

68111 & 68112 Planning and Listed Building Consent – 1 The Rock, Bury

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, 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.

The application seeks Listed Building Consent 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.

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 199 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 200 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 202 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 is acceptable as it would have no further impact on and preserve the character and appearance of the conservation area.

Therefore the proposed change of use would comply with Bury adopted policies EN2/1-Character of Conservation Areas, EN2/2-Conservation Area Control and would be contrary to paragraphs 199, 200 and 202 of the NPPF.

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The proposed internal adaptation to facilitate the change of use is considered acceptable as the building has already been significantly adapted under planning consent 59429 for 5 flats and its significance is derived from its external architectural aesthetic. As such it would not harm the significance of the building. 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 199, 200 and 202 of the NPPF.

Mark Kilby PGDip (Building Conservation & Adaptation)

Conservation Officer

15/06/2022