

Council for British Archaeology

A National Amenity Society
Nigel Hunston
Planning Case Officer
By email: DC.Admin@kirklees.gov.uk

24th February 2017
Your ref: 2017/90377

Dear Mr Hunston,

Re: Newsome Mills, Hart Street, Newsome, Huddersfield, HD4 6JF

Thank you for consulting the Council for British Archaeology (CBA) on the above case. The application has been considered by our Casework Panel and I now write to you with our comments.

CBA advice summary

The CBA has very real concerns regarding the proposed approach taken by the applicant and the CBA **strongly objects** to the current proposal for the following reasons:

- Demolition of the main mill block and single storey weaving shed would result in substantial harm to a Grade II Listed Building.
- As the application does not provide “*clear and convincing*” justification for demolition in accordance with the National Planning Policy Framework (NPPF 2012) paragraph 132 and does not meet the requirements of NPPF paragraph 133, it should be refused consent.
- The application does not provide evidence that new development will proceed after demolition.
- The applicant has not provided a strategy for the long term management or maintenance for remaining designated elements of the site.
- No strategy for mitigation or historic buildings recording has been proposed.
- The CBA advocates conversion of the remaining main block and weaving sheds rather than demolition. The CBA advises that a conservation accredited architect assesses alternative approaches for conversion.

Proposal comments

The CBA **strongly objects** to the application which would amount to “*substantial harm*”, as described within the NPPF paragraph 133. The proposals would result in the total demolition of the remaining upstanding walls of the main mill block and single storey weaving shed. This would reduce the legibility of the site as a worsted mill complex and leave the remaining designated elements of the site in isolation. The NPPF paragraph 132 requires “*clear and convincing*” justification for harm or loss to an irreplaceable heritage asset, and the application fails to provide this. In accordance with the NPPF paragraph 131, local planning authorities should take account of the “*desirability of sustaining and enhancing the significance of heritage assets*”. In determining planning applications, your authority should be satisfied that these proposals accord with the NPPF, the CBA strongly suggests that they do not.

The application does not meet the requirements of the NPPF paragraph 133 as the applicant has not demonstrated substantial public benefits to outweigh harm to a heritage asset specifically:

1. The applicant has not demonstrated that “*the nature of the heritage asset prevents all reasonable uses of the site*” (NPPF paragraph 133). To the contra, the lack of systematic investigation of the site by robust structural appraisal of all structures and historic building recording means that the nature and significance of the heritage asset has not been fully demonstrated. The applicant has not investigated options other than demolition of the ground storey of the main mill block and single storey weaving shed, and the application does not contain any information to suggest that conversion has been thoroughly and fairly considered for the building. The application lacks a robust and in-depth structural appraisal of the building means and therefore has not demonstrated that the building cannot be retained or converted. As such the applicant has not demonstrated this NPPF criterion and therefore total loss of the buildings should not be permitted.
2. The applicant has not demonstrated that “*no viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation*”. Proposals to convert the mill block and weaving shed have not been developed by the applicant and the lack of feasibility study or detailed options appraisal regarding alternative uses means that this NPPF criterion within paragraph 133 has not been demonstrated by the applicant. Total loss of the buildings should not be permitted.
3. The applicant has not demonstrated that “*conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible*”. The applicant has not demonstrably considered any funding schemes and therefore total loss of the buildings should not be permitted.
4. The applicant has not demonstrated that “*the harm or loss is outweighed by the benefit of bringing the site back into use*”. Whilst it is acknowledged that the fire in 2016 has harmed the special interest of the building, the CBA challenges the assertion made by the applicant in the Heritage Impact Assessment that the remaining buildings do not have significance as heritage assets. As Grade II Listed Buildings, the mill buildings and clock tower continue to be a prominent feature in Huddersfield and are highly visible from a number of important viewsheds and remain important contributions in the Ruth Street streetscape. The application does not adequately describe the significance of Newsome Mills as an important part of the North West textile industry and therefore cannot competently demonstrate that the harm or loss is outweighed by the benefit of bringing the site back into use. Consequently, this NPPF criterion within paragraph 133 has not been evidenced by the applicant. Total loss of the buildings should not be permitted.

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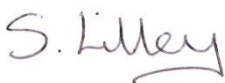
The application does not provide evidence that new development will proceed after demolition. Although an indicative proposal for future residential development has been included in the application, this is only suggestive and is not secure and not supported by the appropriate planning application. The current application is seeking demolition for site clearance. Paragraph 133 of the NPPF makes clear that, *“local planning authorities should refuse consent”* for such loss unless, *“substantial public benefits”* will be achieved. Site clearance is not a substantial public benefit and so the application should not be permitted. In addition, the NPPF paragraph 136 states that *“Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred”*. There is no information submitted as part of this application which suggests this has occurred. The CBA is concerned that this application is not following the right processes for demolition of designated heritage assets as per the NPPF, and therefore **strongly objects** to the application. Your authority should be convinced that the correct processes are being followed prior to determination of this application.

The CBA is very concerned that no management strategy for the retained heritage assets has been provided by the applicant. The clock tower, archways, lodge and office façade are exposed and in a deteriorating condition. The current application leaves these remaining designated elements of the site very vulnerable and without adequate management or maintenance schemes. The CBA would suggest that this application does not present a robust strategy for conservation of these heritage assets. The CBA strongly recommends the applicant undertake a structural assessment at the earliest stage to inform a comprehensive strategy for the long term maintenance of these buildings.

The CBA also strongly recommends that historic building recording and archaeological investigation should be undertaken prior to determination of this application and that the results should be used to inform the applicant's approach for this designated heritage asset and nationally important industrial site. In accordance with NPPF paragraph 141 local planning authorities should *“require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible”*. It is the CBA's view that development proposals for Listed Buildings should begin with an understanding of the building's historic interest so as to avoid unnecessary harm; therefore the application should consider and describe the significance, using the outcome to inform design proposals.

I trust these comments are useful to you; please keep the CBA informed of any developments with this case.

Yours sincerely,



Dr Suzanne Lilley
Listed Buildings Caseworker for England

The Council for British Archaeology (CBA) is the national amenity society concerned with protection of the archaeological interest in heritage assets. Local planning authorities have a

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duty to notify the CBA of applications for listed building consent involving partial or total demolition, under the procedures set out in ODPM Circular 09/2005 and in Welsh Office Circulars 61/96 & 1/98.

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