

PLANNING STATEMENT

FORMER BARCLAYS BANK, 26 SILVER STREET, BURY, BL9 0DH.

FULL PLANNING AND LISTED BUILDING APPLICATION FOR THE
CONVERSION OF THE EXISTING BUILDING, INCLUDING INTERNAL
ALTERATIONS TO FORM 9 RESIDENTIAL APARTMENTS

Prepared by Jay Everett BSC Hons MRTPI Director,
Addison Planning Consultants Ltd on behalf of
Property Investment Complete Ltd

2nd July 2024



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QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Jay Everett and I have been a Chartered Member of the Royal Town Planning Institute since 1993. I hold a degree in Town and Regional Planning, and I am Managing Director of Addison Planning Consultants Ltd.
- 1.2 I have 32 years of experience of working in the field of town planning, including 12 years in local government working in both planning policy and development control and 20 years acting for landowners, developers, occupiers, and investors throughout the North of England. My involvement in the property market involves the preparation of complex planning applications, strategic promotion of land and property through the local planning policy system and acting as expert witness at planning appeals.
- 1.3 My Statement deals with the planning policy context relating to the site and specifically the history of the application site, why the proposed residential scheme has been developed and the planning policy context for the proposals. I then consider the planning case for the scheme.
- 1.4 **Chapters 2 to 4** introduce the proposal. Chapter 3 describes the site and its environs, and the planning history. Chapter 4 examines the planning policy context for the consideration of the proposals.
- 1.5 **Chapter 5** of my Statement examines the planning case for the proposed scheme.
- 1.6 **Chapter 6** summarises the principal conclusions from Chapters 5.

INTRODUCTION & BACKGROUND INFORMATION

- 2.1 This Statement has been prepared on behalf of Property Investment Complete Ltd owners and prospective developers of the Former Barclays Bank, 26 Silver Street, Bury, BL9 0DH.
- 2.2 The site comprises the former Barclays Bank situated on the west side of Silver Street at its junction with Bank Street. The building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest. The property is a Grade II Listed Building recorded on the NHLE (list entry number SD8029110708) and was added to the statutory list in 1981.
- 2.3 The property has been vacant for some time. The previous use ceased operation in circa 2010 and the building has since remained unused. The current vacancy and lack of maintenance has led to the onset of deterioration of the fabric of the building.
- 2.4 The proposed development relates to the adaptive conversion of the building to form 9 no. one and two-bedroom apartments. The proposed redevelopment of the site comprises the following elements:
- The adaptive conversion of the building to form 9 no. apartments providing 1 and 2-bed accommodation.
 - The outbuildings to the rear, formerly bank vaults and servicing spaces, will be adapted to provide bin/recycling store and cycle storage space with access to Bank Street via an existing passage to the west side of the Bank Chambers building.
 - No significant external works are proposed although a blanking panel will be inserted within ground floor windows to mask the new and existing mezzanine floor installations internally.
 - Existing timber framed windows will be replaced with new units, to matching patterns, installed subject to agreement with the Local Planning Authority.
 - Internally, the ground floor space will be sub-divided to provide 3 no. apartments. The works will include the removal of a later side stair and lift shaft to the north of the building, installation of a new stair and lift and installation of a new mezzanine floor within the former banking hall space to the south side of the building. Access will be retained off Silver Street. Room space will be sub-divided by new stud-wall

INTRODUCTION & BACKGROUND INFORMATION

partitions to provide living, bedroom, kitchen, and bathroom spaces.

- The three ground floor mezzanine apartments will be accommodated within a new floor installation to the south side of the building (sub-dividing the vertical space within the former banking hall) and within an existing mezzanine level to the north. Original masonry division walls will be retained with later partition divisions removed and replaced.
- The first-floor space will be sub-divided to form three apartments with original structural divisions walls remained and later partitions removed. New stud-walling will be introduced to define the new apartment spaces.
- Sections of masonry walling will be removed in several areas to accommodate the new stairs to the central, rear, of the building and to provide new door openings into the apartment spaces. A number of existing openings will also be blocked off.
- Sections of the existing ceiling at ground and mezzanine levels will be removed to allow for the insertion of the new lift shaft.
- Cycle and bin storage will be accommodated within the outbuildings to the west, rear, of the building within an existing passage link retained.

2.5 A Design and Access Statement (together with detailed plans) have been prepared which show how a sensitively designed proposal will be delivered that respects the character, appearance, and special qualities of the building.

2.6 The submitted Planning and Listed Building Applications for the Application Scheme comprise the following list of drawings and documents.

S1a: APC Covering Ltr to BC 22-05-2024.

S1b: Planning and Listed Building Application Form 22-04-2024.

S1c: 23-062-00 Site Location Plan - A4

S2: Drawings

23-0062-SK01-Plans As Existing-A1

23-062-SK02-Elevations and Sections As Existing-A1

23-062-SK05A-Plans As Proposed-A1

23-062-SK06-Elevations As Proposed-A1

S3: Design and Access Statement 22-05-2024

S4: Planning Statement 22-05-2024

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S5: Built Heritage Statement 22-05-2024..

2.7 The following section of this Statement therefore sets out a description of the site and its surroundings and its Planning History.

SITE DESCRIPTION AND PLANNING HISTORY

SITE LOCATION

- 3.1 The property is within the Metropolitan Borough of Bury and is in a central location in Bury town centre. The site is situated on Silver Street at its junction with Bank Street. The plan below shows the location of the site in context with its surroundings.



- 3.2 To the south of the property are The Library Gardens. To the southeast is the Gallipoli Garden. Silver Street itself has a mixed of commercial and residential properties.
- 3.3 The aerial photograph below shows the Application Site relative to its surroundings.



SITE DESCRIPTION AND PLANNING HISTORY

SITE CONTEXT

- 3.4 The site lies within Bury Town Centre Conservation Area. The map extract below shows the site relative to the Conservation Area (yellow shading) and the Core Shopping Area (light blue shading) which lies to the north of the property.



- 3.5 The property is a Grade II Listed Building recorded on the NHLE (list entry number SD8029110708) and was added to the statutory list in 1981. The Listing description states:

"1868, by Blackwell and Son and Booth, of Manchester and Bury. Enriched classical style. A substantial corner building of two storeys. Ashlar, with moulded plinth and rusticated bands across ground floor and cornice (on brackets alternation with medallions) across upper floor. Five large windows, the upper ones having shaped hoods on brackets and enriched pseudo-balcony fronts. The middle bay projects slightly; on ground floor it has large arched entry with horizontal ribbing to angled intrados and grotesque head as keystone; on first floor it has paired pilasters supporting segmental pediment enclosing sculpture. Side sections of front are framed by pilasters. Parapet with sections of balustrading; chimneys with bracketed cornices surmount it. 4-bay return front to Bank Street is similar. Recessed quadrant corner. INTERIOR has highly enriched plasterwork.

SITE DESCRIPTION AND PLANNING HISTORY

Built for Bury Banking Co, founded (as Grundy and Wood) before 1836. Upper floor formerly used as Bury Council Chamber and offices."

- 3.6 Adjoining to the west, on a cross plan fronting onto Bank Street, is the Grade II Listed Bank Chambers building (1067279) which was originally an annex to the bank. Added to the list in 1985 the building has the following description:

"1868: by Blackwell and Son and Booth, of Manchester and Bury, being an annexe to the abutting Barclays Bank. Red brick with stone dressings. 3 storeys. 3 windows, arched and with sill band on top storey. The rest tall, and with cornices above, but with wooden transmullioned glazing. Rusticated bands terminating in quoins. Cornice and blocking course."

- 3.7 Section 3.05 of the submitted Built Heritage Statement identifies heritage assets in proximity to the application site. There are five Listed Buildings/structure in proximity to the Application site. These are shown on the plan below (annotated with blue pins) and include the following buildings:

2-8, BANK STREET: Heritage Category: Listed Building Grade: II
List Entry Number: 1356790

War Memorial to the Lancashire Fusiliers, Gallipoli Gardens: Heritage Category: Listed Building Grade: II*
List Entry Number: 1250814

Bury School of Arts and Crafts, Broad Street
Grade II Listed Building List Entry Number: 1250802

PLANNING HISTORY

- 3.8 The following Planning History has been derived from the Council's Public Access database – a full Land Search has not been undertaken and there may therefore be other older planning applications relating to the site.
- 3.9 Ref. No: 43075: DISABLED ACCESS RAMP TO FRONT OF BUILDING | Status: Withdrawn

SITE DESCRIPTION AND PLANNING HISTORY

- 3.10 Ref. No: 43077: LISTED BUILDING CONSENT - DISABLED ACCESS RAMP TO FRONT ENTRANCE. LOWERING OF ENTRANCE DOOR AND | Status: Withdrawn
- 3.11 Ref. No: 43831: INTERNAL AND EXTERNAL ACCESS RAMP AND RELOCATION OF ATM'S (RESUBMISSION) | Status: Approved February 2005.
- 3.12 Ref. No: 43832: LISTED BUILDING CONSENT - ACCESS RAMP (INTERNAL & EXTERNAL) AND RELOCATION OF ATM'S IN RESPECT OF | Status: Approved February 2005.
- 3.13 Ref. No: 43932: INSTALLATION OF 7 NO. AIR CONDITIONING SYSTEMS, 7 NO. CONDENSING UNITS TO BE LOCATED ON THE REAR | Status: Approved March 2005.
- 3.14 Ref. No: 43933: LISTED BUILDING CONSENT - INSTALLATION OF 7 NO. AIR CONDITIONING UNITS, 7 NO. CONDENSING UNITS TO | Status: Approved March 2005
- 3.15 Ref. No: 53396: Change of use from (Class A2 Bank) to A3 (Restaurants and Cafes) and A4 (Drinking Establishments) | Status: Approved January 2011. This Permission does not appear to have been implemented and lapsed in January 2014.
- 3.16 Ref. No: 53530: Listed Building Consent - Re-paint all window frames, front door (and frame) and hand railings on | Status: Approved February 2011.
- 3.17 Ref. No: 57636: Change of use of ground floor and part of first floor to restaurant (Class C3); Subdivision of building to form offices at ground, first and second floors (Class B1); New entrances formed on Bank Street and Silver Street; Internal alterations | Status: Approved July 2014. This Permission does not appear to have been implemented and lapsed in July 2017.
- 3.18 Ref. No: 57645: Listed building consent for change of use of ground floor and part of first floor to restaurant (Class C3); Subdivision of building to form offices at ground, first and second floors (Class B1); New entrances formed on Bank Street and Silver Street; Internal

SITE DESCRIPTION AND PLANNING HISTORY

alterations | Status: Approved July 2014. This Permission does not appear to have been implemented and lapsed in July 2017.

PLANNING POLICY CONTEXT

- 4.1 The following paragraphs set out a description of relevant adopted Development Plan.

THE DEVELOPMENT PLAN

- 4.2 The Town and Country Planning Act 1990 (the '1990' Act, as amended) and the Planning and Compulsory Purchase Act 2004 (the '2004 Act') establish the legislative basis for town planning in England and Wales. Together the Acts establish a 'plan led' system which requires Local Planning Authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 Statutory duties relating to proposals affecting listed buildings and conservation areas are contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. The relevant statutory duty relating to development affecting a listed building is contained in Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This makes it a statutory duty for a local planning authority, in considering whether to grant listed building consent or planning permission for development which affects a listed building or its setting, to *"have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 4.4 As well as having regard to the relevant legislation, the application proposal must be assessed in the context of prevailing heritage policy. National heritage policy is set out in section 16 of the National Planning Policy Framework (NPPF), published in December 2023.
- 4.5 The policies in section 16 of the Framework refer to the concept of a heritage asset, which is defined as a building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing) (Annex 2: Glossary).

PLANNING POLICY CONTEXT

- 4.6 The policies in section 16 of the Framework place an emphasis on significance, which is defined as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting (Annex 2: Glossary).
- 4.7 The NPPF defines the setting of a heritage asset as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral (NPPF Annex 2: Glossary).
- 4.8 Several policies set out in the Framework are of direct relevance to the consideration of the proposed development of the conversion of the subject premises.
- 4.9 Paragraph 200 of the Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 4.10 At paragraph 203 the Framework states that, in determining planning applications, local planning authorities should, amongst other things, take account of:
- "The desirability of new development making a positive contribution to local character and distinctiveness."*
- 4.11 NPPF Paragraph 205 states that in 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. The more important the asset, the greater the weight should be. Paragraph 206 clarifies that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. It goes on to state that substantial harm to or loss of a grade II listed building, park or garden should

PLANNING POLICY CONTEXT

- be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, should be exceptional.
- 4.12 Paragraph 207 states that in cases where there is 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 securing its optimum viable use.
- 4.13 Interpretation of the policies in the NPPF is provided by the on-line Planning Practice Guidance (PPG) that was first published in March 2014. The PPG emphasises the need for a clear understanding of the significance of a heritage asset and its setting to develop proposals which avoid or minimise harm to significance (Paragraph: 019 Reference ID: 18a-019-20140306).
- 4.14 The PPG reiterates much of the advice set out in earlier guidance. Amongst other things the PPG provides useful guidance on the concepts of significance, and setting, as well as guidance on how to assess if a proposal would cause substantial harm.
- 4.15 A key element set out in Paragraph 009 of Section 12 of the PPG is the principle that, in the context of decision-taking, proper assessment of significance is at the heart of understanding the potential impact and acceptability of proposals. Paragraph 020 advises that a clear understanding of significance is necessary to develop proposals which avoid or minimise harm.
- 4.16 The Historic Environment Good Practice Advice in Planning (GPA2), entitled 'Managing Significance in Decision-Taking in the Historic Environment' was published by Historic England/English Heritage in March 2015. This guidance forms part of a suite of good practice advice documents that supersede the earlier PPS5 Historic Environment Planning Practice Guide. GPA2 reiterates earlier guidance that the assessment of the significance of heritage assets is an essential part of the planning process.

THE DEVELOPMENT PLAN

- 4.17 The Bury Unitary Development Plan (UDP) acts as a guide for the future development or protection of land in the Borough and together with other adopted Development Plan Documents its policies and proposals form the basis for the Council's decisions on

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planning applications. The current Bury UDP was adopted by the Council on 29th August 1997 (and is therefore significantly out of date).

- 4.18 The Joint Places for Everyone (PfE) Development Plan Document was adopted by Bury Council with effect from 21 March 2024 and supersedes some of the UDP policies, as set out in PfE Appendix A Table A.2.
- 4.19 The recently adopted PfE Plan was jointly prepared by nine Greater Manchester districts, including Bury. This plan establishes the strategic planning framework within which the nine districts will prepare Local Plans. Some of major strategic decisions relating to Bury's future growth and development have already been made through the PfE Plan. For example, it identifies future needs for housing and employment floorspace, allocates strategic sites to help meet these needs and identifies a revised Green Belt boundary.
- 4.20 Bury's Local Plan will provide a more detailed set of locally specific planning policies to complement PfE. Given that both PfE and the Local Plan will be key parts of Bury's development plan, there is clearly a need for consistency between the two. In particular, the Local Plan will need to incorporate and reflect the levels of growth and the strategic policy approach set out in PfE.

Unitary Development Plan and Policies

- 4.21 The following policies, as far as they are consistent with the NPPF, may be relevant to the consideration of the application proposal:

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

H2/4 Conversions

EN1/2 Townscape and Built Design

EN2 Conservation and Listed Buildings

RT2/2 Recreation Provision in New Housing Development. NB Saved Policy RT2/2 of the Bury UDP requires all proposals for new housing consisting of 10 units or more to make provision for the recreational needs of the prospective residents. The proposed development of 9

PLANNING POLICY CONTEXT

dwelling is below the threshold and this policy is not engaged by the proposed development.

HT2/4 Car Parking and New Development. NB the premises have no curtilage land or space to provide parking. The assessment shows that the site is however in a highly sustainable location where onsite parking is not required.

JP-S2 Carbon and Energy

JP-H3 Type, Size and Design of New Housing

JP-H4 Density of New Housing

JP-C5 Streets For All

JP-C6 Walking and Cycling

JP-C2 Digital Connectivity

- 4.22 The following chapter of my Statement therefore examines the case for planning within this Development Plan, SPDs, planning position papers and planning policy context which includes the NPPF and NPPG.

ASSESSMENT OF PLANNING CASE

- 5.1 I have structured my Statement to firstly assess the principle of the proposed development. I then assess any other planning issues and make my conclusions.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Local Plan is the starting point for determination of any planning application.

- 5.3 The NPPF is a material consideration which at paragraph 11 requires local planning authorities:

“(c) to approve development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 5.4 Paragraph 12 advises that where a planning application conflicts with an up-to-date Development Plan (including any Neighbourhood Plans that form part of the Development Plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date Development Plan, but only if material considerations indicate that the plan should not be followed.

- 5.5 Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. In addition to the housing land supply in the SHLAA, the Joint Places for Everyone Plan was adopted with effect from 21 March 2024.

ASSESSMENT OF PLANNING CASE

- 5.6 The adopted joint Places for Everyone Plan Policy JP-H1 sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan). The PfE also allocates three strategic housing sites in the Borough.
- 5.7 Following the adoption of PfE the Council considers that it can demonstrate a 5-year supply with a 20% buffer. However, the position is unclear in the absence of an up-to-date Local Plan setting out localised allocations and/or an up to date 5-year land supply position paper. For example, housing supply would normally include an allowance for windfall sites (sites such as the application site) as an important part of short-term supply.
- 5.8 The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%. This under delivery needs to be treated as a material factor when determining applications for residential development.
- 5.9 Due to the housing delivery test result, and the windfall nature of the application site, the application will assist to boost housing supply in the short term. The site is located within a main urban area, makes use of an existing building and is in proximity to a range of facilities and services and transport modes.
- 5.10 The proposal contributes towards Bury's housing need by providing nine new dwellings. The sites' central location ensures that sustainable transport modes will be an accessible and the favoured choice. Additionally, the proposal will not provide vehicular parking. The site is within Flood Zone 1. For the reasons stated later in my Report, the development creates no unacceptable design, environmental, amenity, traffic, safety, or other problems. For the reasons set out later in my assessment, I consider that the proposed adaptive conversion of the premises will conserve and enhance its status as a designated heritage asset (Listed Building).

ASSESSMENT OF PLANNING CASE

- 5.11 Lastly, in my view, the site has no recognised nature conservation value (it has no natural or associated landscape environment associated with it). And, for the reasons set out below, I do not consider that the proposal conflicts with any other policies of the Unitary Development Plan or PfE.
- 5.12 Regarding the principle of development, the proposal is supported as it is for residential development on a non-allocated building for conversion where the site is located within easy walking distance of public transport and local services; and where infrastructure can cater for the development. There are no physical and environmental constraints on development of the site, including flood risk and the development creates no unacceptable environmental, amenity, traffic, safety, or other problems. Moreover, the proposal will enhance a Listed Buildings and its setting.
- 5.13 As such, the principle of residential development of this site is clearly acceptable unless there is any planning harm being caused that outweighs the benefits to be gained by delivering new housing. I undertake an assessment below of this issue by assessing the policies of the NPPF.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 5.14 The NPPF states that there are three dimensions to sustainable development:
Economic;
Social; and
Environmental.
- 5.15 The proposal to develop nine dwellings in a highly sustainable location is precisely the type of development that the NPPF says there should be a presumption in favour of granting planning permission for. In the remainder of my statement, I consider whether there are any other material issues that should be evaluated as part of an assessment of the planning balance in this case.

DELIVERING SUSTAINABLE DEVELOPMENT – BUILDING A STRONG, COMPETITIVE ECONOMY

ASSESSMENT OF PLANNING CASE

- 5.16 A Core Principle of the NPPF is to proactively drive and support sustainable economic development. Paragraph 19 states:

"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system."

- 5.17 The development will result in a significant level of construction spend. The resulting occupation of the units will also have consequent positive economic benefits on the local economy. The proposal is therefore afforded significant material weight in support of it by the NPPF.

PROMOTING HEALTHY AND SAFE COMMUNITIES

- 5.18 Paragraph 92 of the NPPF places a focus on creating healthy, inclusive, and safe places. Education plays a role in creating safer and stronger communities and therefore should be considered when assessing proposals.
- 5.19 There is therefore no Development Plan policy requirement for a contribution towards educational infrastructure in this case.
- 5.20 Open spaces are another element of place making that should be considered when creating healthy and safe spaces. Bury has published an SPD alongside Saved Policy RT2/2 of the Bury UDP which requires all proposals for new housing consisting of ten units or more to make provision for the recreational needs of the prospective residents. These state that contributions are required for residential developments more than ten dwellings. There is therefore no open space/recreation contribution required in this case.

DELIVERING SUSTAINABLE DEVELOPMENT – PROMOTING SUSTAINABLE TRANSPORT

- 5.21 The NPPF seeks to ensure that development proposals minimise the need to travel and achieve more sustainable travel behaviour along with provision for sustainable transport.

ASSESSMENT OF PLANNING CASE

- 5.22 In this case the site is constrained by its tight curtilage and there is no scope to provide onsite parking. The site is however in a highly sustainable location in proximity to the main town centre bus terminus and a short walking range of services and facilities. In relation to cycle storage the proposal includes a communal store at the ground floor level. This development's focus on the use of sustainable transport methods shows it complies with policy.
- 5.23 Given the last use of the premises as a Bank the level of traffic that would be generated by nine dwellings would be negligible in comparison.
- 5.24 As such it is highly unlikely to have any material or significant residual impact on traffic or road safety and so passes the test in paragraph 115 of the NPPF.
- 5.25 Regarding parking and servicing details, the proposal is to convert a listed building that has no curtilage land – there are no proposals for parking. The submitted layout plan shows the proposed servicing arrangement regarding the location and routing of bin and cycle stores. The proposals therefore make adequate provision for bin and cycle stores.

DELIVERING SUSTAINABLE DEVELOPMENT – DELIVERING A WIDE CHOICE OF FAMILY HOMES

Housing Mix

- 5.26 The proposals will deliver nine new apartments with the following mix proposed:
- Five two-bedroom apartments
 - Four one-bedroom apartments
- 5.27 Policy JP-H3 sets out in strategic terms an objective for housing to meet locally expressed needs in terms of the type, size, and tenures to meet the needs of the borough's communities.
- 5.28 The proposed housing mix reflects the local needs for one and two-bedroom apartments and is of an appropriate type for a town centre location.

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- 5.29 Regarding affordable housing requirements, the application proposal is under the threshold set out in UDP policy where affordable housing would be required.

DELIVERING SUSTAINABLE DEVELOPMENT – REQUIRING GOOD DESIGN

Design Quality

- 5.30 The principle of high design standards remains a key aspect of sustainable development in the NPPF. Paragraph 9 of the NPPF states pursuing sustainable development involves seeking positive improvements including replacing poor design with better design. Section 12 of the NPPF places a requirement on planning to require good design as this is a key aspect of sustainable development.
- 5.31 Development Plan policies of relevance include saved UDP policies H2/1 The Form of New Residential Development, H2/2 The Layout of New Residential Development, H2/4 Conversions and EN1/2 Townscape and Built Design.
- 5.32 The proposal seeks to convert an existing building of architectural merit. The proposal has been designed to respect the character of the existing building, with limited external alterations proposed. The interior will be reconfigured to create well designed units that acknowledge the sites Grade II listed status and location within the Conservation Area.
- 5.33 This sensitive treatment will restore and enhance the original character of the building. The proposal clearly accords with the principles set out in the UDP design related policies.

Residential Amenity

- 5.34 Saved UDP Policy H2/4 relates to proposals for the conversion of buildings into two or more self-contained units and sets out criteria to ensure proposals protect the amenities of nearby residents and the occupants of the proposed units.
- 5.35 In this case, the proposed conversion will not have any effect on the amenity of neighbouring property or the general character of the area.

ASSESSMENT OF PLANNING CASE

MEETING THE CHALLENGE OF CLIMATE CHANGE, FLOODING AND COASTAL CHANGE

Drainage and Flood Risk

- 5.36 The NPPF requires local planning authorities to adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, water supply and demand considerations.
- 5.37 In this case, the building is existing and already connected to the existing drainage system and there are no opportunities to change the existing arrangements.
- 5.38 As a conversion of an existing building the proposals will not increase the risk of flooding either on or off site and the site can be adequately drained of both surface and foul water.

CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT

- 5.39 The premises have no curtilage land and there are therefore no opportunities to introduce hard or soft landscaping. The biodiversity of the premises meets the 'de-minis' exemption in relation to Biodiversity Net Gain requirements.

CONSERVING AND ENHANCING THE HISTORIC ENVIRONMENT

- 5.40 As set out in the policy context section of my report a proportional assessment of the value of the heritage asset is required. In this case, a specialist assessment has been undertaken by a heritage consultant. A Built Heritage Statement is included with the application submissions with reference: S5 - Built Heritage Statement.
- 5.41 That document and the planning policy context section of my report sets out the concept of weighting different degrees of 'harm' (in accordance with Paragraph 202 of the Framework, the less than substantial harm identified should be balanced against the public benefits of the proposal).
- 5.42 The specialist assessment undertaken (ref: S5 - Built Heritage Statement 05-07-2023) undertakes a thorough analysis of the special

ASSESSMENT OF PLANNING CASE

characteristics of the building and assess the impact of the proposed development. It concludes:

"Overall, it is considered that the proposed sub-division and loss of the original spatial character of principal hall spaces, most notably the ground floor banking hall, will give rise to harm to the significance of the listed building. The principal facades of the building will be retained and the potential replacement of existing windows, subject to detailing, may secure an element of enhancement. The harm identified to the listed building, 26 Silver Street, is considered to be less than substantial. No impacts upon the significance of other designated or non-designated heritage assets will arise. In accordance with Framework guidance this harm should require clear and convincing justification demonstrating that the proposals represent the optimum viable use for securing the refurbishment and re-use of the building."

- 5.43 I concur with the conclusions of the heritage specialist. The building is slipping into poor condition. The proposed use will cause a degree of harm at the lowest end of the 'substantial' scale. Paragraph 208 of the NPPF states:

"208. 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."

- 5.44 In this case, the building has been vacant since 2010. The Planning history shows attempts have been made to secure alternative uses but alternative proposals have never been implemented. In the interim period, the internal condition of the building has deteriorated and is in need of comprehensive regeneration and refurbishment. In accordance with Paragraph 208, when weighed against the benefits of securing the future of the building, enhancing its appearance, whilst delivering much needed housing, the benefits clearly outweigh the less than substantial harm identified.

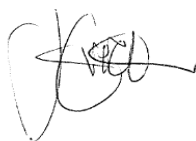
SUMMARY AND CONCLUSIONS

- 6.1 The preceding sections of this Statement have examined the planning policy context for the proposal for a residential scheme on this site.
- 6.2 Regarding the principle of residential development, the proposal is supported by Development Plan policy as it is for residential development on a non-allocated building for conversion where the site is located within easy walking distance of public transport and local services; and where infrastructure can cater for the development. There are no physical and environmental constraints on development of the site, including flood risk and the development creates no unacceptable environmental, amenity, traffic, safety, or other problems. Moreover, the proposal will enhance a Listed Buildings and its setting. The proposal accords with the strategic objectives of the plan to secure sustainable development. The proposal will also assist delivery of the Council's housing supply, affording significant weight in favour of the proposals.
- 6.3 As such, I have concluded that the principle of the provision of housing on this site should be afforded significant material weight in favour of the proposal.
- 6.4 In considering the 'less than substantial harm' that has been identified, my assessment of the planning balance has identified substantive public benefits that include securing:
- The regeneration of a designated heritage asset that is beginning to fall into disrepair and continued vacancy could lead to dereliction.
 - A sympathetic and high-quality residential design and re-use of the building resulting in an uplift in the visual character of the site and surrounding area.
 - A use which is compatible with the surrounding uses and will not give rise to any harmful amenity impacts.
 - Economic benefits through construction and visitor spend.
 - A positive contribution to the housing requirement.
 - High quality housing of a mix and type for which there is an identified need.

SUMMARY AND CONCLUSIONS

- 6.5 The optimum viable use of this site is a residential redevelopment the benefits of which clearly outweigh the identified level of harm to the designated heritage asset.
- 6.6 I conclude that the public benefits of the proposal clearly outweigh the 'less than substantial harm' that would be caused by the subdivision of the main hall.
- 6.7 I also consider that the proposals will not have any significant adverse effect:
- On the residential amenity of any existing occupiers adjacent to the site
 - On the character and appearance of the area
 - On highway safety
- 6.8 Through the above assessment of the proposals against the core principles of sustainable development set out in the NPPF, it has been demonstrated how the proposals will deliver significant economic, social, and environmental benefits. As there are no other material considerations which would indicate otherwise, in accordance with the NPPF the proposed development should be approved without delay as it represents sustainable development.
- 6.9 I conclude that the proposals are in conformity with the Development Plan and the Policies of the NPPF and should be granted planning permission.

Signature:



Date: 2nd July 2024.....

JAY EVERETT BSc HONS, MRTPI