DECISION

RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 4 FEBRUARY 2010
title: PROPOSED KIRK MILL CONSERVATION AREA
submitted by: DIRECTOR OF DEVELOPMENT SERVICES
principal author: ADRIAN DOWD – PRINCIPAL PLANNING OFFICER (DESIGN AND CONSERVATION)

1 PURPOSE

1.1 To seek Member agreement to the designation of a conservation area for the late 18th century industrial hamlet of Kirk Mill, Chipping.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions – To protect and enhance the existing environmental quality of our area.
- Community Objectives – The Ribble Valley Sustainable Community Strategy 2007-2013 has three relevant strategic objectives – maintain, protect and enhance all natural and built features that contribute to the quality of the environment. Ensure that the design of buildings respects local character and enhances local distinctiveness. Sustainably manage and protect industrial and historical sites.
- Corporate Priorities - Objective 3.3 of the Corporate Plan commits us to maintaining and improving the environmental quality of the Ribble Valley. Objective 3.8 of the corporate plan commits us to conserving and enhancing the local distinctiveness and character of our towns, villages and countryside when considering development proposals.
- Other Considerations – None.

2 BACKGROUND

2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69, states that every Local Planning Authority shall from time to time determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and, shall designate these areas as conservation areas.

2.2 Section 69 of the Act also states that it is the duty of the Local Planning Authority from time to time to review the past exercise of functions under this Section and to determine whether any parts or any further parts of their area should be designated as conservation areas.

2.3 The government's Planning Policy Guidance Note 15 "Planning and the Historic Environment" (PPG15) Paragraph 4.7, states that there is no statutory requirement to consult prior to conservation area designation, but it is highly desirable that there should be consultation with local residents, businesses and other local interests over both the identification of areas and the definition of their boundaries.

2.4 English Heritage report in 'Heritage at Risk: Conservation Areas' (2009) that 1 in 7 conservation areas in the country have deteriorated in the last three years and 9% are expected to deteriorate over the next three years. This is in large part a consequence of 'permitted development' rights.

2.5 The purpose of article 4 directions is summarised in "Listed Buildings, Conservation Areas and Monuments" (Mynors C, 2006, page 180 – 189). "Some buildings are particularly susceptible to harm caused by a succession of small changes – things that might in other circumstances be of no consequence eg a row of traditional cottages might be spoiled if the occupier of one of them replaced the traditional windows with modern ones with crude plastic frames. And what one does, others are likely to copy". For unlisted buildings in conservation areas, the only protection is through a requirement for planning permission. However, many alterations eg window and door replacement, some boundary wall and chimney demolition, small extensions may be "permitted development". An article 4 direction restricts the right of the landowners to carry out certain categories of "permitted development". The affect is not that developments within a particular category can never be carried out, but that it is no longer automatically permitted and the Local Planning Authority can control as appropriate development that may otherwise harm the character or integrity of an area.

2.6 English Heritage's 'Guidance on making Article 4 Directions' (December 2009) notes that:

"Local authorities nevertheless sometimes have concerns about pursuing Article 4(2) directions because of the resource implications, uncertainties about their likely effectiveness and possible claims for compensation. Some of the most commonly raised concerns are therefore considered below.

Resource Implications – the making of an Article 4 direction will involve additional resources, but experience shows that a direction is worthwhile for its long term benefits. The evidence to justify it (a real and specific threat to the character of the conservation area) may be available already from the conservation area character appraisal.

Identification of Properties and Controls – the properties to which a direction applies and the classes of development which are to be brought under control, should be considered carefully. Permitted development (PD) rights should only be withdrawn in exceptional circumstances, where there is a real and specific threat. An Article 4(2) direction can be applied non-selectively or 'blanket fashion' to the whole of a conservation area, whether or not it applies to all the properties within it, but this does not constitute best practice.

Effectiveness – Article 4(2) directions can be extremely effective, particularly when:

- Developed as part of a management plan for the conservation area;
- Are selective in response to the evident threat of harm (ie withdraw the relevant classes of PD rights) and of the appropriate extent;
- Are backed up by a dated photographic record;
- Are supported by guidance on appropriate repair and alteration;
- Have a level of public support and, most importantly
- Are monitored by the local authority and prompt enforcement action taken if any breaches occur.

Increase in Planning Applications – recent research on the impact of Article 4 directions identified that a local authority can expect to receive 1 or 2 additional planning applications per week (depending of course on the number and nature of its conservation areas). Clear, concise controls backed up by appropriate guidance tend to encourage like for like repair or replacement in matching materials which do not require planning permission.

Compensation – compensation may be payable if permission is refused following an application made as a result of Article 4 direction. The calculation of the level of compensation would be based on the loss of value of the property as a result of the restriction of PD rights. Compensation claims are extremely rare. In a recent study, no evidence was found for any such payments having been made.

Although requiring an initial investment of some resources, making a direction is usually worthwhile for its long term benefits".

2.7 Building Preservation Notices – Under Section 3 of the Act district planning authorities and national park authorities have the power to serve building preservation notices in respect of buildings which are not listed, but which they consider are of special architectural or historic interest and are in danger of demolition or alteration in such a way as to affect their character as buildings of such interest. A building preservation notice applies to the building all the provisions of the Act relating to listed buildings (except section 59). It takes effect immediately it is served, and is often a quicker and so more expedient short term measure than asking the Department to spot list a building.

A copy of the building preservation notice, a location plan and photographs of the building should be sent to the Department as soon as the notice has been served. The notice remains in force for up to six months, but will lapse if within that period the Department either includes the building in the statutory list or notifies the authority in writing that it does not intend to do so. The authority must notify the owner and occupier if the Department decides not to list the building, and may not serve another building preservation notice in respect of that building within 12 months of the Department's notification.

In deciding whether to serve a building preservation notice, authorities will realise that they become liable to pay compensation for ay loss or damage resulting from the service of a notice which the Secretary of State does not uphold by listing. Neither the Department nor English Heritage can indicate in advance whether the service of a notice in a particular case is likely to result in a listing, though obviously the same general principles of listing, set out above, will apply in these cases as in others. It should not however be assumed that listing will automatically follow the inclusion of a building by English Heritage in a draft list, since that list may be corrected or amended before it is approved.

2.8 During the 1980s the former Royal Commission on the Historic Monuments of England (RCHME) supported countywide surveys of textile mills in West Yorkshire, Greater Manchester and East Cheshire. These surveys were intended primarily to compile as full a record as possible of the buildings of the textile industry, and to examine their importance in the architectural heritage of the region. A reliable information base on all the surviving mills was also created, allowing District Planning Authorities to consider these buildings when assessing applications for new development. The surveys however, did not cover the textile mills in the modern county of Lancashire, and an

adequate information base that can be consulted to assess development proposals and their impact on the surviving industrial heritage is presently lacking.

In response to the current threat to the county's rich industrial heritage, the Lancashire Textile Mills Assessment Survey has been initiated by Lancashire County Council, in partnership with English Heritage, who has provided the funding. The survey is intended primarily to identity from documentary sources all the textile manufacturing sites in the modern county of Lancashire, and develop a database coupled to a geographic information system (GIS) of their current state.

The assessment survey is being carried out by Oxford Archaeology North, and is largely desk based, although rapid field visits are being carried out to ground truth the results.

Once complete, the data generated from the assessment survey will be used to update the Lancashire Historic Environment Record (HER); it is envisaged that this will be achieved by February 2010. It is intended that the results will also be used for determining more precisely what further stages of field assessment will need to be developed to safeguard the remains of the county's internationally significant industrial heritage. The data may also be used to identify which former textile manufacturing sites are of special interest, and merit statutory protection, through listing or inclusion in revised conservation areas. Several historic buildings have already been identified that clearly merit some form of protection.

Ian Miller OAN, November 2009

2.9 On 22 October 2009 Ian Miller advised:

"Berry's furniture mill in Chipping, also known as Kirk Mill - This Arkwright-type spinning mill was in production by the mid 1780s and, as such, is one of the oldest surviving cotton mills in the world. Whilst I have not inspected the interior of the buildings, and do not therefore know just how much original fabric survives (and I think it may have lost the original top storey), I feel it is likely to be one of the most important sites in Lancashire – I would very much like to carry out a detailed survey of the site. Anyway, an interesting example of an early mill still in industrial use".

2.10 Munt M., "Listing our Industrial Heritage" in Context 112: November 2009 discusses the recent change in perceptions of the importance of industrial archaeology (with particular regard to English Heritage's 'Principles of Selection': Industrial Buildings Selection Guide'' March 2007). He suggests that industrial heritage assets "can become an ingredient in the new task of place-making. They frequently exhibit many of the heritage values identified in English Heritage's Conservation Principles. They have evidential value of past activities and their siting can tell us much about the evolution of a settlement and local landforms. They contributed fundamentally to the local economy. They have illustrative historical value, especially when machinery, internal spaces and external details survive.

Their associations with local families or craftsmen have resonance. Their aesthetic value can range from the adaptation of vernacular building techniques, to polite architecture in brick, iron or glass. Architects were involved in some of the best examples. They can have communal value, having once provided social cohesion – a place of work with associated leisure, educational and housing facilities close by.

Frequently their size, scale and form add much to the diversity of the otherwise low-rise, modest townscapes in villages and smaller towns. They remind us that, until quite recently, people worked as well as lived in these places that are now dormitory settlements.

… the importance of industrial archaeology has not always been recognised… However, this has now been acknowledged in English Heritage's 'Principles of Selection' last revised in 2007, which sets out the approaches to designating buildings. The emphasis is on national significance. However, the guide for industrial buildings recognises regional factors. It aims to achieve a representative sample for each sector of an industry in each region. It also seeks the identification of regional specialisms, which will often have strong claims to note on a national level. This acknowledgement is welcome news. Prior to 2007, industrial buildings had been assessed largely on architectural merit rather than the other values mentioned above. Thematic surveys had highlighted the importance of particular building types. But the aspects such as the technical processes carried out, structural innovations and the social contexts were not given as much weight as today.

The loss of historic industrial buildings can seriously impair the legibility of a place. The principle of change to industrial buildings is now accepted in English Heritage's 'Principles of Selection' as not necessarily precluding them from listing, but as showing their state of almost continuous adaptation".

2.11 The 'Arkwright System' is discussed in Benson A.P, Textile Machines, Shire Publications Ltd, pg 13-14.

"The invention of the spinning machine which became known as the water frame inaugurated a new style of textile production called the factory system. This machine might well have remained a domestic hand-operated device like the jenny but for the vision and willpower of its inventor, Richard Arkwright, who extended and developed it into an industrial machine.

The prototype spinning machine was patented in 1769 and was a process particularly suited to the application of power.

The search for a constant reliable source of power led Arkwright to set up his first water-powered mill in Cromford, Derbyshire, in 1771. He also realised that his spinning frames would fail if the input material (roving) still had to be spun by hand on the great wheel. Thus his second patent of 1775 encompasses a variety of preparatory machines to serve the water frame.

Carding engines existed before 1775 but Arkwright sought to achieve a continuous process. The invention of a powered lap former has been credited to Arkwright's son, Richard.

The draw frame, lantern frame and the first development of the water frame, the throstle, followed.

Multiples of each machine were made, all driven by water power and housed under one roof. While he held patent rights Arkwright exercised absolute control over the use of this system, allowing people to manufacture under licence, but only those willing to pay for the whole series of machines. It was therefore necessary for anyone using his system to have a purpose-built mill with a power source and plenty of initial capital.

Factories modelled on the Arkwright system became established throughout Britain, some in defiance of his patent rights. Many manufacturers bitterly resented the control exercised by Arkwright over his system".

2.12 In the 'Cotton Mills of Greater Manchester' RCHME, 1992 (referred to above) it is noted that 'No typical example survives from Manchester's first generation of cotton-spinning mills, those built in the late 18th century'.

2.13 In 'The Water Spinners: A new look at the early cotton trade', Aspin C, Helmshore Local History Society, 2003 is a chapter on Kirk Mill entitled 'Kirk Mill: a surviving "Arkwright" '.

Aspin suggests that:

"To anyone interested in the Lancashire cotton trade, the survival at Chipping of one of the world's first factories is a matter of little wonder. Unlike Yorkshire, the county has retained few buildings that were built for Arkwright's machinery; and Kirk Mill, because of its significance and its rarity, gives the village a distinction that has not always been appreciated.

I paid by first visit in 1989. A few hundred yards from Chipping church one reaches a hollow in which a cluster of old stone buildings pleases the eye and gladdens the heart of anyone wishing to be reminded of times long gone. On the opposite side of a hurrying brook, but half hidden behind a pile of massive logs, stood Kirk Mill, its upper rows of windows looking back at me as they had looked on two centuries of change in this busy corner of the village. I guessed correctly that Grove Cottage in Grove Square had been the mill manager's home, but I was wrong in thinking that Grove Row, the solid terrace of five three-storeyed houses on the other side of the road was built for apprentices. It began life in 1823 as the workhouse. A pond with a surface area of almost exactly an acre lies behind a tall embankment at the back of the mill and is fed by two streams; and close to both mill and pond stands Kirk House, the mill master's handsome mansion with a spout head bearing the date 1793.

In reaching the oldest part of the mill, I found myself inside the thirty two-foot water-wheel, an upper segment of which was removed in the 1940s to make a new access to the second floor. From a little bridge, I looked down on the sturdy shaft, from which time-warped wooden spokes radiated to the cast-iron buckets all around me. The old wheel's last task – for the twenty years from 1923 – was generating electricity to light a mill that had first been lit by candles and to give the adjoining houses a brightness unseen in the rest of Chipping until 1933. In a long room where water-frames once worked, the chair makers were busy shaping wooden legs and arms; but though it was fascinating to watch them, I found my eyes drawn again and again to the thick stone walls and the venerable whitewashed beams. And when my visit was over, it was the powerful feeling of a distant past rather than the busy scenes from the present that stayed longest in the memory.

Strictly speaking, the four-storeyed building is Kirk Mill factory, for like many others that spun cotton twist, it took the place of an existing corn mill. Kirk Mill records go back to at least 1544, but the first references to the cotton venture occur in the Wapentake of Blackburn Court ledger for 1785. Spinning began at Chipping in the second half of that year, the mill having been rapidly completed during the previous six months. The court records show that on February 2, Richard Dilworth, of Chipping, yeoman, surrendered to the use of Hugh Stirrup, of the City of London, merchant; Richard Salisbury, of Chipping, cotton manufacturer; and William Barrow, of Lancaster, merchant.

All that Site of a Water Corn Mill commonly called Kirk Mill for the purpose of erecting a Cotton Mill for carding, roving, drawing, preparing and spinning Cotton Wool or other Wool or flax by Water to contain in length twenty three yards and in Breadth Eleven yards with a dam or reservoir thereunto belonging being part of Kirk Mill Tenement.

The availability of water from two streams- Wolfhouse Brook and Garstang (now Dobson's) Brook – was a decided advantage, but even this supply was to prove inadequate in time of drought.

By July 6, when the partners leased Kirk Mill House and its adjoining land and buildings, the cotton mill was 'new erected' ".

Aspin also notes the description of the mill given in an advertisement of April 15, 1788 when the site was offered for sale at Spencers Tavern, Manchester.

" … - twenty three by nine yards and driven by a water-wheel nineteen and a half by five and half feet – was "in full work and good condition". Some twenty spinning frames containing 1,032 spindles were in use, and there was "machinery for six more frames of 48 spindles". Near the mill were a smithy, barn, "three cottages inhabited, one other cottage nearly finished and four cottages built to the first floor".

Aspin also described what be found in 1993 when he measured the building to see how it had changed over two centuries:

"As well as acquiring rooms at each end, the original building had grown by nine feet and eight inches in the direction of the pond. The extension at the west end of the mill (almost eighteen feet) was doubtless that in which Atherton had planned to install his large mules; and the widening of the main building at a later period must also have been undertaken to accommodate new machines. Still in place are many of the original beams that were cut to allow the shafting to pass below the ceilings; and a line of half-moons leads the eye along the original centre of the mill. The height of the first floor is eight feet, nine inches and that of the second seven feet, ten inches. The floor to the attic has been removed."

Aspin notes that "throstle spinning continued at Kirk Mill until 1886. Then came the chair making."

In the introduction to Aspin's book (pg 14) he would suggest that the arrangement at Kirk Mill was not unusual.

"Around the larger mills clustered workers' cottages, the occasional apprentice house, and the workshops in which blacksmiths, clockmakers and joiners built and repaired the machines."

At Page 25 of Aspin's book he discusses the characteristics of a typical 'Arkwright Mill'. They were often 27' wide (internal) which was determined by the length of the first water frames, the need for daylight and the availability of beams that could support the floors without central pillars. Arkwright built frames of 48 spindles (24 each side) and placed them in two rows along the length of the building. An overhead shaft running down the centre of the room turned wooden drums at floor level, and these transmitted power to the frames by means of leather belts which snaked among groups of spindle drives. Some mills had weirs across big rivers; others directed small streams into ponds. The similarities of style in Arkwright Mills, which make survivors so distinctive, owe much to

having been built under the supervision of specialists like John Sutcliffe of Halifax, and Arkwright's own millwright, Thomas Lowe of Nottingham.

2.14 Kirk Mill is discussed in other references. Rothwell M, in 'A Guide to the Industrial Archaeology of the Ribble Valley' (1993, pg 72) suggests that Kirk Mill is "An excellent example of an early water-powered factory site, with many of the buildings surviving in tact". It is a 3-storey, fire proof mill. He suggests that after 1790 a steam engine (beam engine, Coalbrookdale Company) was removed (used for pumping water before a reliable water source was secured), Kirk Mill House was erected (1793) and an apprentice house was built at Bottoms. In 1902 John Berry purchased the site and in 1947 new works were built to the south-east of the hamlet. In 1940 waterpower was abandoned in favour of an oil engine.

2.15 The Blackburn Mail of 13 January 1802 (Clitheroe Library) contains the following sale particulars:

"Mill for carding, roving, drawing, preparing and spinning of Cotton Wool by water Length – 23 yards, Breadth – 11 yards. With a large dam or reservoir for water and the benefit of advantage of 3 streams – Wolfhouse Brook, Garstang Brook and Leagram Brook.

Also a handsome, newly erected messuage or dwellinghouse, adjacent to mill, convenient outbuildings, garden and orchard; well stocked and in full bearing, suitable for the residence of a genteel family and together with several closes of land nearby.

Mill – 1,120 spindles and 1Mule of 336 spindles. Adjacent is a building designed and fit for reception of 3 mules of same size.

8 convenient cottages for workmen and 1 (Apprentice house) house for Apprentices.

Water wheel, gears and machinery in excellent order – immediate possession."

2.16 'Chipping in Pictures' has a picture of the hamlet in 1908. It suggests that Grove Row, the former workhouse, was built in 1823 by the Select Vestry and closed in December 1838. The land to the rear was for the exercise of the inhabitants and was described as the 'Pleasure Ground'. The workhouse was converted to 5 cottages soon after it closed – the end cottage was a shop until 1949.

2.17 'A History of Chipping' notes that the reservoir was built at the same time as the mill (1.3m gallons). In 1851 10 men, 7 boys and 24 women were employed; Alfred Evans was the Mill Manager. A school was provided (Grove Square) but became redundant with the closure of the workhouse and was subsequently used as a coach house (the archway can still be seen). In the late 19th century Thomas Marsland converted the building into 5 houses. Grove House is next to Grove Square and was built in the 1790's.

3 RISK ASSESSMENT

3.1 The approval of this report may have the following implications:

- Resources – Conservation area designation and extension may result in an increase in planning applications submitted as a result of "permitted development" thresholds being reduced. Whilst the Authority currently receives less than 10 conservation area consent applications for demolition of buildings within conservation areas each

year, it should be noted that this type of application carries no submission fee. Planning applications generated by the making of article 4 directions would also not be fee earning.
Where an application for planning permission is made following the imposition of an article 4 direction, compensation may be payable if permission is refused.

Following the service of a building preservation notice compensation may be payable for any loss or damage resulting from the service of a notice which the Secretary of State does not uphold by listing.

- Technical, Environmental and Legal – The Council has a statutory duty to keep conservation area designations under review and to prepare and monitor management proposals.

- Political – N/A.

- Reputation – N/A.

4 CONCLUSIONS

4.1 On 15 January 2010 your officers received reports of works being undertaken to the buildings at Grove Square. On 14 December 2009 your officers received an enquiry concerning the state of repair of Kirk Mill from Save Britain's Heritage, a national conservation group which campaigns publicly for endangered historic buildings. Lancashire County, Council (Archaeology) have expressed support for the proposed conservation area.

4.2 I am mindful of the duty in the Planning (Listed Buildings and Conservation Areas) Act 1990 to determine which parts of the Ribble Valley are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas. In my opinion the Kirk Mill industrial hamlet is a rare, extremely interesting, evocative and surprisingly intact example of an Arkwright Mill site. The interest of the site would appear not to have previously been recognised in the absence of a countywide assessment of mill buildings and sites and because of a limited consideration (prior to 2007) of the significance of industrial buildings by English Heritage. It was not within the remit of The Conservation Studio, appointed by the Borough Council in 2005 to appraise existing conservation areas and to assess five specific potential conservation areas, to consider Kirk Mill for conservation area designation.

4.3 In my opinion, the area shown on the appended map more than justifies designation as a conservation area. The suggested boundary has been drawn tightly around the historic site, and excludes the modern furniture-making factory, so as to avoid devaluation of the policy. It is noted that the desirability of preserving or enhancing the character or appearance of a conservation area is a material consideration in the handling of development proposals which are outside a conservation area but affect its setting, or views into or out of the area.

4.4 The main impact of conservation area designation will be to prevent the substantial, or total demolition of buildings without the Borough Council's consent. Special attention to the desirability of preserving or enhancing the character or appearance of the

conservation area will be required in the consideration of any proposals requiring permission under the Planning Acts.

4.5 I am mindful of PPG15 paragraph 4.16 that “policies will need to be designed to allow the area to remain alive and prosperous, and to avoid unnecessarily detailed controls over businesses and householders, but at the same time to ensure that any new development accords with the areas special architectural and historic interest”. In this regard it is noted that conservation area designation in itself would not prevent any proposed removal or alteration of the apparently original and distinctive windows and doors at Grove House (the former Manager’s house). For this reason it is suggested that an Article 4(2) Direction apply to this property to control the potentially very damaging consequences of residential ‘permitted development’ works to this prominent building critical to the integrity of the site. It is also suggested that a detailed assessment of the other residential properties in the proposed conservation area be made to examine the necessity for Article 4 Direction control.

5 RECOMMENDED THAT COMMITTEE

5.1 Designate a new conservation area at Kirk Mill, Chipping, with the boundaries suggested on the appended map.

5.2 Authorise the Director of Development Services to serve Article 4 Directions restricting potentially damaging ‘permitted development’ rights on Grove House, and other residential properties where necessary, Kirk Mill, Chipping.

DIRECTOR OF DEVELOPMENT SERVICES

BACKGROUND PAPERS

Are referenced in the report.

For further information please ask for Adrian Dowd, extension 4513.