

# JCC Planning



## Planning Statement for

**Temple Mill  
Sibford Ferris  
Banbury  
OX15 5DA**

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## **1 Introduction**

Planning permission is sought for a retrospective planning application for replacing a lean-to canopy and stone built carport with a new stone and steel framed (with stone return) carport and workshop, with integral mezzanine at Temple Mill, Sibford Ferris, Banbury OX15 5DA.

This planning statement sets out for the retrospective planning application the following:

- ❖ a brief background and the current situation
- ❖ the justification for applying for retrospective planning permission
- ❖ the existing/proposed design and access considerations, in particular those relevant to Temple Mill being a Grade II listed building
- ❖ a summary.

### **1.1 Background information**

Planning permission was granted on 14 May 2018 (*18/00775/F*), together with Listed Building Consent (*18/00776/LB*) to demolish the existing lean-to canopy and stone build carport and to replace this with an oak-framed workshop and two-bay carport with integral mezzanine over, subject to six additional conditions over and above the standard ones of timescale and adherence to the submitted plans.

On 29 November 2018, five of the eight conditions, namely Conditions 3 (Material samples), 4 (doors and windows), 6 (staddle stone footings), 7 (ridge, eaves and verge) and 8 (forge and brick step recording) of *18/00775/F* were discharged as being acceptable. The remaining Condition 5 (roof lights) was not discharged as these had not been installed.

On 21 November 2019 the owner of Temple Mill, Mr Sabin, was informed in writing (*19/00449/ENF*) that the oak-framed workshop and two-bay carport with integral mezzanine over was not being built as approved (*18/00775/F* and *18/00776/LB*) and that in order to determine whether the development as built could be considered acceptable in planning and listed building terms, the owner was invited on a without

prejudice basis to apply for retrospective planning permission for the retention of the structure as built and listed building consent.

The main reasons why the structure was not being built as approved are:

- ❖ a steel frame has been used instead of an oak frame
- ❖ overall the structure is marginally greater in length and depth than approved
- ❖ both the carport and workshop are now at the same ground level
- ❖ the ridge height of the workshop is higher than approved
- ❖ there is no central post at the front of the carport.

## **1.2 Current situation**

Due to the higher ridge height of the workshop which would obscure part of a window in the Grade II listed building, the owner of Temple Mill met with the Cherwell District Council's (CDC) Development Monitoring Officer on 10 December 2019 and suggested either making the window in the west-facing wall of the Mill building smaller or to move the window up approximately 3 courses. Neither of these suggestions was deemed to be acceptable by CDC's Conservation Team and Planning Officers.

Mr Sabin received a letter from CDC's Development Monitoring Officer, dated 8 January 2020, stating that he had two options, "one is to remove what has been built and rebuild in accordance with the plans that have been approved, or, submit a retrospective planning application for the retention of the structure as built not attached to the listed building. This should also include a method statement of how you intend to rebuild the listed steps and forge that were removed."

On 6 April 2020, a retrospective planning application (20/00947/F) for a "Steel portal / oak framed workshop and two bay carport with integral mezzanine over" was submitted on behalf of Mr Sabin. An amended set of plans was submitted (*DDC-2018-498 Temple Mill-010 As Built Steel Frame Option*), which showed the structure attached to the west wall of the Mill with a small part of the eastern ridge of the workshop as a flat roof adjoining the wall of the Mill under the existing window in that wall. The original Design and Access Statement, which accompanied the

*18/00775/F* planning application, was also submitted even though it did not address the current proposal.

Whilst this planning application (*20/00947/F*) is still under consultation, CDC's Conservation Officer has supplied a comprehensive and detailed consultation response, which, amongst other many useful and helpful comments and observations, states the requirement for a Planning Statement (including Design and Access considerations) that addresses the current proposal.

## 2 Justification

This section: sets out the relevant CDC's planning policies against which the current proposal will be assessed; the Listing Text for Temple Mill; explanations as to why the structure has not being built as approved; and, photographs of the existing structure.

### 2.1 CDC's planning policies

There are two planning policies in *Cherwell District Council's Local Plan 2011-2031 (Part 1)* applicable to this retrospective planning application, namely:

- ❖ **Policy ESD31** – Impact on the Heritage Asset: seeks to conserve, sustain and enhance the designated and non-designated heritage assets and development proposals should include information sufficient to assess the potential impact of the proposal on their significance. This also reflects advice and guidance contained within the National Planning Policy Framework (NPPF)
- ❖ **Policy ESD15** – Residential Amenity: requires new developments to consider the amenity of both existing and future occupants, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.

The *NPPF February 2019* states the following with regard to heritage assets:

- ❖ **Para 185.** Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should also take into account: a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation; c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place
- ❖ **Para 193.** 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 (and the more important the asset, the greater the weight should be).

## 2.2 Listing text

The Listing Text for the Mill at Temple Mill Farm, taken from Historic England, is as shown below (**N.B.** the date on the date stone is **1850** and not 1830 as stated below):

### Listing Text

SIBFORD FERRIS

1719/0/10003 Mill at Temple Mill Farm  
03-NOV-03

GV II

Water Mill. 1830. Limestone rubble, with stone and red brick dressings; left hand bay in red brick; slate roofs.

Exterior: three storeys, with left-hand enclosed overshot water wheel occupying two storeys. Flush stone storey bands above windows at first and second floor levels with incised keystones. Ground floor opening has a replaced vertically boarded door, with three light timber casement to left. Pair of first floor fixed-light four-pane windows, with external fly wheel above that to left. Left hand bay in red brick, formerly housing a wheel (now gone); C20 sliding door; first floor fixed-light four-pane casement. Single window at upper level within the brick gable end, comprising a two-light, small-paned, metal-framed casement. Rear elevation has an arched window opening of stone with brick reveals; to its right is the fly wheel. To the left, high in the eaves, is a narrow light.

Interior: floors with trap doors, and ladder stairs at ground and first floors. Hoist mechanism survives at upper levels. Grain bins and chutes. Detached paddles and other timber and iron machinery stored in roof space.

History: The date is derived from a date stone on the front of the building, which reads DS 1830. The brick extension to the left, probably of the mid C19, would have housed an enclosed wheel, thereby replacing an external one. A steam engine was subsequently installed to power the mill when water levels were low. Mill Farm was owned by the Sabin family since c1800, and was run as a mill until c1960, when it entered a period of disuse on the farm's conversion to livestock. This is one of the principal structures at this farm complex.

## 2.3 Explanations for the current structure

Explanations are provided below for each deviation from the approved plans as in *18/0077/5F* and *18/00776/LB*.

➤ **A steel frame has been used instead of an oak frame:**

The applicant realises now that he should have checked with CDC Planning with regard to what was meant by an “oak framed structure”, particularly in light of his structural concerns in conjunction with ensuring the longevity of the new carport and workshop. There are two key structural issues: 1) a 3m high earth bank extending behind the entire length of the north-facing elevation of the carport and workshop; and, 2) the rather poor foundations of the 1850 listed mill building. It was for these reasons that the applicant decided that the “bones” of the oak framed structure had to be made of steel and he asked Wareing Buildings to manufacture a steel frame which would withstand the pressure from the 3m high soil bank at the rear as well as the slated roof based on the approved plans (*18/0077/5F* and *18/00776/LB*).

➤ **Overall the structure is marginally greater in length and depth than approved:**

The approved length was 9m, whereas the built length will be 9.2991m, an increase of 29.91cm. The approved depth was 5.8228m, whereas the built depth is 5.8593m, an increase of 3.65cm. It is hoped that, under the circumstances, these marginal increases will be acceptable.

➤ **Both the carport and workshop are now at the same ground level:**

There was a fairly major problem when putting the foundations in, whereby the level of the carport section was lower than the road. It soon became apparent that there was a major risk of flooding and a constant issue of having to deal with standing water in the carport. To overcome these problems, the ground level of the carport was raised to match that of the workshop.

➤ **The ridge height of the workshop is higher than approved:**

As a result of raising the ground level of the carport there was a knock-on effect to the ridge height of the workshop. The initial plans for the steel frame structure show the ridge height of the workshop coming in underneath the window on the west elevation of the mill building. However, in order to maintain the height differential between the carport and the workshop, the ridge height of the latter was increased with the result that the ridge is now visible from the



bottom section of the window on the west elevation of the mill building.

- **There is no central post at the front of the carport:**  
When the steel frame structure was under construction the applicant parked two cars, including a wide farm truck under the steel construction. It was then realised that a central post at the front of the carport would cause severe restrictions when parking vehicles. In addition, the applicant also decided that an access that would accommodate wider agricultural machinery coming in for repair to the workshop as and when necessary would be highly desirable.

## **2.4 Photographs of existing structure**

A series of photographs of the existing structure are shown overleaf as follows:

- ❖ *Photograph 1: The steel frame of the carport and workshop*
- ❖ *Photograph 2: Existing listed brick steps*
- ❖ *Photograph 3: The rear of the structure from atop the 3m high earth bank*
- ❖ *Photograph 4: North-west corner from atop the earth bank showing concrete planks*
- ❖ *Photograph 5: View at windowsill level from inside the mill building showing the ridge of the workshop roof*

Some aspects of the above photographs are discussed in more detail in the Section that follows, i.e. *3. Design and Access*.

***Photograph 1: The steel frame of the carport and workshop***



***Photograph 2: Existing listed brick steps***



***Photograph 3: The rear of the structure from atop the 3m high earth bank***



***Photograph 4: North-west corner from atop the earth bank showing concrete planks***



***Photograph 5: View at windowsill level from inside the mill building showing the ridge of the workshop roof***



### 3 Design and access

This section covers the main existing/proposed design and access considerations of the retrospective planning application, taking into particular consideration the comments provided by CDC's Conservation Officer with regard to the Grade II Listed Mill building.

The design considerations covered are as follows:

- ❖ the steel frame structure
- ❖ finishing the steel frame structure
- ❖ listed brick steps
- ❖ other design comments addressed.

#### 3.1 The steel frame structure

There are valid reasons for what has been described as an over-engineered structure, in particular why the steelwork has been erected with higher eaves and ridge so that it no longer abuts the gable of the listed mill beneath the gable window, as follows:

- ❖ a steel frame is required not only to ensure longevity of new carport and workshop but also to withstand the pressure of a 3m high earth bank on its northern elevation
- ❖ in order to overcome the risk of flooding and the occurrence of standing water, the ground level of the carport had to be raised which with it brought about a commensurate increase in ridge height of the workshop
- ❖ due to the now poor foundations of the listed 1850 mill, notably at its west-facing elevation, it is important that the workshop not only abuts this wall but also has the integral strength to support it to prevent the latter from partial collapse in the future.

In order for the workshop to abut the gable of the listed mill beneath the gable window and to make this aesthetically pleasing, it is proposed to achieve this by using the same ridge height as the carport for the eastern end of the workshop (as shown on *DDC-2018-498 Temple Mill-010B As Built Steel Frame Option*). In addition, and from an aesthetic

point of view, this variation in ridge height is in complete keeping with the local vernacular, which consists of a number of different ridge heights.

### **3.2 Finishing the steel frame structure**

The steel frame will be finished as follows:

- ❖ the steel will be concealed by having the stone returned to it
- ❖ concrete planks to rear and west side installed capable of withstanding the 3m high earth bank at the rear
- ❖ the concrete planks dressed with stone to inner face
- ❖ the block retaining wall clad internally with stone
- ❖ the side walls dressed with reused stone where possible on outer face
- ❖ the existing brick forge relocated to rear of workshop
- ❖ a return landing and door installed within the gable to access the first floor room over the workshop
- ❖ remaining finishes/materials, i.e. roof, doors, windows, roof lights, rainwater goods, as in previously approved plans (18/0077/5F and 18/00776/LB).

Reference to *DDC-2018-498 Temple Mill-010B As Built Steel Frame Option*, shows that there is sufficient head height at the top landing to access the first floor room over the workshop via the door within the gable and the brick steps to the side.

### **3.3 Listed brick steps**

The current and listed brick steps have already been dismantled, renovated and replaced, as shown in the 'Revised Plan' of *DDC-2018-498 Temple Mill-010B As Built Steel Frame Option*. The original steps were wider to the south, tapering to the north and projecting beyond the north-east corner of the mill.

The replaced brick steps are now of an even width over their length and terminate at the landing to where the door to the first floor room over

the workshop will be located (c/f *Photograph 2: Existing listed brick steps*, page 10).

### **3.4 Other design comments addressed**

The other design comment made by the Conservation Officer is addressed as follows:

- ❖ "It would be helpful to have levels on the drawings relative to the door threshold to the mill and an indication of where the first floor level is relative to the elevations (it looks to align with the lintel of the double doors to the workshop). Would this change in level not be reflected in threshold heights of the doors?". These requirements have now been addressed in *DDC-2018-498 Temple Mill-010B As Built Steel Frame Option*

It is believed that all the other, and extremely helpful, comments made by the Conservation Officer have now been addressed in this Planning Statement.

### **3.5 Access**

The existing access from the road to the proposed carport and workshop remains the same as granted (*18/0077/5F* and *18/00776/LB*). However, as access to both the carport and workshop are at the same ground floor level, the ease of access, especially to the former, has been improved.

## **4 Summary**

This application for retrospective planning permission for replacing a lean-to canopy and stone built carport with a new stone and steel framed (with stone return) carport and workshop, with integral mezzanine at Temple Mill, Sibford Ferris, Banbury OX15 5DA, is made on the basis of the following planning considerations:

- ❖ that this Planning Statement not only addresses the current state of affairs but also is regarded to be both sufficient and comprehensive in this regard
- ❖ the principle deviation from the approved plans has been to use a steel frame instead of an oak frame on: a) the basis of a lack of understanding by the applicant with regard to what had been granted; and, b) even more importantly, the fact that the rear 3m high earth bank and west elevation of the listed mill building required an appropriate structural solution in order to ensure the longevity of all structures
- ❖ that the details provided in the retrospective planning application with regard to CDC's Planning Policy *ESD31*, and paras 185 and 193 of the NPPF, indicate quite clearly that, in terms of conserving and sustaining the Grade II Listed Mill building, the use of a steel frame for both the carport and workshop is an essential requirement
- ❖ with regard to CDC's Planning Policy *ESD15*, the retrospective planning application seeks to provide additional space for parking and storage for the existing dwelling on a part of the site that had become dilapidated, improving the amenity to the property for the current and future residents of Temple Mill. Additionally, as there are no direct neighbours to the site, the carport and workshop will not affect the amenity of any other properties
- ❖ that the Planning Statement not only addresses but responds satisfactorily to all the comments made by the Conservation Officer in her email to the Case Officer of 29 May 2020
- ❖ that the Planning Statement justifies to a more than satisfactory degree the reason for each deviation from the approved plans as in *18/0077/5F* and *18/00776/LB*
- ❖ that the applicant now understands that he should have alerted CDC Planning with regard to the need to use a steel frame for both the carport and the workshop, and the commensurate effects that



ensued as a result, so that he could then have applied for an amendment to the plans that were approved.

Based on the above planning considerations and the fact that all the deviations from the approved plans were undertaken solely on the basis of conserving the west elevation of the Listed Grade II Mill building, and of ensuring the longevity of the new carport and workshop, it is hoped that retrospective planning permission will be granted.

**.... End of the Planning Statement ....**