

# **PLANNING, HERITAGE IMPACT & DESIGN & ACCESS STATEMENT**

**PROPOSAL : SINGLE STOREY SIDE EXTENSION**

**ADDRESS : CROSS STREET MILL, LEEK,  
STAFFORDSHIRE, ST13 6BL**

**APPLICANT : SPICE MERCHANT RESTAURANT**

**DATE : SEPTEMBER 2024 JOB No.: 2024-2904**

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## **1.0 INTRODUCTION**

This statement is submitted in support of a full planning and listed building application for the erection of a single storey side extension at Cross Street Mill, Leek, Staffordshire. The application has been submitted by Sammons Architectural Ltd on behalf of Spice Merchant Restaurant and is accompanied by drawing numbers 2024-2904-01, 2024-2904-02A and 2024-2904-04 all of which should be read in conjunction with this statement.

## **2.0 SITE DESCRIPTION**

The application building is a former silk mill and Grade II listed. It occupies the land enclosed by Cross Street, Well Street and London Mill which itself fronts Ashbourne Road. Originally constructed in circa 1850 with traditional solid red brick elevations and blue brick stone dressings. The elevations incorporate timber frame single glazed windows beneath a slate pitched roof. Internally the property is configured to provide a series of cellular rooms of varying sizes, specification and condition set over three levels with common access areas together with shared welfare facilities. Externally, there is a large shared car park providing 60 parking spaces which is operated on a first come, first served basis.

The site is bordered by small terraced houses to the north (Well Street) and west (Fountain Street); modern municipal buildings to the south in the form of Leek Police Station and a Health Centre (both built on the site of a former mill); and to the east, London Mill (a further Grade II Listed Building). It lies within the Leek Conservation Area.

## **3. PROPOSAL**

The application seeks planning and listed building consent for the erection of a single storey side extension. The proposed extension would be located on the southern elevation of the building so it would lie between the existing Mill and the adjacent London Mill to the south. It would have a hipped roof to match the building which it would sit in front of and would provide a dedicated entrance, waiting area, servery and kitchen solely for takeaways in conjunction with the existing well established Indian Restaurant. This will allow the existing kitchen to be used solely for the restaurant and would reduce the amount of disturbance currently experienced by patrons of the restaurant with people coming into and out of the restaurant. The proposed extension would be constructed from red facing brickwork and natural slate roof to match those on the existing building. The existing cooker extraction system, which would be covered by the proposal will be adapted to suit the proposals with the existing flue extended upwards through the new roof and terminated below the eaves of the higher roof behind. Both foul and storm water created by the proposal is to be connected into the existing on site drains.

## **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 and extensions 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 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.

Cross Street Mill complex was designed by Leek Architect William Sugden, who was responsible for designing the former school on Earl Street and also Myatts Mill (now known as Alexandra Mill) on Earl Street and of course a number of other mills, important buildings and private houses in and around Leek.

The English Heritage entry describes the building as having three distinct blocks, “all built to similar Free Classical style with Venetian polychromatic detail, but representing different phases of expansion on the site”. The central block comprises a 3-storeyed 6-window range with stilted arched lower windows and round-arched upper windows. To its right, an advanced 3-storeyed 3-window range with balustraded parapet and steep Welsh slate roof to rear, considered to possibly be the earliest building on the site (c1850-60). The left-hand block (on corner with Well Street) is likely to be the latest addition of about 1900.

In terms of the Conservation Area the application building, along with London, York and Alexandra Mill form a detached concentration of mill buildings, survivors of what was once the most densely industrialised area.

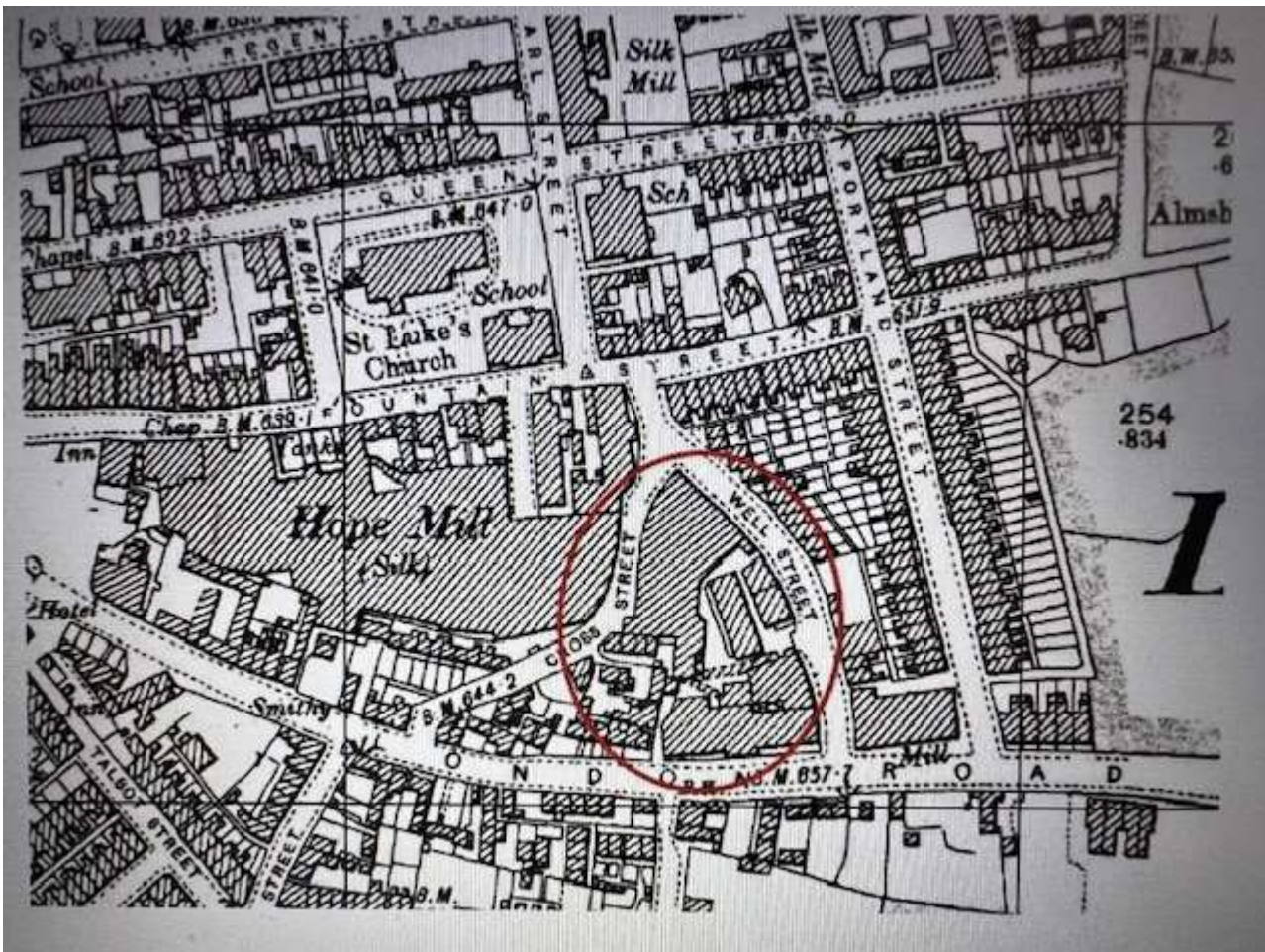
A Character Appraisal published in 2017 separated the town five distinct zones. The application building is listed as lying on the edge of the eastern section. The townscape surrounding the application building in general comprises of densely packed buildings fronting onto a network of streets and lanes. The Leek Conservation Area Appraisal deems the area as a settlement dating back to the 13<sup>th</sup> Century, town retaining its medieval street patterns and market place. The Conservation Appraisal notes that “mill buildings and industrial housing play little part in the densely settled core of the Conservation Area, or the more spacious areas of housing but are prominent elements elsewhere. The earliest mills were simple unpretentious buildings intended principally for mechanised spinning. Side by side with these or scattered randomly across the town were 3 storey buildings with living quarters on the lower floors and large workshops or “shades” on the upper

floors.” It goes on to recognise that “in the eastern area the relationship between house and mill is less obvious.

The application building originally belonged to J & J Brough, Nicholson & Co, who were silk manufacturers of some note. The Cross Street premises started life as a warehouse, built in about 1865. The imposing curved frontage displays all the hallmarks of William Sugden. The name of the company is displayed on a large stone high on the outer wall, which also carries the date 1815 – the date of the founding of the firm by JJ Brough in Silk Street.

In 1891 the partnership changed to Brough, Nicholson & Hall who then embarked on the building of a new mill on Well Street which was known as Royal York Mill and a huge extension of the Cross Street Mill was undertaken by William’s son, Larner in 1892-3 and linked to the rear of the smaller Well Street mill.

The extract below from the 1899 map illustrates that the Cross Street Mill is essentially in its current format, certainly on the road frontage, however the infill section between the application building and Cross Street Mill currently occupied by Wild and Free Adventure Playground is not shown on the map:



In 1983 Cross Street Mill was the last remaining premises owned by Brough, Nicholson and Hall which was sold to Beresford’s, a ribbon firm based in Congleton. Since then it has been subdivided into several units and used by a number of businesses including an art centre, children’s nursery, children’s play centre, gymnasium / fitness centre and an Indian Restaurant.

The proposed extension is modest in terms of its overall size and scale. It has been carefully designed and set well back of the main front façade of the heritage building. Its overall form, design and appearance echo's the building behind and the proposed use of matching roof and facing materials will ensure that it is quickly assimilated into its surroundings. The existing restaurant is well established and contributes to the vitality and vibrancy of the town centre. The proposed extension would provide a dedicated area for servicing the takeaway element of the business thereby reducing the impact on the existing restaurant. The proposed extension would be located on an area of hardstanding which due to its odd shape and layout is currently under utilised. 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. 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**

Paragraphs 114 and 115 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 assist an existing and well established commercial business which contributes significantly to the vitality and vibrancy of the town centre. The proposed development would not adversely impact upon the special or historic interests of the Grade II listed building, its setting 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 the erection of a modest single storey extension to the existing building. Its current use is long established, policy compliant and consistent with neighbouring land uses

### **AMOUNT**

The proposed development would have a footprint of 50 sq metres and an overall floor area of 42.5 sq metres.

### **LAYOUT**

The proposed extension would be located on the southern gable of the building between the mill itself and the adjacent London Mill as shown on the submitted site plan.

### **SCALE**

The proposed extension would be single storey in nature with an eaves height of 3.25m and an overall ridge height of 4.7m.

### **LANDSCAPING**

No landscaping is proposed as part of this proposal.

### **APPEARANCE**

The proposed extension has been designed so that it reflects and respects the character and appearance of the host building. The use of matching roofing and facing materials will ensure that it is quickly assimilated into its surroundings.

### **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.