

DELEGATED REPORT

Report by Mark Kilby	Date of report: 06/09/2022	Ref: 68525/LBC
Registration: 20/06/2022	LDfC: 08/08/2022	Expiry Date: 15/08/2022
Site Visit: 16/07/2022	Site Notice: 16/07/2022	Press Date: 07/07/2022
Objections:	Con Area: RAMS	Adv Type: LBCA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: LBAL

Proposal: Listed building consent for 5no. non-illuminated fascia signs, and 1no. non-illuminated door vinyl graphic

Location: Grant Arms Hotel, 11 Market Place, Ramsbottom, Bury, BL0 9AJ

Description

The application site is the northern section of the former Grant Arms Hotel a Grade II Listed Building which was formerly in use as a public house, restaurant and hotel. The building is located within the Ramsbottom Town Centre Conservation Area and is set in an elevated position and is accessed via a steep setted road which leads from Market Place.

The application is for the Listed Building Consent for 5 new non-illuminated fascia type signs on the west, east and north elevations and 1 window vinyl to the entrance door on the west elevation. The 5 proposed non-illuminated signs would have the Medivet branding logo of red and blue lettering on a white background and comprise specifically of:

- 1 x 700mm x 1000mm entrance sign to the door on the west elevation
- 1x small opening hours sign to the side of the door on the west elevation
- 1x 600mm x 900mm entrance directional sign to the north elevation
- 1 x 900mm x 2600mm announcement sign to the east elevation at ground floor level to the right hand side of the two ground floor windows.
- 1x 450mm x 700mm entrance directional sign to the east elevation
- 1 x window vinyl to entrance door on the west elevation ("Welcome" and "Hello")

The external finish of the building to which the proposed signs relate is white render.

The original submission also included a projecting sign which has been removed from the scheme. The announcement sign has been significantly reduced in size and is now proposed to be sited to the right hand side of the two ground floor windows as opposed to between the ground and first floor windows. The directional sign to the north elevation has been reduced in size and repositioned from high up on the gable to eye level.

The building has recently been granted a change of use to a veterinary practice. (68288).

Relevant Planning History

58807 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - 23/02/2016

61827 - Outline application for proposed demolition of part of building and erection of sheltered housing including change of use of public house to sheltered housing - 03/12/2018

52095 - Listed building consent for banner sign to side elevation - RefuseRefused 12/02/2010

58807 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - RefuseRefused 04/09/2015

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61827 - Outline application for proposed demolition of part of building and erection of sheltered housing including change of use of public house to sheltered housing -

RefuseRefused 08/03/2018

62929 - Outline application for erection of gated access and garage parking (secure) for 13 garages and a bin store

- RefuseRefused 22/08/2018

68288 - Proposed change of use from existing public house (Sui Generis) to veterinary practice (Class E) - Approve with Conditions 24/06/2022

68289 - Listed Building Consent for proposed change of use - Approve with Conditions 24/06/2022

68501 - Advertisement consent for 5no. non-illuminated fascia signs and 1no. non-illuminated door vinyl graphic -

09/0368 - UNAUTHORISED ADVERTISEMENT - 22/10/2009

Publicity

Press Notice on 7/7/22 and Site Notice 16/7/22. No comments or objections received.

Statutory/Non-Statutory Consultations - None.

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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities 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.

Paragraph 202 of the National Planning Policy Framework (NPPF) states that; 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.

The proposed signs would be new and transient in nature. No part of the original fabric of the building would be lost and no architectural features of the building would be obscured from view.

The revised signs by virtue of their reduction in size and appropriate siting represent a reduction of their original visual impact on the building to an acceptable level. By virtue of their size, design, colour and siting the proposed signs would be reversible and would not cause a loss of significance of the listed building.

As such the proposal represents less than substantial harm and when weighed against the public benefits, the proposed signs together with the approved change of use to a veterinary surgery would facilitate the building being brought back into viable, sustainable use. As such the proposal would comply with adopted UDP policy EN2/3 - Listed Buildings and paragraph 202 of the NPPF.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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:

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- 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 drawings numbered Revised Signage Details 28872 dated 28th April 2022 received 05th September 2022 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Mark Kilby	06/09/2022		