

Plan:8 Town Planning Ltd

Heritage Statement

Proposal: One Detached Dwelling

Address: land to the side of 71 and 73 Higher Lane

Applicant: Beech House Developments Ltd

Prepared By D J Jenkins for

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- 1 The report is intended to consider and respond to the impact of the proposed detached dwelling upon the Grade II dwelling at 71 Higher Lane. The purpose of this statement is to explain the proposal in relation to the planning policy framework concerning heritage particularly policies contained within the local plan, the National Planning Policy Framework particularly with regard to the setting of the listed building.
- 2 Planning Permission is sought for a two storey detached dwelling. Access is to be formed through the existing brick wall to Higher Lane. The site layout shows that 71 Higher Lane will be afforded room and enhanced landscaping to the boundary with the adjoining land subject of this application.
- 3 71 Higher Lane, also known as Broxpus, is a semi-detached dwelling listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, for its special architectural or historic interest. The list description is :
‘Broxups’ is described in Historic England’s list entry (Ref: 1163381) as circa 17 th Century with later additions and alterations. Brown brick two storeys. 4 nearly flush sash windows. 6 panel door with fielded upper panels. Fanlight with metal radial bars of Gothic pattern. Doorcase of Tuscan half columns and open pediment. Interior has C 17 stair, with closed string and shaped, flat balusters. Doors of 6 fielded panels. First floor has C 18 mantels (rest are modern). Cellar has wide bevelled beams. License for non-conformist preaching granted to the occupant William Walker in 1672 (origin of Stand Unitarian Chapel).

Heritage Policy

- 4 The Planning (Listed Buildings and Conservation Areas) Act 1990, states that the primary duty of the Local Planning Authority, in relation to listed buildings, is to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Policies of Oldham Council are complimentary to the Comprehensive Policy Guidance at National level in Planning Policy Guidance (PPG) and The National Planning Policy Framework (NPPF).

- 5 The planning policy framework includes Bury's development plan. The plan exhibits policies for development including objectives which emphasises the need for the protection of the character, quality and diversity of the built, natural and historic environment.
- 6 Aligned to the Bury policies are policies within the NPPF which aim for the same assessments and engagement. To understand the relevance of the NPPF in this matter we set out the paragraphs which appertain to this application. We refer to them and our observations in a chronological sequence.
- 7 Paragraph 126 of NPPF. Local Authorities must have a positive strategy for the conservation and the enjoyment of the historic environment, including heritage sites at most risk from: Neglect, Decay and Other threats.
- 8 Paragraph 126 of NPPF aims for sustaining and enhancing the significance of heritage assets and putting them to viable use. Wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- 9 Para 128 of NPPF advises that in determining applications, Local Planning Authorities should require the applicant to describe the significance of any heritage assets affected including any contribution made by the setting. We include the list description above.
- 10 Para 131 of NPPF advises that in determining planning applications Local Planning Authorities should take account of:
 - The desirability of sustaining and enhancing the significance of the heritage assets putting them to viable use.
 - The positive contribution that conservation can make to sustainable communities including economic vitality.
- 11 Para 134 of NPPF notes 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 this proposal including: securing its optimum viable use. The NPPF and PPG also includes guidance on the setting of a listed building.

- 12 In responding to the policies we should be clear that the significance of the heritage asset the listed building dates initially from the 17th Century. The appearance from the street is of course today not what was originally built with development having occurred all around the hotel including in close proximity. Indeed the development of the semi-detached house adjoining broxpus to the rear, 73 Higher Lane, significantly changed the setting of the heritage asset.
- 13 On the specific point of setting of the Listed Building the definition of the setting of a heritage asset is given in the NPPF:
- “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.”* (Glossary, NPPF, 2015).
- 15 Even if one considered there may be some harm caused but that harm is limited and when we consider *“the degree of harm to the asset’s significance”* (para 17, PPG) the degree of harm may not necessarily be significant.
- 16 Government guidance explains that an assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. The definition of Significance (for heritage policy) is: *“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.”* (Glossary, NPPF, 2015). It seems appropriate to consider the setting of the heritage asset over time and the setting with the proposed development in context of all current surroundings.
- 17 The setting of Broxpus has varied over time. The principal changes have come about in the C20 with the development of the house to the rear, the house at 69 the development of the golf course and three storey apartments and wall to the front. The extent to how those changes have impacted the setting is not a determining factor in this case but it is of importance to note that the setting has been subject to change from buildings and other development that has occurred nearby.

- 18 The proposed detached dwelling will be visible in the vacant plot next to Broxpus. The proposed dwelling will be visible in conjunction with a streetview from Higher Lane but only over the boundary wall. It would not however be an unexpected presence given the siting of other houses and apartments in similar positions to the east and north west along Higher Lane. The change to the front wall will result in limited change to the setting. The enhanced landscaping along the boundary treatment to eastern boundary of Broxpus will offer some complimentary improvement to the setting. We find overall that that the siting will not cause harm to the setting of the listed building and that the proposal results in less than significant harm to the heritage asset.
- 19 View forms an element of setting but the guidance states that setting is an experience, the experience of being within the setting of a building. We looked for longer range views that may affect wider experiences but found that longer range views are not impacted. When we consider "*the degree of harm to the asset's significance*" (para 17, PPG) the degree of harm is not significant. The limited harm would need to be weighed against all the positive pro-development aspects which could be considered to be the addition of a detached dwelling built in a very accessible location.
- 20 When all the factors that could impact the setting are taken into account we find that the proposal will not harm the setting of the heritage asset. It is our view that the change to the setting is not significant with regard to paragraph of 132 and 133 of the NPPF. The NPPF confirms at paragraph 134 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.....*" (Para 134, NPPF). The public benefits of the proposal are the addition of a family dwelling in a very accessible location at a time of significant housing shortage across the Greater Manchester region.

Prepared by D J Jenkins

reviewed by Simon Plowman MA MRTPI for Plan:8 Town Planning Ltd