

QUESTIONS BY THE PUBLIC FOR COUNCIL UNDER RULE 10 OF THE COUNCIL PROCEDURE RULES – COUNCIL 04 DECEMBER 2019

1. Question by Mr Dominic Hinkins to Councillor Tom Ashton, Portfolio Holder for Planning.

A complaint was recently raised to the Planning department by a Horncastle resident about the Old Water Mill, a notable building in Horncastle occupying a prime riverside site.

The resident asked that the building, which is derelict, be issued a Section 215 order, under the Town and Country Planning Act, to oblige the owner to tidy up the site – as recommended by the Historic England pamphlet "Stopping the Rot". The Mill is in a very poor state, and has a detrimental effect on the area, which is a mixture of residential, commercial and riverside.

A reply was received from Planning that the building "does not have sufficient detrimental impact on the street scene" to warrant the issuance of a Section 215 order to the owner of the property. Horncastle Town Council were copied in to this reply.

HTC Planning and Development Committee responded officially to express disappointment at this outcome, which directly contradicts documentary evidence commissioned by and officially accepted by ELDC's planning department.

Namely, these are the 2008 review of Horncastle's conservation area, commissioned by ELDC directly, and the 2014 Neighbourhood Development Plan, which is a formal planning document.

Both documents single out the Water Mill as a building of concern, and explicitly state that the water mill is a prominent building, which is currently in a neglected state, and that this neglect is having a detrimental effect on the local area. The NDP in particular notes that the restoration of the Water Mill is a number one priority for local people.

HTC also noted that it and the History and Heritage Society, a planning consultee, had repeatedly expressed concern about the structural soundness of the building, and the impact it has on the waterfront area. Both recommended that any future planning applications and extensions be denied until the owner commits to stabilise the building's condition.

Over a decade has passed since the Conservation area review, and five years since the NDP was passed, and the building has continued to deteriorate.

It is plainly and obviously the case to Horncastle residents that the Old Water Mill, Mill Lane, is in a neglected, dangerous and derelict state, and that this adversely affects the amenity of the local area.

In the light of this overwhelming evidence, can Councillor Ashton explain why the decision was taken not to take enforcement action to compel the owner of the Mill to undertake urgent repairs and tidy up their building, under the powers granted by the act? The common interpretation is that ELDC simply do not wish to go to the bother of protecting and preserving this local asset.

A. The enforcement team have investigated the complaint and whilst it is aware that the site is derelict, that in itself is not a reason to warrant serving a Section 215 Notice. Whilst it is noted that some repairs could be carried out to the building its appearance is not so detrimental to the amenity of the area that it would be expedient to take formal action and issue a Section 215 Notice. This does not mean that action in the future cannot be taken, if it is appropriate.