

PLANNING, HERITAGE IMPACT & DESIGN & ACCESS STATEMENT

PROPOSAL : INSTALLATION OF 6 ROOFLIGHTS

**ADDRESS : SILK MILL, 3 MARKET STREET, LEEK,
STAFFORDSHIRE, ST13 6HX**

APPLICANT : SILK MILL

DATE : MAY 2024 JOB No.: 2023-2829

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1.0 INTRODUCTION

This statement is submitted in support of a full planning application for the insertion of 6 rooflights at Silk Mill, 3 Market Street, Leek, Staffordshire. The application has been submitted by Sammons Architectural Ltd on behalf of Silk Mill and is accompanied by drawing numbers 2023-2829-05A, 2023-2829-06A, 2023-2829-07A; SN_CRCS_LS_E and Product Sheet Conservation Rooflight, all of which should be read in conjunction with this statement.

2.0 SITE DESCRIPTION

The Silk Mill is a prominent 4 storey brick building which lies on the western side of Market Street close to its junction with Derby Street. The application building is considered to be a non designated heritage asset as it was formerly the Fynney & Co Silk Mill. The building extends beyond the rear of properties fronting onto Derby Street and has at some point been annexed into part of the rear of 23-25 Derby Street, a Grade II Listed Building. Immediately abutting the northern boundary of the application site is the Silk Street car park. To the east, on the opposite side of Market Street lies Bargain Booze whilst Derby Street, the Town's principle shopping street lies to the south.

Whilst the application building is not listed in its own right it does lie within close proximity to a number of listed buildings the closest being the Natwest Bank to the south west, 23-25 Derby Street to the west, 2-4 Warehouse, Silk Street to the north west and the cottages to the rear of numbers 53-55 (southern range) of Derby Street to the north east. The application building also lies within the town's designated Conservation Area.

3. PROPOSAL

The application seeks planning and listed building consent for the insertion of 6 rooflights in the ground floor projecting wing of the building. Two of the rooflights would be positioned in the south facing roof slope with the remaining four inserted into the northern roof slope. The proposed rooflights would be a conservation rooflight from the Rooflight Company (model CR10-2) and would measure 1180mm long x 717mm wide.

4. PLANNING POLICY

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The National Planning Policy Framework (NPPF) which was revised in December 2023 contains the Governments overarching planning policies and should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan.

Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision making this means approving development proposals that accord with the Development Plan

without delay unless material considerations indicate otherwise. The NPPF also sets out requirements in respect of housing delivery and securing high quality design. The following are considered to be the most relevant chapters:-

- Section 2 - Achieving Sustainable Development
- Section 6 - Building a Strong and Competitive Economy
- Section 7 - Ensuring the Vitality of Town Centres
- Section 12 - Achieving Well Designed Places
- Section 16 – Conserving and Enhancing the Natural Environment

The Development Plan for the Staffordshire Moorlands comprises of the adopted Local Plan (September 2020) and the Saved Local plan Proposals Map / Settlement Boundaries (1998). The most relevant policies of the adopted Local Plan are considered to be SS1 (Development Principles); SS1a (Presumption in Favour of Sustainable Development); SS5 (Towns) SS5a (Leek Sub Area Strategy), DC1 (Design Considerations); DC2 (The Historic Environment); E3 (Existing Employment Areas and Premises; T1 (Development and Sustainable Transport) and T2 (Other Sustainable Transport Measures). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

5. ASSESSMENT

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2023) promotes a ‘presumption in favour of sustainable development’. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

The proposed development seeks alterations to an existing commercial premises within the town centre and therefore complies, in principle, with policies SS1, SS2, and SS5 of the Local Plan (2020).

Design & Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the local planning authority in determining applications for development affecting listed building to pay special regard to the desirability of preserving the building or its setting.

The National Planning Policy Framework (NPPF) provides the Government’s national planning policy on the conservation of the historic environment. In respect of information requirements for

applications, it sets out that: ‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance

Paragraph 200 of the NPPF requires that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 201 goes on to state that “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 204 states that “in determining applications, local planning authorities should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 advises that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be.

Paragraph 206 makes it clear that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: •grade II listed buildings, or grade II registered parks or gardens, should be exceptional; •assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”

Paragraph 207 states that “Where a proposed development will lead to substantial harm to (or total loss or significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: •the nature of the heritage asset prevents all reasonable uses of the site; and • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and •conservation by grant funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and •the harm or loss is outweighed by the benefit of bringing the site back into use”.

Paragraph 208 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

Paragraph 209 states, ‘the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

In addition to the above paragraph 135 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture. It also requires developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place

In terms of adopted development plan policies, policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area to the respect the site and its surroundings. New development should promote a positive sense of place and identify through its scale, density, layout, siting, landscape, character and appearance.

Policy DC2 requires heritage assets and their setting to be enhanced and gives protection to designated and non-designated heritage assets.

Whilst not listed the application building occupies a prominent position within Leek Conservation Area which was first designated in July 1970. Originally it encompassed the historic shopping centre but has since been extended in 1989, 1994, 2004 and 2013 to include the large mills and the streets of terraced workers’ housing and attractive Victorian and Edwardian housing, much influenced by the Arts and Crafts Movement.

A Character Appraisal published in 2017 separated the town five distinct zones. The application building is listed as lying on the edge of the eastern section. The townscape surrounding the application building in general comprises of densely packed buildings fronting onto a network of streets and lanes.

The Leek Conservation Area Appraisal deems the area as a settlement dating back to the 13th Century, town retaining its medieval street patterns and market place. The appraisal notes that like Stockwell Street “the core of the Conservation Area is the medieval market town with its church, market place and medieval street pattern formed by Church Street, St. Edward’s Street, Derby Street and Stockwell Street”.

Whilst Derby Street forms an integral part of the old town until the 19th century it consisted mainly of the area round the market place and of the streets leading off it, presumably the plan of the early 13th-century borough. Originally the market place probably extended to the west side of what is now St. Edward Street, thus forming the north-west corner of the town. The convergence of roads on the north-west, southwest and east sides of the town and the pattern of property boundaries suggest that the medieval town may have had a hard boundary, perhaps an earth bank pierced with gates.

The 1838 Plan of Leek from Millers Olde Leek



In the 1850s and 1860s streets were built over the area between Derby Street and Stockwell Street. Market Street, Silk Street, York Street, and Deansgate were laid out in 1855 and Ford Street and Bath Street were completed in 1863. Ford Street was named after Hugh Ford (d. 1830), who had owned land, and Bath Street took its name from the baths opened at its junction with Derby Street in 1854. In 1863 the Leek and Moorlands Permanent Benefit Building Society, established in 1856, offered 44 building lots for sale in the two new streets and in Derby Street, Stockwell Street (which had been widened and raised to improve access), and Market Street.

By the late 19th century Market Street was dominated by a number of major buildings including the application building and the Town Hall, to the east the Wesleyan Methodist Chapel (Brunswick Chapel) with the Nicholson Institute forming the focal point to the north. Elsewhere the Public Baths (now gone) and the Cottage Hospital occupied the most prominent corners.

The 1879 ordnance survey map



As the above shows the main part of the application building comprises of a later 19th century building which has been extended. Formerly the Fynney & Co Silk Mill it was in business in 1866 and still operating there under the ownership and management of Mountford Fynney. Following

the death of Mountford Fynney in 1881 the business was run by his Edmund Fynney. In 1891 the Leek Times advertised a sale of silk machinery in the mill for the trustees of Mountford Fynney and the building itself put up for sale in 1897. The two large warehouses at the rear were used as printing office by Matthew Henry Miller, the publisher of the Leek Times. The Mill and Warehouse were purchased by John Hall, Arthur Nicholson and Robert Milner for £2,710, these silk manufacturers were the agents for the Leek Liberal Club then situated at 6 Russell Street. The new club house of the Leek Division Liberal and Radicals opened in Market Street in the former Fynney's Mill in 1898 after Larnier Sugden has redesigned the building, adding a large oriel window on the frontage of the old silk mill and a new and wider entrance door. The building albeit currently vacant has retained its historic land use and much of its architectural detailing survives. The application buildings significance therefore lies in its architectural, historic and historic values expressed through its materials, detailing and land use.

The proposed rooflights will be fitted to a single storey part of the building. They are required to provide additional natural lighting to what effectively is the dining / restaurant area. The rooflights are relatively modest in terms of their size and scale and their overall design and appearance (conservation rooflights with a central glazing bar and thin black frame) along with their positioning low on the roof plane will ensure that any visual impact is minimised. Their main public view would be from the adjacent car park and they will be seen against the backdrop of the existing built development. The proposed works are sensitive and appropriate to the unique historic fabric and character of this locally important heritage asset. They will assist with the established land use of the building and will help to conserve, secure and enhance its significance for future generations to come. It should also be noted that the proposed development is easily reversible.

On the basis of the above it is considered that the proposed development will have little if any impact upon either the character and appearance of the host building or the wider area within which it is located including the conservation area within which it is located and the adjacent Listed Buildings. Overall the proposed changes integrate well with the street scene and will not affect the character and appearance of the Conservation Area and therefore accord with policies DC1 and DC2 of the adopted Local Plan and advice contained within the NPPF.

Impact on residential amenity

National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings paragraph 135(f). This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council's 'Space about Dwellings' SPG.

It is considered that the proposed development will not adversely affect residential amenity or neighbouring land uses having regard to the nature of the proposals, the site's town centre location and the existing and established land use of the application building. On this basis it is considered that the proposal accords with such requirements in relation to LP Policy DC1 and the NPPF.

Highway Safety

Paragraph 32 of the NPPF states: 'Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual

cumulative impacts of development are severe' as is reflected within LP Policy T1 'Development and Sustainable Transport'.

The application site lies within a sustainable town centre location which is easily accessible by a means of alternative transport options. It is a short walk from the town's bus station and several public car parks are located within walking distance. On street parking is also provided within the vicinity. It is not therefore considered that the lack of car parking raises any concerns for this proposal. Having regard to the above it is concluded that there would be no adverse impact on highway safety and accordingly there is no conflict with LP policy T1 or with the guidance of the NPPF.

CONCLUSION

The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The application proposes a sustainable form of development which would safeguard the future of the building and contribute to the districts housing accommodation. The changes to the character and appearance of the area are modest and would not harm or materially affect the host building or the wider surrounding area including the Conservation Area within which it is located or any neighbouring heritage assets. Furthermore, it is not considered that it would be prejudicial to the reasonable enjoyment of the existing residential properties nor would it affect neighbouring land uses. It lies within a very sustainable location close to public transport links and easily accessible on foot and bicycle. In this respect the proposal is considered to be an acceptable form of development and compliant with policies SS1, SS1a, SS5, SS5a, DC1, DC2, and T1 of the adopted Local Plan as well as guidance contained within the NPPF.

The Local Authority is therefore respectfully requested to grant full planning permission for the proposed development in accordance with the presumption in favour of sustainable development.

7.0 DESIGN & ACCESS STATEMENT

USE

The application proposes no changes to the established land use of the application building or site area. Its current use is long established, policy compliant and consistent with neighbouring land uses

AMOUNT

The proposed development will not make any changes to the footprint or volume of the application building.

LAYOUT

The proposed development would not make any changes to the existing layout of the application building. The proposed rooflights would be positioned in both roof slopes with 4 proposed on the northern roof plane and 2 proposed on the southern roof plane.

SCALE

No alterations to the scale of the application building are proposed as part of this application.

LANDSCAPING

No landscaping is proposed as part of this proposal.

APPEARANCE

The proposed rooflights would be of a conservation style from the Rooflight Company and measure 1180mm x 717mm. The proposed development would have little impact upon the external appearance of the application building or the

ACCESS

The site is located within a sustainable town centre location well located to existing local facilities and public transport links are easily accessible to the site and other parts of the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.