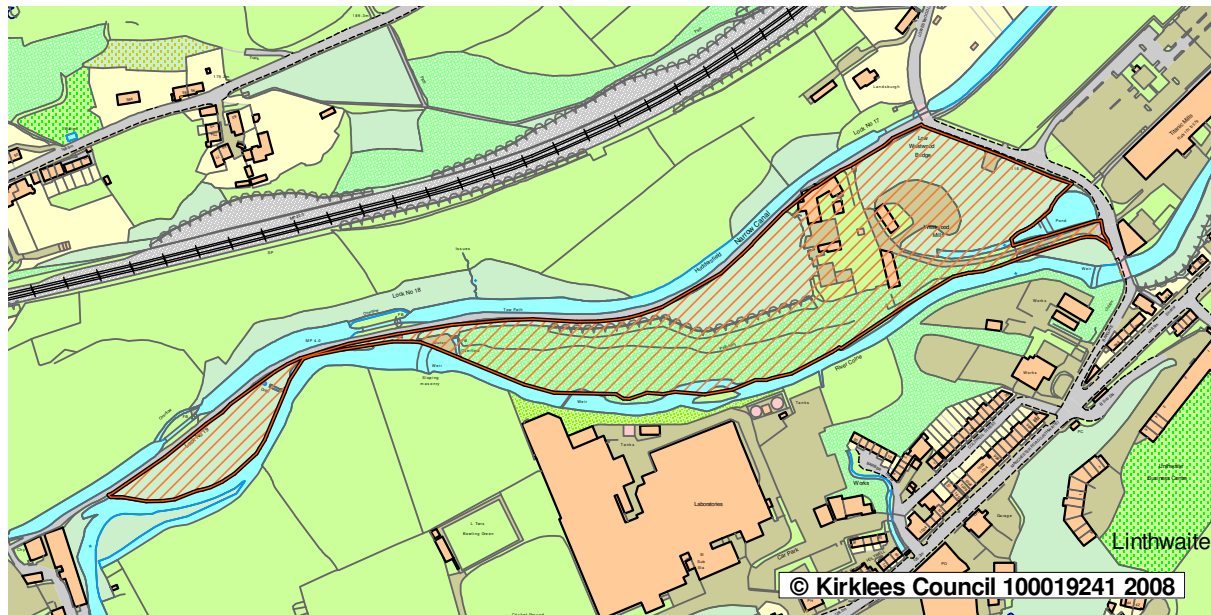

Report of the Head of Strategic Investment**STRATEGIC PLANNING COMMITTEE****Date:** 5th July 2018**Subject:** Pre-application for part demolition and part conversion to form 64 apartments and approximately 66 dwellings**APPLICANT** Malcolm Sizer
Planning Ltd**DATE VALID:** 12 Mar
2018**TARGET DATE:** 08 April
2018**EXTENSION EXPIRY DATE**

LOCATION PLAN**Map not to scale – for identification purposes only**

1.0 INTRODUCTION

- 1.1 This pre-application is brought to Strategic Committee given the scale of the development in the Green Belt and the heritage significance of the site.
- 1.2 The Council's Officer-Ward Members Communication Protocol provides for the use of pre-application submissions at Planning Committees. They set out the details of the pre-application, the consultation responses and representations received to date and the main issues identified at pre-application stage with the development proposed.
- 1.3 Members of the Committee will be able to comment on the main issues to help inform Officers and applicants. This is not a formal determination, it does not predetermine the outcome of any subsequent planning application, nor does it create any issues of challenge to a subsequent decision on the application by the Committee.

2.0 SITE AND SURROUNDINGS

- 2.1 Westwood Mill is located in the bottom of the Colne Valley and sits between the river and the canal. A single access road runs across the valley, Lowestwood Lane, and this would serve as access to the development. The existing mill buildings and structures are in a very poor state of repair and have been subject to emergency action to stabilise them in the past.
- 2.2 The site lies in Linthwaite Conservation Area. The existing mill buildings and structures do not lie in the Green Belt but land on either side to the east and west comprises Green Belt land. The site is sandwiched by the river Colne to the south and the Huddersfield Narrow Canal to the north.
- 2.3 There are 5no Grade II* listed buildings and structures within the Westwood Mill complex. These are:
 - East block of Westwood Mills - Warehouse and workshop range – early 19th Century with later additions.
 - Office and workshop range at Westwood Mills – Office and workshop range – early 19th Century with later additions.
 - Boiler house and engine house and rope race, water tower and powerhouse at Westwood Mills.
 - West Block at Westwood Mills – Scribbling, carding and fulling mill
 - Mill dam – 1801 – pond also supplied water to the small mill dam at Lower Mill to the south-east now called Titanic Mill.

Background

- 2.4 Westwood Mill was purchased by Michael Wilson, the current owner, and his then business partner prior to them securing the grant of planning permission and listed building consent in October 2005 for conversion and new build to form a total of 108 apartments (planning ref – 2005/90818).
- 2.5 The 2005 planning decision considered that there were very special circumstances to justify new residential development in the Green Belt including the importance of reinstating the existing mill buildings and the viability considerations.

- 2.6 Planning permission 2005/90818 was never fully implemented. The applicant states that the approved scheme would have incurred a financial loss because of the ongoing effects of changing market conditions and the fact that the market for apartments in Linthwaite was limited.
- 2.7 The heritage assets have also continued to deteriorate since the original consent was granted which has also increased the cost of the proposed restoration.
- 2.8 The consequence of the above is that additional new build is required to finance and enable the restoration of the existing building.
- 2.9 Whilst no viability information has been submitted with the pre-application enquiry, such information would be a fundamental part of any subsequent application. The applicant would include a viability appraisal and officers would commission an independent consultant to consider the submission.

3.0 PROPOSAL

- 3.1 The scheme includes the full restoration of the listed mill buildings as approved in 2005 together with new build alongside as previously approved to comprise a total of 64 apartments adjacent to the restored mill pond.
- 3.2 47 terraced houses are proposed between the retained mill buildings and Lowestwood Lane (to the east).
- 3.3 16 dwellings are proposed immediately to the south of and overlooking the re-instated mill pond to the west of the restored mill buildings (to the west).
- 3.4 Three detached dwellings are proposed at the western edge of the site.
- 3.5 In total approximately 130 residential units are proposed including the conversion of the mill and extensions to the mill and new housing.
- 3.6 It is intended that the settling pond immediately adjoining Lowestwood Lane would be purchased, restored and its surroundings enhanced.
- 3.7 At this stage details submitted are indicative.

4.0 CONSULTATION RESPONSES

Historic England – “*The Westwood Mills complex comprises five separately listed buildings, all listed at Grade II*. The complex has been on our Heritage at Risk register for many years and we are therefore supportive of the proposed repair and conversion of the listed buildings. An element of new-build development will be required to enable this repair and conversion to be financially viable and we accept the principle of new development within the site. This should obviously take account of the setting of the highly-graded listed buildings and we have been in discussion with the owners of the site for several years to secure this.*

The most recent site plan (drawing no. 538.01/PLA301 Rev B) appears to reflect our discussions about development on the site. We particularly welcome the significant reduction in surface parking to the east of the mill and the revised footprint of the proposed new-build terraces. Visual 3 indicates that this would provide a good view of the collection of mill buildings from the east, whilst also creating a sense of enclosure

around the communal green space. We also welcome the increased density in the housing to the west of the mill by creating groups of terraced houses, and the contemporary style shown in the visuals appears to complement the industrial character of the mill buildings.

In summary, we consider the revised proposals address many of the comments we made in our previous letter..."

Environmental Health – No objection subject to contaminated land and air quality information.

Public Rights Of Way - PROW would look for appropriate and reasonable non-vehicular connectivity and permeability for the development.

Landscape - The current requirements for a site of this size (over 0.4ha) would be to provide accessible amenity public open space of 30sq m per dwelling (in the region of 3780 m2). More detailed comments provided on lack of pedestrian accessibility.

Strategic Housing – 20% affordable housing required but vacant building credit may apply.

Education - Education contribution of £311,355.00 would be required.

Highways – *In line with the councils parking policy the following parking provision should be provided:*

*2 - 3 bedroom dwelling: 2 spaces
4+ bedroom dwelling: 3 spaces
1 visitor space per 4 residential units
1 cycle space per residential unit (desirable)*

*Garage dimensions (Internal):
Single: 6.0m long x 3.0m wide
Double: 6.0m long x 5.0m wide
1 electric vehicle charging connection point per dwelling (normally within a garage).*

Provision for the storage of waste to the rear/side of each property should be indicated, along with bin collection points at the end of all private driveways on communal collection points. All turning heads within the site should be of a size to accommodate an 11.85m refuse collection vehicle, demonstrated via swept path analysis.

A stage 1 Road Safety Audit covering all aspects of the design would be required and submitted as part of the access and internal layout.

The provision for metro cards for the development should be taken into consideration, WYCA will be consulted at the planning application stage and will recommend a contributory sum accordingly.

UTC sections comments as follows:

Given the number of proposed units on the site, UTC would expect to see a quantitative assessment of the nearby A62 Manchester Road / Bargate traffic signal controlled junction undertaken in Linsig. The controller specification can be provided for a fee of £283.00.

A contribution of £8,400 towards four Bluetooth journey time detectors (£2,100 each) for A62 Manchester Road would be sought by UTC. These detectors would link into the existing Bluetooth journey time network to help provide information relating to route choices and for monitoring purposes.

Section 38 comments as follows:

*Road to be designed to adoptable standard having a minimum width of 5.5m.
Gradients to be kept to maximum of 1:20, where possible (steeper gradients may be acceptable)
Driveway and private drives to be 1:10 maximum gradient
Crossfalls to be 1:40.*

All private drives and driveways that fall towards the public highway (or highway to be adopted) to have surface water drainage to avoid surface water running on to the public highway.

Where ramps are placed to demarcate different surfaces or road types, the footways should continue beyond the ramp to provide for level pedestrian crossing of the carriageway and appropriate tactile paving provided.

Where ramps or other traffic calming features are proposed, they should be positioned to avoid creating or exacerbating captive low points.

Any retaining structures proposed for adoption or in close proximity may be subject to a structural AIP.

5.0 MAIN ISSUES

Principle and Impact on Heritage Assets

- 5.1 The collection of Grade II* heritage assets at Westwood Mill are on the Historic England *at risk* register and are at immediate risk of further rapid deterioration and loss of fabric. The Grade II* listing indicates that the assets are particularly important and are of more than special interest and account for just 5.8% of listings nationally.
- 5.2 Part of the significance of these assets is derived from:
- a) The early date of the first phases of the mill;
 - b) The way in which the chronological development of the site is legible in the stylistic and construction differences between the different blocks;
 - c) The survival of fabric that illustrates the different functions and development of power sources over the years, e.g. the turbine, engine house, boiler house, drying room etc;
 - d) The survival of associated infrastructure including the mill pond/ dam, sluice gate and mill race;
 - e) The location of the complex which illustrates the importance of water power to the early operation of the mill; and
 - f) The green valley setting which allows an appreciation of the mill complex in its rural location (in contrast to larger urban mills of West Yorkshire towns).
- 5.3 The site also lies in Linthwaite Conservation Area. Within this document the site is highlighted as a collection of buildings at risk and development of it should preserve or enhance the wider Conservation Area. The applicant has submitted the scheme on the basis of an 'enabling development' argument. The NPPF states:

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.

- 5.4 The proposed development involves the erection of approximately 63 dwellings in the Green Belt (final number subject to viability). This would represent an inappropriate form of development and very special circumstances would need to be found to justify the development in the Green Belt. The main benefits and very special circumstances the applicant would put forward at application stage are likely to constitute the enabling works to bring the listed buildings back into viable use.
- 5.5 The NPPF states in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.6 It is important, therefore, that any subsequent planning application is accompanied by a Heritage Statement and viability information to demonstrate that the extent of the extensions and new build are justifiable on the basis that the works would secure the optimum viable use of the existing mill. Information should also be submitted showing the visual impact of the building from sensitive receptors.
- 5.7 The pre-application scheme has undergone an extensive consultation exercise with Historic England and the Design and Conservation Team. The initial pre-application submission has been altered to take into account the comments from Historic England concerning the design of the proposed scheme and its relationship with the heritage assets:
- *The large surface car park to the East of the Mill has been removed, largely due to much of the car parking for the houses being now within each individual dwelling, leaving a large appropriately landscaped uncluttered natural central area.*
 - *The east housing is no longer laid out in the form of crescents.*
 - *The proposed new build apartments abutting the Listed Mill have been reworked to remove the cruciform roof and by the introduction of balconies on the South Eastern elevation at each corner, with the arch reinstated off which run houses.*
 - *The West housing no longer extends the whole length of the mill pond and leat, but is concentrated adjacent to the apartment buildings and then provides a break until the Western end of the site where a small number (3) of detached houses are positioned, thereby removing the “village green overlooking the pond” feel that previously gave concern.*
 - *All the other house types are now “mews style town houses” with integral parking and roof terraces, giving more than a nod to a contemporary contrasting style, using a simple form and materials.*
 - *The long views East and West are opened up due to less obstruction and a simplified form of new build.*
 - *Landscaping, ground level terraces/gardens & surface parking will use permeable surfaces (as before).*

- 5.8 Historic England have commented on the revised plans as above and, subject to additional detail, are generally supportive of the main alterations in the way it relates to the existing listed assets. They are particularly welcoming of the significant reduction in surface parking to the east of the mill as this would open up views and create a sense of enclosure around the communal green space. Historic England also welcome the increased density in the housing to the west of the mill by creating groups of terraced houses, and the contemporary style shown in the visuals appears to complement the industrial character of the mill buildings.
- 5.9 Officers are generally supportive of the design ethos and feel that the contemporary housing element is a particularly interesting part of the proposal. Officers consider it necessary for Historic England comments to be considered as part of any subsequent application. The applicant is also encouraged to give careful consideration to the impact of the southern mill extension close to the southern boundary of the site where it faces the River Colne. This proposed element of the extension is particularly large with balconies facing the river and would need to be considered in light of the potential impact on the setting of the remaining listed mill.
- 5.10 In addition, in terms of the Green Belt, officers are generally satisfied that the encroachment has been reduced through the pre-application process but still consider that the proposed layout includes a three detached dwellings in the Green Belt which are proposed on the edge of the site and away from the main area of the proposed development. Officers would wish to see the extent of encroachment into the Green Belt further reduced where possible.
- 5.11 Notwithstanding policy issues concerning the addition of housing proposed to the west in the Green Belt, the proposed housing to the east and close to the mill complex responds more sympathetically to the historic mill than the extant planning permission (ref - 2005/90818).

Flood Risk

- 5.12 The River Colne flows along the south extents of the proposed development site while the Huddersfield Narrow Canal is located along the north extents of the site. There is also a mill pond within the site extents, with a culvert running underneath the existing building. The current Environment Agency Flood Risk Map shows the majority of the mill site to be partly in Flood Zone 3 and Flood Zone 2, so at high and medium risk of flooding respectively. This includes the existing mill building.
- 5.13 The applicant has undertaken an independent Flood Risk Assessment and has consulted separately with the Environment Agency. According to the applicant, the modelling that has been carried out shows that much less of the site is flooded in the 1 in 100 year +50% and 1 in 1000 year events than shown on the Environment Agency flood mapping.
- 5.14 The applicant proposes that the floor levels of new residential development would be located 600mm minimum above the 1 in 1000 year flood level as predicted by the applicant's FRA. The proposed buildings would, therefore, be 600mm above the 1 in 100 year (+50% climate change allowance).
- 5.15 The applicant proposes that the development would incorporate sustainable drainage (SUDS) virtues such as permeable paving, landscaping, ponds and swales to attenuate runoff to the agreed rates, and improve runoff quality.

- 5.16 The Lead Local Flood Authority have assessed the proposal and advise that any subsequent application would be subject to sequential and exception test in line with NPPF guidance. They also advise that any subsequent application should consider flood routing and any existing infrastructure associated with the mill building which may be on site.
- 5.17 The applicant has submitted information which shows that each of the dwellings would be positioned above the 1 in 1000 year event flooding level and there would be an emergency escape route away from the site and flood area.
- 5.18 Subject to additional flood risk information and further consultation with the Lead Local Flood Authority and the Environment Agency the proposed development appears to have had regard to the significant flood risk issues within the site.

Trees/Ecology

- 5.19 The site includes a number of trees and sits in between a canal and river. A full tree survey would be required along with a full ecological assessment with mitigation measures incorporated into the final proposal.

Highways

- 5.20 The principle of residential development has previously been accepted on this site albeit for a lesser number of units (104). The proposed point of access would be off Lowestwood Lane. Highways DM have assessed the submission and raise no objections in principle subject to any subsequent application including a Transport Assessment which includes an assessment of the impact of the proposed development on the A62 Manchester Road/Bargate traffic signal controlled junction. The comments from Highways DM suggest that some relatively minor works may be needed to improve the efficiency of the existing traffic signals but that is dependent upon the investigation works carried out by the applicant as part of the Transport Assessment.

Infrastructure

- 5.21 Whilst the proposal would generate a requirement to deliver affordable housing and education contributions via a S106 agreement, the nature of the enabling development means that no S106 is proposed.

6.0 CONCLUSION

- 6.1 Any subsequent planning application would need to have regard to a number of restrictive planning policies. A large part of the site lies in the Green Belt. The proposal would constitute inappropriate development in the Green Belt. The NPPF tells us that we should apply substantial weight to any harm to the Green Belt. There would be harm to the Green Belt because of the nature of the scheme. There would be further erosion to the openness of the Green Belt. There would be conflict with the five purposes of including land in the Green Belt (NPPF). All these aspects are elements of harm and any subsequent planning application should fully consider the potential harm to the Green Belt and would need to demonstrate very special circumstances.
- 6.2 The existing Grade II* assets are in a significant state of disrepair. Their successful restoration would be significantly beneficial and would potentially offer significant public benefits. However, in order to fund the restoration of the buildings requires new development in the Green Belt. Therefore, any subsequent planning application

should clarify whether the enabling development is necessary and include detailed viability information.

- 6.3 In terms of the impact of the new development on the existing heritage assets, the applicant has amended the scheme to take into account Historic England comments and the proposed development, whilst in indicative form, appears to relate better to existing heritage assets. Any subsequent planning application should give detailed consideration to the responses from both Historic England and the Council's Design and Conservation team.
- 6.4 In drawing both Green Belt and heritage policies together as part of the planning balance, any subsequent planning application will need to demonstrate that harm to the Green Belt and any other harm is clearly outweighed by other considerations (such as enabling the restoration of the Grade II* assets) as to amount to the very special circumstances needed to justify the proposed development.
- 6.5 It is understood that enabling development to restore the listed buildings is likely to impact upon the policy requirements requiring contributions towards infrastructure such as education, affordable housing, highways and public open space unless they are deemed of fundamental importance when weighed in the planning balance. This is in accordance with the provisions of the NPPF. No S106 agreement is proposed to cover these infrastructure requirements but this should be weighed against the significant public benefits afforded to the restoration of the heritage assets.
- 6.6 Given the location of the site and the potential ecological interests detailed ecological assessments and appropriate mitigation should inform any subsequent planning application. Additionally, tree survey information would be required.
- 6.7 Flood risk justification and appropriate mitigation will need to be incorporated into any successful scheme and should accompany any subsequent planning application. Other matters such as highways would also need to be fully addressed in any subsequent submission.

7.0 RECOMMENDATION

- 7.1 That members note the contents of this report for information.