

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 18/01/2023	Ref: 69118/FUL
Registration: 24/11/2022	LDfC: 02/01/2023	Expiry Date: 19/01/2023
Site Visit:	Site Notice: N/A	Press Date: 15/12/2022
Objections: 0	Con Area: RAMS	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level:
		Stat Class: COUS

Proposal: Part change of use of second floor storage (Class E) to include 1 no. apartment (Class C3) Vertical extension to existing stairwell to allow access to the existing second floor; New second floor rear pitched roof

Location: 27 Bridge Street, Ramsbottom, Bury, BL0 9AD

Description

The proposal relates to a three storey stone building, formerly in use as a bank, in Ramsbottom Town Centre Conservation Area. Constructed in a mix of smooth and rough cut coursed sandstone, the building is attractive with a degree of special architectural merit and is considered to be important within the setting of the conservation area. As such it is a Non -Designated Heritage Asset (NDHA) and is on the Council's Draft Local List (LL353). St. Paul's Church on the opposing side of Crow Lane is Grade II listed.

It is located on the corner of Bridge Street and Crow Lane, centrally positioned along the Bridge Street shopping area, which is commercial in character. St Paul's Church is to the east and there are residential properties along Crow Lane with some flats above the shops on Bridge Street.

The application proposes the part change of use of second floor storage (Use Class E) to create 1 no. apartment (Use Class C3), to be used as manager's accommodation (associated with the ground floor restaurant) and the addition of a pitched roof over the existing stairwell to enable the extension of the stairs to the second floor.

The extension to the stairwell would be the only external alteration and it would be finished with a render gable wall, incorporating a small stair light window and with natural slates to the roof.

Relevant Planning History

63329 - Removal of existing banking related fittings and fixtures including 1 no. ATM aperture and infilling of stonework to match the existing elevation. - Approve with Conditions 07/12/2018

64787 - Change of use from banking/financial services (Class A2) to restaurant & cafe (Class A3), drinking establishment (Class A4) and 1 no. apartment (Class C3) with internal alterations and construction of new principle entrance - Approve with Conditions 18/12/2019

66858 - Variation of conditions 2 and 7 following approval of planning permission 64787- changes to the proposed layout, removal of residential unit at first floor and relocation of kitchen extraction duct to run externally at the rear - Approve with Conditions 18/06/2021

Publicity

Advertised by Press and Site Notice and direct neighbour notification. No representations received.

Statutory/Non-Statutory Consultations

Conservation Officer: No objection.

Traffic Section: No objection, subject to a condition concerning waste/recycling storage.

Environmental Health - Pollution Control: No comments received.

Waste Management: No objection.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EN2/2	Conservation Area Control
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
EN2/1	Character of Conservation Areas
EN7/2	Noise Pollution
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.

ASSESSMENT

Principle of development

The site is within Ramsbottom Town Centre's Prime Shopping Area and on the main route through the town. UDP Policy S2/2 relates to ground floor shopping frontages (which clearly isn't relevant to the proposal). Section 7 of the NPPF states that in supporting the role that town centres play at the heart of local communities, decisions should recognise that residential development can play an important supporting function.

Given that the proposal is for a second floor apartment (one bedroom) to be used in association with the existing restaurant/cafe at the site, the proposal is acceptable in principle.

Visual amenity and Heritage

As noted, the building is a non-designated heritage asset (NDHA) within the Ramsbottom Conservation Area. A high value is accorded to the building's external appearance and its 'Arts and Crafts' architectural character.

The building is principally viewed from along Bridge Street travelling west (which offers longer distance views of the full extent of the SSE of the building). Views of the building from the north from Crow Lane are partially obscured by a tree at the neighbouring site and reveal the stairwell element of the building with the flat roof.

Therefore, the proposed extension would be largely appreciated from the east and from this direction, the stairwell element is a minor feature that isn't readily perceptible due to its less significant scale, different finish (in render) angle of view and partial obscuration. From this direction, the extension would be limited to a slate roof sloping away from the viewer.

From the north, the additional apex to the gable would be finished in matching render. Whilst the gradient of the roof would not match that of the main roof, this is unlikely to be perceptible from street level, and it has to be noted that this would replace a flat roof.

Given the above, it is not therefore considered that the proposal would have any unacceptable impacts on visual amenity, upon the character of the existing building, streetscape and wider conservation area.

Residential amenity

The site is located in a high density town centre with buildings tightly packed on relatively narrow streets. This is a part of the character of the conservation area. The apartment would have habitable room windows facing south over Bridge Street towards habitable room windows to upper floor apartments at a distance of around 11m. Whilst this falls significantly below typically sought aspect standards, it is accepted that such standards are unlikely to be achieved in relation to conversions in such historic town centres. It is likely that occupants of upper floor residences would expect to be living, and have outlooks, in close proximity to other residences. Furthermore, there is a first floor restaurant with large

windows where diners presently have views in the same direction.

The windows on the north aspect have views over the neighbouring funeral business.

The addition to the stairwell would be set against the higher existing gable and roof.

The overall floor space and bedroom dimensions would exceed the '*Technical housing standards - nationally described space standard*'.

Given the above, the proposal would not unacceptably further undermine existing amenity in the locality or for occupiers of the proposed apartment.

Access and highways

The site would not have any dedicated off-street parking, but it is positioned in a town centre with immediate access to goods and services and public transport that gives access to surrounding towns and villages. There are public car parks in the locality.

The Highway Officer does not object to the proposal.

Other matters

Given the above assessment, there would be no justifiable planning reason to limit the occupation to employees associated with the restaurant (although given that the second floor could only be accessed via the ground floor business, it is unlikely to be occupied separately).

Given the existing sealed flat roof, any ecological interests (bats) are likely to be non-existent or negligible.

CONCLUSION

The above assessment demonstrates that the proposed development would be acceptable in principle and would not have any unacceptable impacts on visual and residential amenity or highway safety.

Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, planning permission should be approved.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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:

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings
Location Plan (Dwg No. 19-03-21)

DELEGATED REPORT

Proposed Site Plan (Dwg No. 19-03-26)

Proposed First & Second Floor Plan & Elevations (Dwg No. 19-03-25)

and the development shall not be carried out except in accordance with the drawings 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.

- 3 The bin storage facilities indicated on approved plans shall be provided prior to the occupation of the development hereby approved and maintained thereafter.
Reason. To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety, pursuant to Bury Unitary Development Plan Policy EN1/2.
- 4 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u> DSC	<u>Date</u> 18/01/2023	<u>Sign off Officer</u>	<u>Date</u>
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