

70639 – The Art Picture House, Haymarket Street, Bury.

Listed building consent to create four staff WC/changing cubicles in an undeveloped space on the first floor from new stud walls and the refurbishment of the existing staff room; Addition of a condenser to the rear elevation.

A grade II listed former picture house and theatre. Now in use as public house. It is sited within the Bury town centre conservation area.

For the avoidance of doubt the description refers to an undeveloped space on the first floor. The whole of the area of that first floor area has been adapted for staff facilities and the “undeveloped space” refers to the area within that space where the WCs will be sited.

The proposal is for existing staff facilities on the first floor of the building to be improved with the creation of four WCs and a minor storage area. This will involve the installation of stud wall for the creation of the WCs and storage area. No historic fabric will be removed or altered, and the work would be reversible. The historic plaster work will remain untouched.

A small condenser is proposed to be installed on the rear elevation of the building at first floor level. The impact of this proposal on the character and appearance on the character and appearance of the conservation area has been determined under planning application 70642.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

EN2/3 - Listed Buildings.

The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained. In considering applications for Listed Building Consent, the Council will have regard to the following criteria:

a) the impact of the proposal on the historic fabric of the building;

- the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- the need to protect the setting of the Listed Building;
- the impact of associated ancillary facilities and infrastructure works.

Paragraph 203 of the Nation Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 of the NPPF states that 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.

The proposed staff facilities would be reversible and would not affect any part of the historic fabric of the building as the new stud wall partitions that would create the new WCs and storage space would be affixed to non-historic flooring and existing stud partition wall and as such would not cause any loss of or harm to the significance of the listed building. The proposed condenser unit would also be reversible and as such does not represent any loss of or harm to the significance of the building.

The proposal would either comply with or not be contrary to adopted UDP policy EN2/3 – Listed Buildings, paragraphs 203 and 205 of the NPPF and policy JP-P2 of Places for Everyone.

Conservation Officer

11/6/24