

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 15 JULY 2010
title: PROPOSED CONSULTATION ON EXTENSION TO 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 public consultation on proposed extensions to Kirk Mill Conservation Area, 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 There is no statutory requirement to consult prior to conservation area designation or appraisal. However, English Heritage's Guidance on Conservation Area Appraisals (2006, paragraph 3.2) advises that:

“Once a conservation area appraisal has been completed in draft form, it should be issued for public comment. Local consultation can help to bring valuable public understanding and “ownership” to proposals for the area. Thought should be given to encouraging a wider public debate, drawing together local people, resident groups, amenity groups, businesses and other community organisations, in a discussion about issues facing the area and how these might be addressed. Ideally, consultation should be undertaken generally in line with the local authority’s statement of community involvement (SCI)”.

- 2.4 In February 2010 Members designated Kirk Mill Conservation Area in response to the immediate threat of redevelopment to the late 18th Century industrial hamlet. A limited consultation exercise was undertaken prior to decision. This suggested that the conservation area boundary might have been drawn too tightly and without full consideration to the interest of the ‘Arkwright style’ water-powered mill’s hydraulic engineering features remaining in the landscape. There was also a wish for local input into the drawing up of any revised conservation boundary.

3. PROPOSED CONSERVATION AREA EXTENSIONS

- 3.1 The Borough Council’s conservation officer has examined suggestions for conservation area boundary revision and extension.

- 3.2 A significant and positive element of the character and interest of Kirk Mill hamlet is the containment and relative isolation resulting from topography and location within a natural bowl. Unfortunately, the prominent slopes of the bowl to the west and south of Chipping Brook, and adjoining Grove House, were omitted from the designation.

- 3.3 Austin House is shown on the 1845 and 1892 Ordnance Survey maps and, although altered, appears to retain something of its historic character. Austin House and Mill Pond House are prominently sited adjacent to the mill pond. Development at these sites could have significant impact upon the conservation area.

- 3.4 Kirk Mill’s water supply and management involved a complex and extensive network of culverts, weirs and ditches. Muriel Lord of Chipping Local History Society has summarised notes made in 1992 and 1997 by the late Mr James (HJ) Berry a grandson of the founder of Berry’s Chairworks (additions to these notes by Muriel Lord are in italics):

“Workmen used to release pools in the streams to encourage more water to flow in periods of drought.

[Men were sent up to the top weir on Burnslack Brook, edge of Stanley Fell, SD624456, to turn water down into Dobson’s Brook through the ditches across Birchen Lee. Frank Marsden did this job in the 1930s.]

One man recalled crawling up the culverts to remove debris which had washed down.

An old wooden aqueduct took water to the dam by Atkinson’s bridge next to Austin House *[Atkinson family lived at Austin House in the 1920s]*. This aqueduct was replaced by a concrete one during August 1948. *[The bridge was renovated in 2009. It’s no longer possible to see the pipe from the road. It may have been covered by the bridge widening.]*

There is an outlet sluice for emptying the dam at the far side [*presumably the farthest side from Grove House, James Berry's home*].

The outlets and inlets to the culverts had metal slides for controlling the flow of water. These were known as "Clows". There were two inlet Clows, one on Dobson's Brook behind Austin House and one on Chipping Brook at the corner of the field opposite the Toad Hole. In 1948, Turners made a new slide for the Clow where the dam is run off.

The original outlet culvert or sluice was built of stone and you could walk up it. Dippers used to like building their nests up the tunnel, but unfortunately, presumably because it was uneconomical to repair, it was filled up and replaced by a pipe in 1971.

During the last 50 years, the weirs and clows created to divert water into the ancient stone-walled culverts have fallen into disrepair and controlled entry of water into the dam is not easy.

At the time of writing [*1997*], water is trickling into the culvert [*on Chipping Brook*] near the Toad Hole, but none is going in from the one on Dobson's Brook near Austin House."

- 3.5 Steve Trow, Head of Rural and Environmental Policy at English Heritage, suggests in "Rural Conservation Areas: Conserving the Historic Countryside" (Conservation Bulletin, Issue 62: Autumn 2009) that:

"Unsurprisingly, the great majority of conservation areas in the countryside are focussed on the historic cores of its settlements ... However, designation offers protection to the wider landscape and a significant proportion of conservation areas are designated for this purpose. Protection in this case is primarily achieved through the designation of discreet historic features situated in the open countryside that, by virtue either of their extent, their management requirements or their significance, do not lend themselves to other, more intensive or nationally determined categories of heritage designation. Good examples of this type of designation include historic railways, such as the Settle to Carlisle line, or historic waterways..

Generally, conservation area designation is not regarded as appropriate for the protection of extensive landscapes but, in a limited number of cases, local authorities have chosen to use it to protect large areas. For example, some have designated historic parks or gardens as conservation areas... more radically, designation of entire valleys has been used in the Yorkshire Dales National Park to confirm the significance of its most iconic field barn and dry stone wall landscapes."

In my opinion, it would be difficult to control any proposed work to the weirs, (part subterranean) culverts and ditches on the feeder streams to the mill dam. However, it would appear perverse to exclude these features and their settings and to deny their importance to the character and special historic interest of Kirk Mill. The consultation proposals therefore include extension of the conservation area to the weirs and culvert origins on Chipping Brook (adjacent Toad Hole field) and Dobson's Brook (above Austin House).

4 RISK ASSESSMENT

- 4.1 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 Council currently receives less than 10 conservation area consent applications for the demolition of buildings within conservation areas each year, it should be noted that this type of application carries no submission fee. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires new conservation area designations to be publicised in the London Gazette and in at least one newspaper circulating in the area of the local planning authority.

- 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.

5 CONCLUSIONS

- 5.1 By necessity, Kirk Mill Conservation Area was designated without full appraisal or consultation. However, public interest and support for this measure has generated suggestions for the inclusion of additional buildings and the discreet but intrinsically important archaeological features of the water-powered mill's catchment area.
- 5.2 Public comment would now be welcomed on the proposed extension of the conservation area as shown on the appended plan. A month's consultation is suggested to include the owners/occupiers of properties within the existing and proposed areas, the Parish Council, Chipping Local History Society and Lancashire County Council (Archaeology). Site notices will also be displayed. The results of this consultation will be reported to Committee alongside any recommended new designations.

6 RECOMMENDED THAT COMMITTEE

- 6.1 Authorise the Director of Development Services to undertake a one month public consultation on the proposed extension of Kirk Mill Conservation Area.

DIRECTOR OF DEVELOPMENT SERVICES

BACKGROUND PAPERS

- 1 Referred to in report.

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