

71533 & 71523 Planning and Listed Building Consent – 1 The Rock, Bury

Variation of condition 2 (approved plans) of planning permission and listed building consent 68111 & 68112 - Change of use of basement, rear of ground floor, 1st/2nd/3rd floors from commercial (Class E) to 7 no. flats with external alterations

The application site is a Grade II Listed Building circa 1874, which is located within the Bury Town Centre Conservation Area. The building is a 4-storey red brick build, neo-medieval with distinctive mock timbering. The listing states that the building is also characterised by floor to ceiling window openings of varying designs to each floor - the straight headers at ground floor, obtusely pointed header at first floor, pointed headers to the second and multi mullioned lights on the top floor. The building also boasts stained glass and oriel windows and an elaborately designed side entrance incorporating a dated coat of arms. Internally, there are original features including fireplaces, picture rails, mouldings and skirtings.

It is considered the buildings' significance is taken from its historic connections with the Bury Union and the architectural aesthetic value of the exterior of the building.

The application seeks to vary the Listed Building Consent and planning permission for the conversion of the basement, first, second and third floors with the creation of a mezzanine in the roof space to residential use, to create a total of 7 flats.

One additional new rooflight would be added to the three already consented under 68111 and 68112 and would be located in different positions, two on each roof slope. Two original rooflight openings to each roof pitch and located immediately below the ridge of the roof would be reinstated. The proposed internal layout would be altered and this would involve stud partition walling but would not involve the historic layout of the building. A small element of original internal brickwork would be removed to facilitate the relocation of the entrance in the rear basement area.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require decision makers to have special regard to the desirability of preserving a listed building or its setting or any feature of architectural or historic interest it possesses. The decision maker must also give considerable importance and weight to the desirability of preserving the setting of the listed building.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 212 of the National Planning Policy Framework (NPPF) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 213 of the NPPF states 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:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) 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 215 of the NPPF states 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, where appropriate, securing its optimum viable use.

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The change of use and re-instatement of historic rooflights are acceptable as it would have no significant further harmful impact on and would preserve the character and appearance of the conservation area. Therefore, the proposed change of use and additions would comply with Bury adopted policies EN2/1-Character of Conservation Areas, EN2/2-Conservation Area Control and would be contrary to paragraphs 212, 213 and 215 of the NPPF.

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The proposed variation to the internal adaptation to facilitate the change of use and the reinstatement of the original rooflight openings are considered acceptable as the building has already been significantly adapted under planning consent 59429 for 5 flats and its significance in the main is derived from its external architectural aesthetic. The level of adaptation is considered acceptable when bringing a listed building back into long term sustainable and viable use is balanced against the minimal harm caused. The additional internal partition of the building is considered to be reversible and would preserve the legibility of the existing historic planform.

As such the proposal would comply with Bury adopted policies EN2/3-Listed Buildings and would be contrary to paragraphs 212, 213 and 215 of the NPPF.

It is recommended a condition is added to secure the design, colour and materials of the rooflights. They should be constructed from steel or timber and not UPvC. They should be coloured black and fit flush to the roof slope.

Conservation Officer 21/2/25