
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 24-Jan-2019

Subject: Planning Application 2018/94098 Discharge condition 3 (method statement) on previous permission for Listed Building Consent to remove fire-damaged debris from interior of mill building and weaving shed Newsome Mills, Ruth Street, Newsome, Huddersfield, HD4 6JF

APPLICANT

Panorama Living Ltd

DATE VALID

12-Dec-2018

TARGET DATE

06-Feb-2019

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Newsome YesWard Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to discharge the condition 3 of previous permission 2017/93009.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Huddersfield Planning Sub-Committee for determination at the request of the Huddersfield Planning Sub-Committee for the following reason: *“There is a lot of local concern regarding the mill, so I think it would be better for the decision to be made in public at the Huddersfield Planning Sub-committee”* and *“to allow informed input from local residents.”*
- 1.2 The Chair of the Sub-Committee has confirmed that the reason for making this request is valid.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is the former Newsome Mill that is situated to the north of Ruth Street and turns the corner northwards along Hart Street. To the east of the building is residential, to the north is vacant land that has had previous planning permission for residential development and to the immediate south a range of former mill buildings that have been converted to various uses.
- 2.2 The mill complex is comprised of a free standing six storey tower with a clock to each face, a lodge and archway, a two storey former office buildings, a range of single storey weavers sheds and the remains of the former four storey mill building.
- 2.3 In the early hours of 17th November 2016, the 4 storey mill building, weaving shed and the clock tower were damaged to varying degrees by a fire and resultant safety works. The walls of the main mill building remained standing at approximately first floor window cill height but all the roof, floors and remaining walls had collapsed. The roof and part of the external walls of the weaving shed also were damaged or collapsed to allow access. For safety reasons and with the agreement of Kirklees Council and the Health & Safety Executive (HSE), the debris on the outside of the building was removed from the site, but the internal debris was left in-situ.

3.0 PROPOSAL:

- 3.1 The proposal is to discharge condition 3 of Listed Building Consent 2017/93009 which required a Method Statement to be submitted and approved for the removal of the debris and subsequent storage of material within the walls of the mill building.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2006/91452 – Application to demolish part of the mill building, erection of 13 dwellings and 11 apartments and conversion of the mill buildings to 45 apartments and 1 dwelling. Conditional full planning permission

2009/93669- Full application for the erection of 20 dwellings and the change of use for the mill buildings into 1 dwelling and 40 apartments – conditional planning permission subject to a 106 agreement.

2009/93672 - Application for Listed Building Consent for conversion of the mill building to 40 apartments – conditional consent

2017/90377 – Application for Listed Building Consent of the demolition of the four storey mill building and the single storey weaving shed – withdrawn

2017/93009- Application for Listed Building Consent to remove fire damaged rubble within the mill building-conditional consent

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 Since consent has been granted for the removal of the rubble discussions have been carried out in regards to the safe means of access to within the building, the method of working to prevent the collapse of the outer walls of the building and the storage of any material considered to be of importance for future use.
- 5.2 Following discussions a method statement indicating the exact location of the access point, the method of removal, the type of machinery to be used and the means of protection for the remaining standing walls.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

6.2 None

Supplementary Planning Guidance / Documents:

6.3 None

National Planning Guidance:

6.4 **Chapter 12-** Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The discharge of condition application was publicised by site notice on the 17th of December 2018 and newspaper advert on the 28th of December 2018.

7.2 No comments have been received.

8.0 CONSULTATION RESPONSES:

8.1 **Statutory:**
None

8.2 **Non-statutory:**
This report is written by an officer of the KC Conservation and Design Team

9.0 MAIN ISSUES

9.1 The main issues to be addressed in discharging condition 3 are:-

- The need to carry out the work
- The impact upon the significance of the building
- Creation of access opening
- Representations

10.0 APPRAISAL

The need to carry out the work

10.1 Following the fire and once the building had been damped down by the Fire Service they requested, with agreement of the Council's Building Control officer, that the site needed to be made safe by the 'pushing in' of the upper floors to prevent collapse into the highway. The upper floors were unsafe due to the lack of restraint caused by the collapse of the floors and roof. During the night and the following days, the building was brought down to a safe height to floor level of first floor. Equally part of the weaving shed was removed to allow machinery to enter the site.

- 10.2 This resulted in stone masonry, tiles and iron columns being mounded on to the ground floor within the remaining four walls. Despite securing the site, the fencing has been broken through and theft of the stone has been occurring on numerous occasions. This poses a risk to health and safety as it is unsafe to enter the building due to the amount of debris, the weight of the debris may have caused damage to the ground floor and the remaining walls may be considered to be dangerous due to the lack of restraint.
- 10.3 The owner of the site has stated his intentions to develop the site and as part of any re-development proposals a structural survey, measured survey and constraints plan will need to be carried out which involves entering the shell of the mill, the Clock Tower which is accessed from the site and can only be done once the site has been declared safe. Equally none of the surveys can be carried out without the debris being removed.

The impact upon the significance of the building

- 10.4 Under the Planning (Listed Building and Conservation Areas) 1990 whilst the building is no longer as originally listed the resultant debris still forms part of the building and as such benefits from protection under the act. Therefore Listed Building Consent is still required for the removal of the debris from the site. The remaining walls of the mill, the remains of the weavers shed, the clock tower and the adjacent buildings are all still listed and as such any alterations to them require consent. Therefore there are two areas of impact, the removal of the debris and the creation of an opening in the remaining building to allow access to machinery and operatives.
- 10.5 The removal of the debris, albeit listed, is to allow safe access to the site for surveying purposes in relation to the redevelopment of the site as well as removing a health and safety hazard. Whilst the stonework appears to be in a good condition and perhaps re-useable as part of any proposed development, the extreme temperatures of the fire has led to the stone 'pinking'; this is the colour of the stone once exposed to fire and leads to the stone being more friable and unsuitable for construction. Therefore it is proposed that the stone is removed from site for disposal. Where any architectural details or iron columns be found then they will be safely stored on site and retained for use in any form of development. The submitted method statement highlights that any retained materials will be stored outside of the area to be cleared but within an agreed location within the footprint of the building. The compound for storage will be in a corner of the building and constructed of timber hoarding and a secured access point.

The creation of an access opening and the removal of debris

- 10.7 Due to the specialist nature of the removal of debris and due to health and safety requirements, a method statement from an appropriately qualified and experienced contractor has been submitted for approval prior to the works commencing.
- 10.8 The remains of the former multi-storey mill and the single storey weaver's sheds are separated by a substantial wall with no openings; breaching this wall to create an opening may cause structural collapse. Equally to retain the historic integrity of the remaining standing parts of the mill it is not acceptable to form openings on the remaining walls to Ruth Street and the walls to the access road off Ruth Street.

- 10.9 The rear wall of the multi-storey mill has been significantly altered over the years. This wall consisted of a series of openings, sub-divided by cast iron columns, which provided access to the now demolished connecting buildings again to the rear. These openings have been infilled using lightweight concrete blocks for security reasons. In terms of the weaving sheds, the rear walls were exposed and open following the long standing demolition of the rear range of buildings following the granting of planning permission for the development of the site. Again the walls were supported by cast iron columns with the openings infilled by lightweight concrete blocks.
- 10.10 The submitted site management plan therefore proposes to access the mill and shed areas from the North West, rear wall, adjacent to the clock tower. In terms of the mill it is proposed to remove the lightweight concrete blocks to form an opening approximately 3.8m by 3.6m high which is below the existing cast iron beams. An access route will be created by the removal of the soil banking off Hart Street and the route will be protected by the use of Heras fencing. Once the works are completed the access will be sealed using blockwork, as existing, and Heras fencing installed to prevent access.
- 10.11 The Method statement includes the size of machinery to be involved, which includes a 360 excavator, a Bobcat excavator and small 4 wheel drive dumpers. The debris will be extracted using this machinery which is of a scale that will be able to use the proposed accesses and be able to move around the narrow confines of the building. Care will be taken to ensure that the walls are not disturbed during the operations so any works adjacent to the walls will be carried out by hand. The method statement proposes that should the walls become unstable, the works will cease until an agreed course of action with the Local Authority is gained.

Representations

- 10.12 No comments have been received.

11.0 CONCLUSION

- 11.1 The proposed method statement indicates how the debris will be removed safely to allow the building to be made safe and to allow for further surveys to take place to enable the redevelopment of the site. The proposed method of working and the creation of an access point near to the clock tower is felt to be acceptable and should ensure the safety of the site, allow for the retention of the remaining parts of the mill and to allow access for further surveys to enable the development of the site.
- 11.2 Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to discharge the condition 3 of previous permission 2017/93009.

Background Papers:

Website link to be inserted here

Certificate of Ownership –Certificate A signed and dated 29/08/2017: