, external detailing and internal fittings.*

*Historic fabric will always be an important part of the asset's significance, though in circumstances where it has clearly failed it will need to be repaired or replaced. Retention of as much historic fabric as possible, together with the use of appropriate materials and methods of repair, is likely to fulfil the NPPF policy to conserve heritage assets in a manner appropriate to their significance as a fundamental part of any good alteration or conversion.*

*The plan form of a building is frequently one of its most important characteristics and internal partitions, staircases and other features are likely to form part of its significance. Doors and windows are frequently key to the significance of a building. Replacement is therefore generally advisable only where the original is beyond repair, it minimises the loss of historic fabric and matches the original in detail and material. The replacement of unsuitable modern windows with more historically appropriate windows is likely to be an enhancement.*

*Buildings will often have an important established and historic relationship with the landscape that exists or used to exist around them. Proposals to alter the landscape are more likely to be acceptable if the design is based on a sound and well-researched understanding of the building's relationship with its setting, both now and in the past.*

### 3.26 Adaptive re-use of traditional farm buildings (Historic England, 2017):

*There are a number of issues common to adapting most farm buildings to be addressed at the design stage. These include:*

- a. understanding the construction and condition;*
- b. respecting the architectural and historic interest of the building;*
- c. understanding the setting;*
- d. achieving high standards of design, repair and craftsmanship;*
- e. minimising alterations and loss to significant historic fabric;*
- f. retaining distinctive features;*
- g. introducing daylight;*
- h. considering levels of subdivision; and*
- i. incorporating services and insulation.*

### 3.27 The setting of heritage assets (Historic England, 2015):

*The contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset, including a variety of views of, across, or including that asset, and views of the surroundings from or through the asset, and may intersect with, and incorporate the settings of numerous heritage assets.*

*Views which contribute more to understanding the significance of a heritage asset include:*

- a. those where relationships between the asset and other historic assets are particularly relevant;*
- b. those with historical associations; and*
- c. those where the composition within the view was a fundamental aspect of the design or function of the heritage asset.*

*Setting is not a heritage asset. Its importance lies in what it contributes to the significance of the heritage asset. This depends on a wide range of physical elements within, as well as perceptual and associational attributes pertaining to, the heritage asset's surroundings. Protection of the setting of heritage assets need not prevent change.*

3.28 Shirburn Mill and the Mill House were acquired by Matthew and Joy Parrington in about 1927. The watermill ceased to operate in the early 1930s and thereafter the building was used by the Parringtons for domestic storage purposes in conjunction with the mill house, with the early twentieth century outshot also being used as a 'garden room' which overlooked the mill-pond.

3.29 The former watermill was listed in 1966 (GV II) and the mill house in 1987 (GV II). Matthew Parrington died in 1981 and, following the death of his widow in 1988, the executors of the late Mrs Parrington applied for conversion of the former watermill to a separate dwelling-house (ref. TEN/1124/88 and TEN/LB/38/88). Planning permission and listed building consent was refused in September 1988 for the following reasons:

- 1. The proposal for the conversion of the historic former watermill to residential use is considered to be contrary to policy insofar as the change of use would constitute unwarranted new residential development in the open countryside and involve significant and detrimental change to the listed building and the traditional character of its setting.*

2. *The conversion proposals are not considered to be sympathetic or appropriate to the character of the former water mill insofar as they will necessitate the subdivision of the internal space of the mill .. and would be likely to prejudice the retention of original equipment and features. Furthermore any conversion would involve the creation of a garden area or private amenity space which would be inappropriate and out of keeping with the mill's historic setting.*



*Fig.47 Shirburn Mill from north-east, c.1990*

3.30 A second application for the conversion of the former watermill to a separate dwelling-house was made in 1989 (ref. TEN/1294/89 and TEN/LB/39/89). Planning permission and listed building consent was again refused in February 1990 for the following reasons:

1. *The proposal for the conversion of this historic former water mill to residential use is considered to be contrary to policy insofar as the change of use would constitute unwarranted new residential development in the open countryside and involve significant change to the listed building and the traditional character of its setting.*
2. *The conversion is considered inappropriate, necessitating the subdivision of internal space with resulting permanent change in the*

*special character of the building and likely to prejudice the retention of original equipment, features and character of the building. Furthermore any conversion would involve the creation of a garden area or private amenity space which would be inappropriate and out of keeping with the mill's historic landscape setting. Additionally, such proposed conversion is considered premature in advance of demonstration that the building is not capable of renovation and rehabilitation as a water mill, or its use as an ancillary building to nearby Mill House for storage or other ancillary uses not requiring significant change to the building, or as a small scale commercial use in its own right which would not require any significant alterations.*



*Fig.48 Mill House from west, c.1990*

- 3.31 The local planning authority in 1990 considered that the proposed conversion was premature in advance of demonstration that the former watermill was, inter alia, not capable of being continued in use as an ancillary building to the mill house.
- 3.32 An appeal was lodged by the executors of Mrs Parrington against the decision of the local planning authority to refuse permission and

consent in 1990 (ref. TEN/1294/89 and TEN/LB/39/89). The Council's stated position was that the proposed development was:

- *outside of the defined area in which residential development would normally be permitted;*
- *the change of use and associated alterations would adversely affect character;*
- *residential conversion was premature in advance of demonstration that the building was not capable of restoration as a watermill or other uses that were more sympathetic to its character and setting; and*
- *the proposed use necessitated the subdivision of the building which would be inappropriate to its character.*



*Fig.49 Shirburn Mill from south-west, c. 1990*

3.33 The appeal was dismissed in February 1991 and the Inspector concluded that, inter alia, there had not been sufficient exploration of the conversion of the former watermill to other uses that might be more appropriate for the character of the building and which would include

a continuation in use as an ancillary building to the mill house (ref. A/90/164642 and E/90/806730).

*If conversion was shown to be necessary to ensure the preservation of the building, I should regard that as justifying an exception being made to the Council's normal policies for rural areas. However, I am not convinced, on the evidence available, that it is justified in this instance. In this case I do not consider that the residential use as proposed would adequately preserve the special interest and character of the listed building, or that there has been sufficient exploration of possible restoration of the original use or of conversion to other uses that might be more appropriate for the character of the building (ref. A/90/164642 and E/90/806730).*

- 3.34 The Essex County Council Conservation Team provided specialist advice to the local planning authority both during the determination of the 1988 and 1989 applications and at the subsequent appeal.

*If there is no possibility of a return to its original function then it would, with care, be possible to form a house which still retains the character of the water mill .... All existing equipment (should) be retained, including any trap doors and ladders between floors. The main mill (should) be retained without subdivision. Bathrooms (should) be located in the lean-to addition .... I understand that at least two of the trustees acting for the owner have a strong desire to return the mill to a working overshot water mill. I would strongly support this proposal in preference to residential conversion. However, I understand that unless there is definite indication that this could happen, which would at least be in the formation of a Trust to implement the work, then it would be difficult to refuse permission for an alternative use .... The best use for an historic building is the use for which it was designed and, as the mill is in reasonably good order, we have an obligation and some time to explore this option (Essex County Council, 12.07.1988).*

*Recommend refusal on the grounds that it has not been satisfactorily demonstrated that the building is not capable of renovation and rehabilitation as a water mill or, failing this, that there has been a serious attempt to pursue (i) its use as an ancillary building for the nearby Mill House with storage, recreational, studio or office uses not requiring any change to the building, or (ii) a small scale office or craft use on its own account but again with no alterations (Essex County Council, 02.01.1989).*

*Until the applicants can show that they have investigated these alternatives, or that the Trust has been shown to be an unrealistic option, then I would continue to oppose approval for a residential conversion (Essex County Council, 11.09.1989).*

*The building is in a reasonable state of repair and is not immediately vulnerable to the weather .... The house is historically and visually very closely*

*related to the mill and the two form an identifiable group. Their futures, just as their past, are inextricably linked .... The house and the mill (should be) marketed as a single unit. The best use for an historic building is the use for which it was designed and residential use (should be) the last resort .... With the present reasonably sound condition I can see no evidence to justify residential conversion, especially when the options of ancillary use in conjunction with the Mill House or its transfer to the care of a building trust have not been thoroughly tested. It appears to me that the key consideration in determining the appeal is whether the option now proposed, which is conversion to a residential unit separate from the ownership of the Mill House, is the only option which would safeguard the preservation of the listed building (Essex County Council, 24.09.1990).*

- 3.35 The 'Shirburn Mill Trust', which had been formed in 1988 with the intention 'to restore the mill to working order', did not prove to be a realistic option. The property was subsequently acquired in the mid-1990s by the current owners, David and Amelia Edmond, who have since undertaken essential repair works to the former watermill (costing £21,000 in 1999 and a further £23,000 in 2005).
- 3.36 Shirburn Mill was first entered on the 'Essex Heritage at Risk Register' in 2010. The register lists those heritage assets which have been identified as being either at risk through neglect and decay, or are vulnerable to becoming so. The objective of the register is to highlight the plight of those heritage assets which are at risk and to initiate action towards securing their long-term conservation.
- 3.37 Heritage Assets are deemed to be at risk on the basis of their condition, and in the case of buildings, their occupancy. Heritage assets capable of 'beneficial use' are at risk if they are in a very bad or poor condition, or in a fair condition and vacant. Those heritage assets which have been identified as being at risk will remain on the register until repairs have been completed and their future secured.
- 3.38 The classification of a building on the register takes account of not only condition and occupancy, but also the rate of deterioration. The condition of a building is graded from 'good' to 'very bad' where good reflects that the building is structurally sound, weather-tight, and no significant repairs are required, and 'very bad' is when there is structural failure or instability, or a loss of significant areas of roof covering leading to major deterioration of the interior, or where there has been a major incident which has affected most of the building (eg. fire damage).



*Fig.50 Shirburn Mill entered on 'Heritage at Risk Register' in 2010*



*Fig.51 Suffering from 'slow decay' with 'no solution agreed'*

- 3.39 Priority for action is graded from A to F where A represents an ‘immediate risk of further rapid deterioration or loss of fabric with no solution agreed’, and F is either when a repair scheme is in progress and (where applicable) an end use or user has been identified, or when a functionally redundant building has had a new use agreed but this has not yet been implemented.
- 3.40 Shirburn Mill is recorded on the register as being in a ‘poor condition’ and ‘in need of repair’. The former watermill has been graded as a ‘C’ in terms of priority for action which indicates that the building is suffering from ‘slow decay’ and with ‘no solution agreed’.



*Fig.52 ‘Significant voiding’ has occurred under the building*

- 3.41 The Morton Partnership (TMP) is a nationally renowned company of consulting structural engineers who are specialists in the repair of historic buildings. TMP were commissioned to undertake a structural condition survey of the former watermill which was carried out in April 2017 by Ed Morton who is a Chartered Engineer, Fellow of the Institution of Civil Engineers and an Engineer Accredited in Conservation.

- 3.42 The report that was subsequently prepared by TMP sets out the works that would be required to ensure that the building is structural sound, wind and water-tight, and in a fit state of repair so that no major maintenance works would be required for at least a ten to fifteen year period. It does not include those works that would be required to allow the building to be brought into 'beneficial use'.
- 3.43 TMP have identified that 'significant voiding' has occurred under the south-west corner of the mill and that underpinning and other associated works are now required. In addition, the condition of both the water channel from the mill pond and the wheel pit itself are such that they also now require re-building.

*The mill can be divided into two principal sections, being the mill to the north and an early 1900s extension to the south. Further south is the mill pond which now has its brick retaining wall within a wide embankment. The main defect is the significant voiding which has occurred under the south-west corner of the extension. Some underpinning is required, along with breaking out the internal slab, backfilling, and re-casting. The water channel from the mill pond requires re-building, as does the wheel pit which is in poor condition. The Mill itself is in a reasonable structural condition with only modest repairs required. The condition of the external weather-boarding needs to be addressed and the extension requires repairs at the base of the frame where it is cast in concrete (The Morton Partnership, April 2017).*

- 3.44 The mill house is both visually and historically very closely related to the former watermill and the two buildings form an identifiable group. Any proposal to convert the former watermill into an independent single residence would today be viewed as a last resort just as it was when considered in the period 1988-91.
- 3.45 Some alternative uses can be more damaging to the special interest of a building than others and conversion to residential use is usually considered to be the most damaging in terms of its impact. Whilst a local planning authority is normally prepared to permit conversion to residential use when the sole alternative is the loss of the building, it would be anticipated that marketing of the property as a single unit would today be requested in response to any proposal for the conversion of the former watermill into an independent single residence.
- 3.46 Keeping historic buildings in good repair and in active use is the key to their preservation. The most appropriate use for a building will vary

often be that for which it was originally designed. Whilst the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered, it is widely understood that a building which is no longer required for its original purpose will normally require an alternative use in order to sustain its heritage value.

3.47 Conservation Principles, Policies and Guidance for the sustainable management of the historic environment (Historic England, 2008):

*Keeping a significant place in use is likely to require continual adaptation and change, but provided such interventions respect the values of the place they will tend to benefit public as well as private interests in it .... The best use for a significant place (its 'optimum viable use') is one that is both capable of sustaining the place and avoids or minimises harm to its values in its setting.*

3.48 National Planning Policy Guidance (2014):

*Conservation is an active process of maintenance and managing change. The risks of neglect and decay are best addressed through ensuring that heritage assets remain in active use that is consistent with their conservation. Ensuring that they remain used and valued is likely to require sympathetic changes to be made from time to time.*

*The vast majority of heritage assets are in private hands. Sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.*

*It is important that any use is viable, not just for the owner, but also the future conservation of the asset. If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset. Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised.*

3.49 It remains highly desirable in conservation terms for the former watermill and the mill house to be retained as a single unit and, in particular, for the mill to continue in ancillary use with the house. There is now a timely desire to secure the future of the former watermill with the repair and conversion of the building to its 'optimum viable use'.

3.50 In early 2017 Roger Balmer Design was commissioned to explore a 'beneficial use' of the mill building and the exercise concluded that an

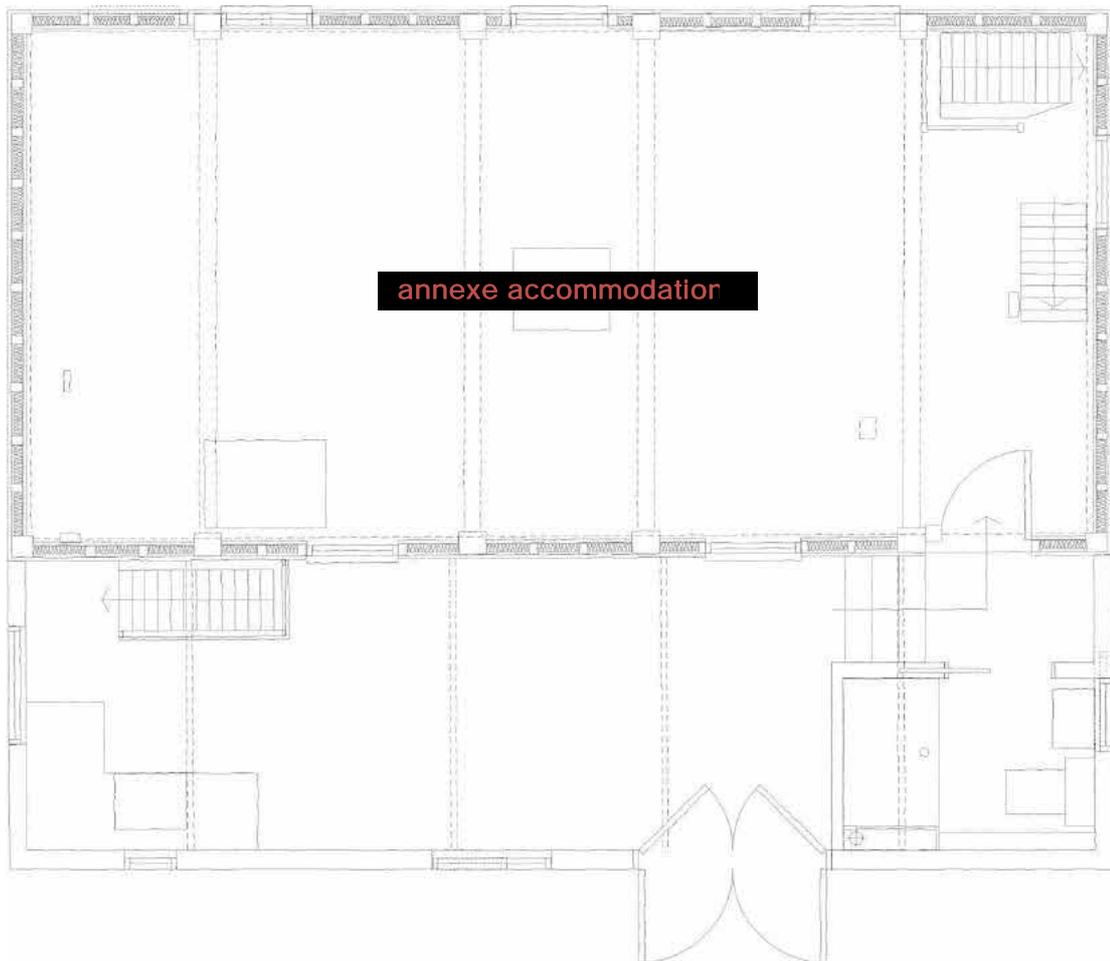
appropriate ancillary use would comprise the use of the 'stone floor' as a home office/studio with the 'bin floor' being used as annexe accommodation. Such a proposal would allow both the spatial arrangement and the features of the first and second floors of the original building to be retained. The ground storey would continue to be used for workshop and storage purposes whilst the hoist loft would remain unused.



*Fig.53 Proposed layout of 'stone floor' (Roger Balmer Design)*

- 3.51 The works would include the reinstatement of the internal cladding on the 'bin floor' and would also take the opportunity to reverse unsympathetic alterations to the sash windows. Appropriate insulation would be introduced in the voids between the frame components at first and second floor level, and the requisite kitchen and cloakroom would be housed in the early twentieth century addition.

3.52 Initial costings were obtained for those works that are required to ensure that the building is structural sound, wind and water-tight, and in a fit state of repair, and for those works that would be required to bring the building into 'beneficial use'. It has become evident that the cost of repair and conversion of the former watermill would require a substantial investment and that this cost, together with the existing value of the asset, would be greater than its value on completion of the works (with a resultant deficit of £186,500).



*Fig.54 Proposed layout of 'bin floor' (Roger Balmer Design)*

3.53 This cost would confront not only the current owner but also any future owner of the property who would be seeking to continue the use of the building for purposes ancillary to the mill house. Historic England offer grants towards the 'urgent repair' of buildings that have been entered on the national 'Heritage at Risk Register'. These grants are aimed at

those sites which are most in need and where a project would not proceed without such a grant. To be eligible for a 'repair grant', the building in question must be listed at grade I or II\* or, if grade II, it must be within a conservation area. Shirburn Mill is a grade II listed building that is not within a conservation area and, as such, the former watermill has not been entered on the national 'Register' and is not eligible for a 'repair grant' from Historic England.

- 3.54 The Mills Section of the 'Society for the Protection of Ancient Buildings' provides small grants for repairs to watermills from their Mill Repair Fund. Grants are awarded to contribute towards emergency repairs or holding repairs to a mill, or for routine maintenance where a mill owner is undertaking work that would not be eligible for grant aid from other bodies, or to augment grants from other bodies contributing towards mill repair costs. The maximum amount of grant, however, is £5,000 with most grants awarded being no more than £1,000.
- 3.55 The Heritage Lottery Fund also provides grants for the repair of historic buildings but these are either not for owners of private property or there is a requirement that the building is intended for commercial use. In the absence of alternative sources of subsidy, attention has therefore turned towards seeking approval for an appropriate 'enabling development' which would address the 'conservation deficit' and thereby secure the future of the heritage asset.
- 3.56 At a meeting with the local planning authority in June 2017 it was suggested that an enabling development could take the form of a single detached residence that would be constructed on land within the current extent of ownership and would be undertaken in a manner that would not materially harm the heritage values of the place or its setting (ref. 17/30006/PRE). The proposed development would avoid the detrimental fragmentation of the historic entity and would secure the repair and conversion of the former watermill into 'beneficial use' for the long-term.
- 3.57 Thereafter the local planning authority provided a written response to the discussions held in June (dated 31<sup>st</sup> August 2017) from which the following extracts are taken:

*The watermill is a significant feature of the landscape and needs to be repaired and retained. It is imperative that a viable use is found for the*

*building .... I agree that the most appropriate use would be as ancillary accommodation in conjunction with the main house. You advanced a scheme using the upper two floors as a home office and annexe accommodation. The scheme proposes no subdivision of space and is considered to be an appropriate concept .... We agreed that enabling development in the form of a dwelling within the countryside would not conflict with the aims of paragraph 55 of the NPPF. The size and value of the enabling development would need to be carefully linked to the repair and re-use of the mill . ...It could be argued that the introduction of a new dwelling in the AONB would be harmful, although much will depend upon siting and design. Any harm would need to be balanced against the fact that the existing mill falls within the AONB and its deteriorating condition is having a negative impact on the beauty of the locality . ... I am satisfied from our discussions that the overall concept offers the best prospect of securing the future of both the listed mill and mill house, and their setting.*

- 3.58 In other words, subject to a design approach which is sensitive to both the historic building group and the surrounding landscape, any application would be determined in accordance with the published formula for ‘conservation deficit’ being met by enabling development. The written response made no reference to the need for ‘market testing’ which would suggest that the argument of avoiding the break-up and sale of an ‘historic entity’ has been accepted by the local planning authority.
- 3.59 Enabling development and the conservation of significant places (Historic England, 2008):

*Enabling development is development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out which could not otherwise be achieved. The key public benefit to a heritage asset is usually the securing of their long-term future. The problem which enabling development typically seeks to address occurs when the cost of repair and conversion to the optimum viable use of a building is greater than its resulting value to its owner. This means that a subsidy to cover the difference (the ‘conservation deficit’) is necessary to secure its future.*

- 3.60 It is of the essence of enabling development that a scheme that would otherwise be unacceptable in planning terms is necessary to generate the funds needed to secure the future of a heritage asset. It is therefore appropriate that applicants provide evidence to the local planning authority in support of such a claim. The information supplied should cover all financial aspects of the proposed enabling development at a

sufficient level of detail to enable scrutiny. This applies both to need and to the scale of development necessary to meet that need.

- 3.61 The Policy establishes a presumption against enabling development unless ‘it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests’. Enabling development should therefore be primarily directed towards meeting the conservation deficit arising from repair and conversion work that is essential to secure the long-term future of the heritage asset.



*Fig.55 Proposed north elevation of watermill (Roger Balmer Design)*

- 3.62 There will be occasions where proposed enabling development would result in marginal harm to some aspect of the heritage asset or its setting, yet it is clear that it represents the least harmful means of securing the future of the asset as a whole. If so, it may be appropriate to weigh the benefit to the heritage asset against the harm not only to other public interests but also to the asset itself.

3.63 Enabling development and the conservation of significant places (Historic England, 2008):

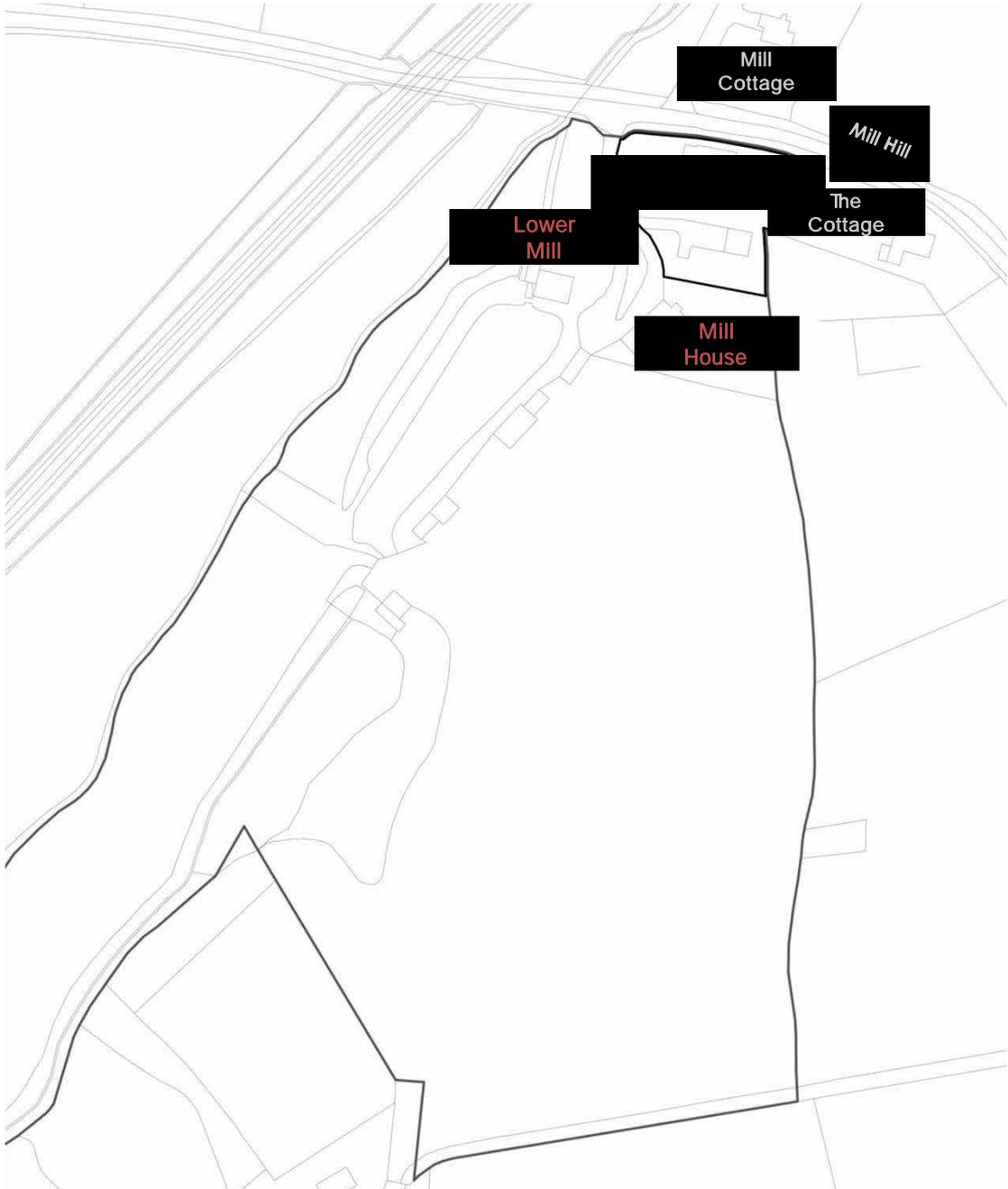
*Sustaining heritage assets is a high priority and statutory designation imposes a presumption in favour of their preservation. It suggests that decisions should be made in the light of a realistic view of the consequences of refusal, particularly where the asset is deteriorating and there is no other source of subsidy necessary to secure its future.*

3.64 Enabling development is a legitimate planning tool. Since enabling development is by definition contrary to policy, local planning authorities can do no more than set out the criteria against which such applications will be assessed. Local planning authorities are advised to refer to Historic England's specific policy which was published in 2008:

*Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:*

- a. it will not materially harm the heritage values of the place or its setting;*
- b. it avoids detrimental fragmentation of management of the place;*
- c. it will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose;*
- d. it is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid;*
- e. sufficient subsidy is not available from any other source;*
- f. it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests; and*
- g. the public benefit of securing the future of the significant place through such enabling development decisively outweighs the disbenefits of breaching other public policies.*

3.65 A proposal for enabling development can vary greatly and, whilst often associated with residential development that would support the repair of a building, enabling development may be proposed on a distant site in the same ownership or within the setting of the building in question. In this instance the proposed enabling development involves the construction of a single detached dwelling-house on land within the same ownership and within the setting of the mill.



*Fig.56 Current extent of land ownership with Shirburn Mill*

- 3.66 Shirburn Mill and the Mill House are situated towards the northern extremity of the property. The site is accessed from a single entrance off Mill Hill and an internal access track sweeps between the house and the mill. A pair of mill ponds that were constructed in a linear arrangement extend to the south-west of the principal building group. Low-lying meadows run parallel in the narrow valley of the brook, whilst open pasture occupies the slopes and high ground to the south-east.



*Fig.57 Mill House viewed from open high ground to south*



*Fig.58 Mill House viewed from enclosed low-lying land to north*

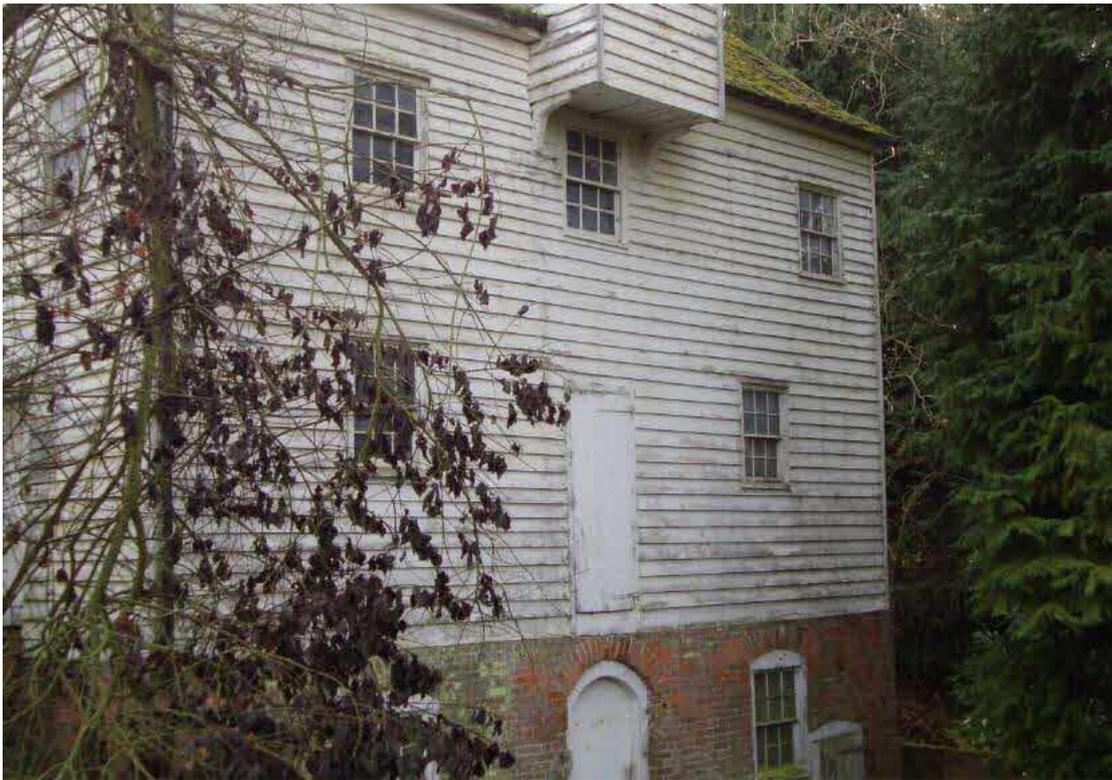
3.67 The siting of a new dwelling-house to the south of the former watermill and mill house would be undesirable in terms of adverse impact upon both the historic environment (which results from past human activity) and also the natural beauty of the landscape. Both are nationally designated and harm would arise from not only the physical presence of a new building to the south of the former watermill and mill house, but also from the access route which would be required to access the new dwelling-house. In particular, a proposal to use the existing access track which runs between the former watermill and mill house could lead to the ‘detrimental fragmentation of the place’ in the long term.



*Fig.59 Proposed enabling development (Roger Balmer Design)*

3.68 It would appear that the most appropriate option in this instance is to locate a new dwelling-house in the well-defined plot which abuts Mill Hill to the east of the existing entrance. This part of the site is low-lying in relation to Mill House and is both visually and physically distinct from the historic building group and its associated landscape to the south. It would also appear that the piece of land in question was not associated with the mill holding in the early nineteenth century.

3.69 The plot provides the opportunity to construct a dwelling-house which, in terms of its siting, would conform to the prevailing pattern of roadside cottages and would also sit within a small cluster rather than occupy an isolated position to the south of the building group. The site dictates a traditional and sensitive approach to the design of the new dwelling which can also benefit from the established planting.



*Fig.60 Secure the future conservation of a designated heritage asset*

3.70 Whilst such a proposal would introduce a new dwelling-house within the AONB, it can be said to be in accordance with the purpose of designation which is to conserve and enhance the area. The enabling development, if approved, would secure the future of the former watermill which has historical and cultural significance and which makes a positive contribution to the AONB.

3.71 Similarly, the severance of this land from the mill property and the construction of a new dwelling-house would not harm the significance of the identified heritage assets. The assessment has examined both how the settings of the heritage assets make a contribution to their

significance, and also the extent and nature of that contribution. The assessment has considered the key attributes of the heritage assets themselves, and then considered their physical surroundings, the way they are appreciated, and their associations and patterns of use. It can be concluded that whilst the construction of a new dwelling-house would involve change, it would not materially harm the heritage values of the place or its setting.

- 3.72 Harm, however minor, would otherwise be required to be assessed against the heritage-specific policy that is set out at paragraph 134 of the NPPF:

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

- 3.73 Public benefits may include heritage benefits, such as sustaining or enhancing the significance of a heritage asset (and the contribution of its setting), or by reducing or removing risks to a heritage asset, or by securing the optimum viable use of a heritage asset in support of its long term conservation.
- 3.74 It is suggested that any harm otherwise perceived would, at worst, be no more than minor and would be outweighed by the benefits of securing the future of the designated heritage asset through its timely repair, its continued use for an appropriate purpose, and the avoidance of fragmentation. Any perceived visual harm to the AONB and/or the setting of the Mill and Mill House would be clearly outweighed by the potential of the scheme to provide for the repair and conversion of the building to a 'beneficial use'.
- 3.75 Establishing and quantifying need is at the heart of any application for enabling development. Specialist expertise is required to judge whether the extent of works proposed, the costs, and the anticipated final values are fair and reasonable. The application has been accompanied by information which covers all financial aspects of the proposed enabling development and at a sufficient level of detail to enable scrutiny by the local planning authority and its advisors. The resultant figures are typical in that 'an enabling development often requires a value of three or four times the conservation deficit of the historic asset in order to break even'.

<b>Conservation deficit met by enabling development</b>	
Market value of existing property	£1,000,000
Cost of repair of former watermill	£181,500
Cost of conversion of former watermill to optimum beneficial use	£282,700
Cost of enabling development (single detached dwelling-house)	£583,200
Statutory charges, legal costs, etc.	£32,600
Financing costs	£70,000
<b>Total cost (A)</b>	<b>£2,150,000</b>
Market value of property on completion of works	£1,300,000
Market value of enabling development	£850,000
<b>Total value (B)</b>	<b>£2,150,000</b>
<b>Balance (A minus B)</b>	<b>£0.00</b>

*Fig.61 Summary of costs and market values*

- 3.76 In accordance with Historic England's position on enabling development, the proposed scheme would secure the future of the former watermill and, whilst contravening other planning policies which seek to manage the provision of new housing, the proposals should be regarded as acceptable for the following reasons:

*It would not materially harm the heritage values of the place or its setting; it would avoid the detrimental fragmentation of management of the place; it would secure the long term future of the place and its continued use for a sympathetic purpose; it would be necessary to resolve problems arising from the inherent needs of the place; sufficient subsidy would not be available from any other source; it has been demonstrated that the amount of enabling development would be the minimum necessary to secure the future of the place, and that its form would minimise harm to other public interests; and the public benefit of securing the future of the significant place through such enabling development would decisively outweigh the disbenefits of breaching other public policies.*

- 3.77 The proposed scheme can be said to 'preserve the building or its setting or any features of special architectural or historic interest which it possesses' by virtue of the fact that the proposed works would not

harm its special interest (ie. its significance). It can therefore be concluded that the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been addressed.



*Fig.62 Proposed streetscene to Mill Hill (Roger Balmer Design)*

- 3.78 Similarly the benefits of the proposed enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, demonstrably outweigh the disbenefits of departing from those policies. It can therefore be concluded that the provisions of the National Planning Policy Framework have also been satisfied and that the proposed scheme will address the conservation deficit (£186,500) and lead to the timely removal of Shirburn Mill from the county's 'Heritage at Risk Register'.