

DELEGATED REPORT

Report by Mark Kilby	Date of report: 02/12/2020	Ref: 65841/LBC
Registration: 07/09/2020	LDFC: 09/10/2020	Expiry Date: 02/11/2020
Site Visit: 17/09/2020	Site Notice: 17/09/2020	Press Date: 17/09/2020
Objections: 0	Con Area: BURY	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: LBAL

Proposal: Listed building consent for refurbishment of the roof and installation of 3 no. new replacement rooflights

Location: 6-8 Manchester Road, Bury, BL9 0ED

1.

Description

Part of a mid-19th century Grade II listed terrace in the Georgian Neo-Classical style. Two storeys and basement. Red brick with stone dressings, including first floor sill band, window sills and lintels, eaves cornice and blocking course and quoins to left end corners. Up to three sash windows to each house. External doors have four moulded panels some of which have been altered, framed by pilasters and dentilled cornice and recessed in arch with a plain fanlight. Engraved glass to some of the inner doors. A bay window to each return facade. The terrace has two storey outriggers to the rear. The roof is covering is Welsh blue slate laid in a uniform course. The terrace is within Bury town centre Conservation Area.

The terrace is largely unaltered and is a fine example of a 19th century Georgian style terrace. As such its significance as a listed building is derived from its special architectural and historical interest evidencing the evolution and development of Bury town centre from a market town to a commercial centre through the onset of the Industrial Revolution.

The roof covering is failing and the resultant ingress of water is causing damage to the fabric of the building, potentially leading to a loss of significance.

The application is for the removal of the slate roof covering, replacing the roofing felt with breathable felt, new batons and re-laying the original existing roof slates. Replacing broken or missing slates with matching Welsh blue slate. Also to repair failed mortar and lead flashings.

A condition report with an assessment of the impact of the proposed repairs was submitted as part of the application and concluded the following repairs are required to preserve the significance of the listed building:

General slate coverings: Carefully the remove the existing slates for re-use and recover using new tantalised battens to match the existing batten profile (75x13mm). Lay on a new breathable felt.

Clay ridges: Rebed on new lime mortar

Abutment Flashings to outrigger roofs: Renew with lead soakers and cover flashings.

Dormers: Slate hanging – carefully remove and recover using existing slates and make good to match existing. Inspect lead valley at intersection and renew if required.

Abutment Gutter to east elevation: Carefully take up the existing lead gutter and boarding

and replace with a new exterior grade ply lining to fall on new battens, with Code 6 lead on felt and neoprene expansion joints all fixed in accordance with manufacturer's instructions.

Allow for redressing the inner lead-lined face of the stone parapet.

Chimneys: Rake out and repoint with a new NHL 5 lime mortar. New lead soakers and cover flashings. Replace/repair flaunching.

Rooflights: Carefully remove existing single glazed rooflights and reform the opening to suit a new Velux Conservation Rooflight Ref GGLSD5N2 (78x118) MK08.

Former rooflights (Marked X1 and X2) remove and recover with slate

Timber fascias to outriggers: Overhaul and redecorate.

Rainwater Goods: Overhaul existing PVC.

Slate hanging to Gable outrigger of No 8/10: Carefully remove and reinstate on new timber tantalised battens to match the existing profiles. The slate hanging is to be replaced to match the existing and make good where slates are missing.

It is not proposed to alter the roof structure.

A heritage appraisal and statement of significance was also submitted which describes the significance of the listed building and conservation area as having architectural and aesthetic interest.

A separate planning application has been submitted (65840).

Relevant Planning History

65840 - Refurbishment of the roof and installation of 3 no. new replacement rooflights -

Publicity

Press and site notice on 17/9/20 and letter dated 11/9/20 to neighbouring addresses. No comments received.

Statutory/Non-Statutory Consultations

Listed buildings - National Amenity Societies. No comments received.

Pre-start Conditions - None.

Unitary Development Plan and Policies

EN2/3 Listed Buildings

NPPF National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Listed Building

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.

The proposed repairs on a small scale restricted to a localised part of the building could be considered to be a repair or routine maintenance not requiring listed building consent. In this instance the complete removal of the roof covering requires listed building consent.

The proposed repairs would not be intrusive and would use materials and methods that would not harm the significance of the listed building. The repairs would ensure the building is watertight and also replace previous inappropriate repairs protecting the fabric of the building from further decay or damage. The re-use of the original Welsh blue slates would preserve the architectural, historic and aesthetic significance of the listed building. As such the significance of the building would be preserved and would comply with adopted UDP policy EN2/3 - Listed Buildings and paragraphs 188, 190, 192, 193 and 194 of the NPPF.

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The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 This decision relates to Proposed Roof Repairs Drawing C - 0447 P1, Condition Report & Proposals on the roof of 6-8 Manchester Road Bury, BL9 0ED - Ref C - 0447 August 2020, Heritage Appraisal & Statement of Significance for refurbishment of the roof at 6-8 Manchester Road Bury, BL9 0ED - Ref C - 0447 August 2020 and the development shall not be carried out except in accordance with the drawing and documents hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Mark Kilby	2/12/20		