

Application Number:	P/ADV/2023/01041
Webpage:	Planning application: P/ADV/2023/01041 - dorsetforyou.com (dorsetcouncil.gov.uk)
Site address:	The Town Mill Mill Lane Lyme Regis DT7 3PU
Proposal:	Replace existing entrance sign with new entrance sign over footpath.
Applicant name:	Mr R McLaughlin – The Town Mill Trust
Case Officer:	Robert Parr
Ward Member(s):	Cllr Bawden

1.0 In accordance with the Council’s scheme of delegation this application is brought to committee for determination as Dorset Council owns land within the application site.

2.0 Summary of recommendation: Grant subject to conditions.

3.0 Reason for the recommendation:

- No harm to character and appearance of area.
- The proposal avoids harm to public safety.
- No significant adverse impact on amenity identified.
- No harm to Heritage Assets and proposals considered to enhance their significance.
- No highway concerns identified.

4.0 Key planning issues

Issue	Conclusion
Principle of Development	Within Defined Development Boundary and as such principle of development is accepted.
Scale, design, impact on character and appearance	Acceptable.
Impact on amenity	No adverse impact identified.
Heritage	No harm to Heritage Assets identified.
Highways, Access and Parking	No adverse impact identified.

5.0 Description of Site

The Town Mill site is located to the immediate north of the centre of Lyme Regis and adjoins the River Lim. The site is considered to be a visitor attraction in Lyme Regis with a diverse range of businesses and activities focussed on the restored working flour Mill. The site is within the Defined Development Boundary, includes a Listed

Building, is within the setting of other Listed Buildings, is within the Lyme Regis Conservation Area and is within the Dorset Area of Outstanding Natural Beauty. The site is in a high flood risk area being within Flood Zones 2 & 3 and is in an area recorded as having a 1:30 and 1:100-year risk of surface water flooding. Public Right of Way ref: W2/11 runs from east to west through the site and leads to The Lynch, which contains the leat that serves the restored working Mill. The site is also within Slope Instability Zone 2. The proposed Archway signage would be located at the top of the steps leading north west out of the Broad Street Car Park.

6.0 Description of Development

The proposal is to install an artist designed and bespoke archway entrance feature at the northern end of the Broad Street Car Park. The archway would be made from mild steel painted silver grey and aims to replicate the appearance of wheat to reflect the historic use of The Town Mill as a restored working flour mill. Above the archway would be a title sign made from Aluminium Composite Material and be painted with a grey background and black lettering.

7.0 Relevant Planning History

Application No.	Proposal	Decision	Decision Date
P/PAP/2022/00613	Developing spaces further at Town Mill. Replace and extend railings. Proposed new entrance & steps into Miller's Garden. Replace large municipal wooden gates with metal gates. Replace current archway. Replace and enhance lighting. Temporary canvas canopy over entrance to Malthouse Gallery.	Withdrawn	14/09/2022
P/FUL/2023/00766	Alterations include:- Replace wooden gates with metal gates. Replace closed gate and install access stairs. Replace railings with hooped railings. Replace and enlarge main entrance with glass door. Replace archway to car park.	Under consideration	
P/LBC/2023/00767	Alterations include- Replace wooden gates with metal gates. Replace closed gate and install access stairs. Replace railings with hooped railings. Replace and enlarge main entrance with glass door. Install serving hatch. Replace archway to car park.	Under consideration	
P/LBC/2021/05051	Internal alterations includes additional WC and infilling of a ceiling void to provide storage at first floor level. Install one stud wall. Cover some existing windows and doors with timber boarding.	Granted	20/04/2022

1/D/13/000198	Upgrading existing and providing additional signage	Granted	03/05/2013
1/D/13/000199	Fascia signs and hanging banners	Granted	03/05/2013
1/D/09/001277	Change of use & alterations to form community areas with offices and micro-brewery	Granted	15/10/2009
1/D/09/000434	Change of use (including alterations) to form community areas (with two offices) and workshop	Granted	12/06/2009
1/W/06/000604	Install micro hydroelectric generation plant	Granted	22/05/2006
1/W/05/000237	Change of use of part of Mill Building (Display Area) to Bakery	Granted	23/03/2005
1/W/04/001579	Erect footbridge, stairways and pedestrian footway. Relocate Mill Yard gates with new timber screen panels	Granted	13/10/2004
1/W/04/001580	Erect footbridge, stairways and pedestrian footway. Relocate Mill Yard gates with new timber screen panels	Granted	13/10/2004
1/W/04/001589	Carry out internal and external alterations	Granted	14/10/2004
1/W/92/000436	Change of use of stables and store to tea room/craft workshops/ educational purposes with minor retail use	Granted	23/12/1992
1/W/92/000435	Demolition of link building, and make external and internal alterations	Granted	23/12/1992
1/W/88/000767	Restore Water Mill with craft workshops in conjunction with Theatre / Arts Centre in Malthouse	Granted	05/01/1989
1/W/88/000766	Restore water mill with craft workshops in conjunction with Theatre/ Arts Centre in Malthouse	Granted	05/01/1989
1/W/88/000443	Convert existing workshop/store to 2 dwellings and construct car parking spaces	Refused	25/08/1988
1/W/87/000716	Change of use from storage depot to theatre/ art centre	Granted	15/12/1987

8.0 List of Constraints

Grade: II Listed Building: TOWN MILLS, MILL HOUSE List Entry: 1230633

Grade: II Listed Building: OLD LYNCH List Entry: 1229968

Grade: II Listed Building: CHURCH VIEW List Entry: 1278986

Lyme Regis Conservation Area

Lyme Regis Defined Development Boundary

Area of Outstanding Natural Beauty (AONB); Dorset

Town Centre Areas; Lyme Regis
Lyme Regis and Charmouth Slope Instability Zones; Zone 2
Right of Way: Footpath W2/11
Risk of Surface Water Flooding Extent 1 in 30
Risk of Surface Water Flooding Extent 1 in 100
Dorset Council Land (Freehold)
EA - Flood Defences
Main River Consultation Zone
Flood Zone 3
Flood Zone 2
Radon: Class: Less than 1%

9.0 Consultations/Notifications

Lyme Regis Town Council - Lyme Regis Town Council supports the application.

Ward Councillors – No reply.

Highway Authority - No objection.

Assets & Property - No reply.

Rights of Way - No reply.

Ramblers Association - No reply.

Representations received – None.

10.0 Development Plan

Relevant Policies

West Dorset and Weymouth & Portland Local Plan (2015)

ENV1	-	Landscape, seascape and sites of geological interest
ENV4	-	Heritage assets
ENV10	-	The landscape and townscape setting
ENV12	-	The design and positioning of buildings
ENV14	-	Shop fronts and advertisements
ENV16	-	Amenity
COM7	-	Creating a safe and efficient transport network

Material Considerations

National Planning Policy Framework (2021)

In determining the proposals due consideration has been given to Section 16 Paragraphs 192,199,194,195,197, of the NPPF.

Statutory Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to 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.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Section 85 of the Countryside and Rights of Way Act (2000) requires that regard is had to the purpose of conserving and enhancing the natural beauty of the AONB

Other Material Considerations

Emerging Dorset Council Local Plan:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Supplementary Planning Document/Guidance

Dorset AONB Landscape Character Assessment
Dorset AONB Management Plan 2019-2024

WDDC Design & Sustainable Development Planning Guidelines (2009)
Landscape Character Assessment February 2009 (West Dorset)

Lyme Regis Conservation Area Appraisal adopted October 2010

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. It is considered that given the type and nature of the development proposed it would have no adverse impact on people with protected characteristics.

13.0 Financial benefits

No direct financial benefits have been identified or detailed in the application.

14.0 Environmental Implications

No environmental implications.

15.0 Planning Assessment

15.1 Principle of development

The application site is located within the Defined Development Boundary where development that meets the needs of the local area will normally be permitted. The proposed development relates to a Community Facility/Tourist Attraction and as such the principle of development is accepted under Local Plan Policy SUS2. The application is for advertisement consent and therefore the only considerations in determination the application are amenity and public safety.

15.2 Impact on amenity and safety

The location, size and design of the archway signage proposed is of an attractive bespoke design that would respect the character of the area and replace existing municipal looking signage in approximately the same location. The archway sign would not be illuminated and there is a good amount of separation between the archway and neighbouring properties. As such the proposed signage is considered to be in keeping with the character of the area and an improvement on existing advertising found in this location.

By virtue of being an archway the public will be required to walk under the sign for access/egress to the car park/mill complex and the projecting representation of wheat in the design would be at an accessible height. As such there are potential entrapment

and impact with object risks associated with the archway, which given its location at the top of a stairway present a potential hazard to the public. Therefore, as the design for the archway is still at an illustrative level of detail it is considered appropriate and necessary that the final detailed design is controlled by condition to ensure public safety is satisfactorily addressed.

The proposed signage would have no impact on highway safety for vehicles in the vicinity.

15.3 Impact on heritage assets

The site is located within the heart of the historic core, designated as a Conservation Area (CA). The Listed Building known as the Town Mills is one of a group of historic buildings located adjacent to the River Lim and consisting of restaurants, galleries, microbrewery, other artisan workshops and shops. Of particular relevance to this application are the Malthouse and Bakehouse buildings, which although not specifically listed are considered to be curtilage listed by virtue of their close proximity and historic association with the Town Mills.

The Town Mills is a Grade II Listed Building constructed of rubble stone and slate. The earliest parts of the mill are understood to date from the 16th Century, with substantial fabric from the 17th, 18th, and 19th centuries. The building still retains a quantity of historic fabric, and the building contributes positively to the historic setting and to the CA overall. In summary the mill complex is considered to form an enclave of historical and evidential value that in addition to its early date, and continued use as a working flour mill is of high significance.

Also within the setting of the application site are the Listed Buildings known as Church View and Old Lynch. Church View is Grade II three-storey house C17 and early C19, originally one dwelling but now forms no.6 & 6A and has individual and group historic significance with other nearby buildings. The Old Lynch is a Grade II traditional two-storey cottage circa C19 and as such has individual historic significance in addition to its contribution to the mill complex historical enclave.

Potential harm to heritage assets

Installing an archway entrance feature to the Broad Street Car Park

The existing modern signage at the entrance to The Town Mill complex from Broad Street Car Park is not considered to be of any heritage significance and can be described as municipal in character. The proposed artist designed archway/entrance sign would provide a bespoke feature in the streetscene that is considered to be an enhancement to the heritage setting in the CA. Furthermore, by encouraging increased public access to this part of the site by virtue of an eye catching and welcoming entrance feature, the proposal is considered to contribute towards better revealing the significance of the historical enclave.

Conclusion on impact on heritage assets

Therefore, subject to conditions to control the detail the proposals are considered to be acceptable in heritage impact terms and in accordance with Local Plan Policy ENV4.

16.0 Conclusions

The proposal is not considered to have an adverse impact on amenity or, subject to conditions, public safety.

The proposal is considered to preserve the character and appearance of the Lyme Regis Conservation area, the setting of Listed Buildings and it is considered that the development would not result in any harm to the heritage assets. Overall, the proposal is considered acceptable, subject to conditions. This conclusion has been reached having regard to: (1) section 72(1) and (2) section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving the building or its setting and preserving or enhancing the character or appearance of a conservation area; (3) Local plan policies ENV4, ENV16, ENV14 and COM7 of the West Dorset, Weymouth & Portland Local Plan (2015) and Section 16 of the NPPF (2021).

17.0 Recommendation

Grant subject to conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan	–	Dwg No. C2254.01A
F- Archway details	-	Dwg No. C2254.07C

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Notwithstanding the details of the design on drwg no. C2254.07C prior to installation on site of the new Archway from Broad Street Car Park, detailed drawings and specifications showing the design and construction of the new Archway (at a scale no less than 1:10) shall be submitted to the Local Planning Authority and agreed in writing. Details and drawings shall include colour and materials which shall match those detailed on Dwg No. C2254.07C unless otherwise first agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: In the interests of public safety.

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. No advertisement shall be sited or displayed so as to; a) danger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c) hinder the operation of any device used

for the purposes of security or surveillance or for measuring the speed of any vehicle.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

8. The advertisement sign(s) hereby permitted shall not be displayed until the existing advertisement sign(s) as shown on drawing number C2254.07C has/have been removed from the site.

Reason: In the interests of amenity and public safety

Informatives

Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.