

DELEGATED REPORT

Report by Helen Pressley	Date of report: 16/05/2025	Ref: 71823/LBC
Registration: 31/03/2025	LDfC: 16/05/2025	Expiry Date: 26/05/2025
Site Visit: 24/04/2025	Site Notice: 24/04/2025	Press Date: 17/04/2025
Objections: 0	Con Area: HOLC	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: LBAL

Proposal: Listed building consent for erection of single storey annexe

Location: Higher House, Moor Road, Ramsbottom, Bury, BL8 4NX

Description

The application relates to a detached dwelling house located on Moor Road. The premises is Grade II Listed and located within Holcombe Village Conservation Area and the Green Belt. The dwelling is located in a prominent position within the street scene, and is clearly visible from Moor Road and Lumb Carr Road. The premises is a former Public House and is one of 13 Listed Buildings within the Conservation Area.

The listing for the dwelling states that the building is an early 18th Century, 2 1/2 storey coursed rubble property with two later extensions and a 19th Century porch. The dwelling is an imposing 2 storey building living accommodation in the roof space and a part basement. The dwelling is built from traditional course stone, with ashlar masonry features including tall brick built gable chimneys covered by stone flags, stone quoins, stone cills, heads and jambs. In 1820 the building was extended by a 2 storey extension which has a plaque and date stone of 1820 on the north gable.

More modern additions have also been added, including a double garage and courtyard area to the south that are accessed through double gates. The insertion of these double gates included removal of part of the boundary wall that fronts Moor Road that was attached to the main dwelling house. The dwelling has also recently undergone refurbishment that included replacement windows, replacement/repair of stone work, replacement and repairs of the roof and chimneys, repointing, replacement flooring, replastering and generally modernisation and redecoration.

Planning Permission and Listed Building Consent is sought for the erection of single storey annexe to the side of the existing Listed Building, fronting Moor Road. The proposed annexe would comprise of a living room, bedroom, kitchen/diner and bathroom with an yard area to the side. The proposed annexe would be constructed from random stone walling and reclaimed slates.

Relevant Planning History

047758 - LBC - Construction of new double garage and alterations to stone boundary wall to form vehicular access - Approve with Conditions 01/05/2007

47775 - New garage; alterations to boundary wall - Approve with Conditions 01/05/2007

60300 - Re-roofing to include renewal of lead work, repair of chimneys and 5 no. replacement timber dormer windows - Approve with Conditions 30/09/2016

60301 - Listed building consent for re-roofing to include renewal of lead work, repair of chimneys and 5 no. replacement timber dormer windows - Approve with Conditions 30/09/2016

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60971 - Refurbishment and remodelling to include replacement windows, works to external elevations and internal alterations - Approve with Conditions 21/04/2017

60972 - Listed Building Consent for refurbishment and remodelling to include replacement windows, works to external elevations and internal alterations - Approve with Conditions 21/04/2017

61906 - Listed building consent for remedial restraint of front elevation wall and window panels - Approve with Conditions 02/11/2017

63022 - Variation of condition no. 2 (approved plans for listed building consent ref: 60972) for retention of stainless steel window frames with 28mm double glazed units. - Approve with Conditions 29/10/2018

63065 - Variation of condition no. 2 (approved plans for planning application ref: 60971) for retention of stainless steel window frames with 28mm double glazed units. - Approve with Conditions 29/10/2018

65056 - Removal of existing vehicular access gates, stone pillars and curved wall; Construction of new curved wall in its original configuration attached to the main house; Widening of existing double gates adjacent an outbuilding; Provision of outdoor car parking; Refurbishment of the outbuilding for use by locals as a communal bin store - Approve with Conditions 10/09/2020

65057 - Listed building consent for removal of existing vehicular access gates, stone pillars and curved wall; construction of new curved wall in its original configuration attached to the main house; widening of existing double gates adjacent an outbuilding; provision of outdoor car parking; refurbishment of the outbuilding for use by locals as a communal bin store. - Approve with Conditions 10/09/2020

68241 - Extension, alteration and remodelling of outbuildings to form a family annexe - Approve with Conditions 04/11/2022

69042 - Listed building consent for extension, alteration and remodelling of outbuildings to form a family annexe - Approve with Conditions 09/12/2022

69421 - Erection of freestanding timber garden room and increase in height of the boundary wall - Withdrawn by Applicant 26/06/2023

69422 - Listed building consent for erection of freestanding timber garden room and increase in height of the boundary wall - Withdrawn by Applicant 26/06/2023

Enforcement

18/0148 - Windows installed not in accordance with the approved plans - 16/09/2019

18/0362 - Erection of wall - 25/02/2019

19/0292 - Storage containers on site - 02/12/2019

23/0009 - Breach of pre - commencement condition nos 3 & 6 of planning approval 65056 and condition no 3 of listed building consent 65057 - 30/10/2023

23/0293 - Unauthorised demolition of listed building - 29/07/2024

Publicity

Neighbour letters 15/04/2025

Site Notice 24/04/2025

Press Notice in the Bury Times 17/0/2025

Statutory/Non-Statutory Consultations

Conservation Officer - Conditions requested in relation to materials

Listed buildings - National Amenity Societies - No response

Pre-start Conditions - Agent has agreed with pre-start conditions

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 Assessment

The application site is a Listed Building.

Paragraph 207 of the NPPF states that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

This is further supported by UDP Policy EN2/3 Listed Buildings requires the Council to actively safeguard the character and setting of Listed Buildings, not permitting works, alterations or changes of use which would have a detrimental impact on the historical character or features of the building.

The applicant has provided a Statement of Significance and Heritage Impact Assessment Statement in support of the application that provides information in relation to the background of the site and as assessment of significance that reviews the history of Holcombe, architecture and appearance of Higher House, other Listed Buildings and NDHAs within the village, the Conservation Area and the original outbuildings that this application seeks to replace.

This statement acknowledges that the outbuildings were a concentrated and complex group of cell like enclosed spaces, yards, and boundary walls of mixed condition, walling types and periods some possibly contemporary with the main buildings. The Moor Road elevation demonstrated a simple and quirky appeal. These buildings had a function in support of the former public house or dwelling house and added to the understanding of life in the village. Their loss leaves a hole in a prominent position in the village which is harmful to the significance of the listed building, and to the setting of the village core and the character of the conservation area. Their location along one of many early roads and tracks bring that loss to the attention of the many walkers who visit Holcombe.

On balance therefore, given the harm that the loss of the outbuildings presents to the Listed Building it is considered their replacement would be acceptable in principle.

The proposed annexe is principally viewed from the south within Holcombe Village including Lumb Carr Road (with very limited acute view) and Moor Road. The proposed additions would be of a simple design, replicating the form of the listed building. The proposed windows facing towards Moor Road are of varying sizes providing a rural aesthetic appropriate to the sensitive location within the Conservation Area. It is considered that the

additions to the building would be in keeping with the existing dwelling and would not lead to incongruous, or alien additions. Existing materials should be re-used where possible and replacement materials should be from natural matching stone including the stone slate roof. These details can be secured via condition.

The proposal would therefore have less than substantial harm to the character and appearance of the conservation area and the significance of the listed building and as such would satisfy the requirements of the NPPF.

The public benefit would accrue from the sympathetic additions to the building, replacing outbuildings that were lost in a prominent position within the Conservation Area and, as such, the proposal satisfies sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires convincing justification for any loss or harm to the significance of the conservation area and listed building.

Overall, the proposed development would preserve the character of the Listed Building and is therefore acceptable.

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 pre-application discussions 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:

- 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 R 0565 sk 102 Rev A, R 0565 sk 103, R 0565 sk 104, R0565-200, R-0565-SLP 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 and Places for Everyone Joint Development Plan listed.
- 3 The roof slope covering of the development hereby approved that would face Moor Road shall be constructed from the reclaimed natural stone slab of the previously existing out building in accordance with the submitted Planning Statement dated March 2025. Any additional natural stone slab requirement shall be approved in writing by the Local Planning Authority before its use. The rear facing roof slopes of the development hereby approved shall be natural slate in accordance with the submitted Planning Statement dated March 2025 and approved in writing by the Local Planning Authority before their use. Only approved materials shall be used.
Reason. To preserve the setting of the grade II listed Higher House and the character and appearance of the conservation area pursuant to Development Plan Policies EN2/3 - Listed Buildings, EN2/1 - Character of Conservation Area, EN2/2 Conservation Area Control, the National Planning Policy Framework, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 72 of

The Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4 The external finishes of the elevations and boundary wall of the development hereby approved facing Moor Road and visible in the street scene shall be constructed from the reclaimed natural stone from the previously existing outbuilding in accordance with the submitted Planning Statement. Any additional natural stone requirement shall be approved in writing by the Local Planning Authority before it is used. The stone shall be random coursed in accordance with the Planning Statement dated March 2025 and a sample panel approximately 2m x 2m shall be approved in writing by the Local Planning Authority before the development is commenced.
Reason. To preserve the setting of the grade II listed Higher House and the character and appearance of the conservation area pursuant to Development Plan Policies EN2/3 - Listed Buildings, EN2/1 - Character of Conservation Area, EN2/2 Conservation Area Control, the National Planning Policy Framework, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5 Sample(s) of the proposed stained timber high performance window frames, with slimline double or single glazed units shall be approved in writing by the Local Planning Authority before the development is commenced. A window reveal set back of between 25mm and 75mm, or otherwise agreed with in writing by the Local Planning Authority shall be confirmed with window reveal set back section detail. The development shall be implemented in accordance with the agreed details.
Reason. No details of the proposed windows has been submitted as part of the application and to preserve the setting of the grade II listed Higher House and the character and appearance of the conservation area pursuant to Development Plan Policies EN2/3 - Listed Buildings, EN2/1 - Character of Conservation Area, EN2/2 Conservation Area Control, the National Planning Policy Framework, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6 The proposed boundary wall gates and external doors shall be of stained plain timber, details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Only the approved materials shall be used in construction of the development.
Reason. No details of the proposed gates or doors have been submitted as part of the application and to preserve the setting of the grade II listed higher house and the character and appearance of the conservation area pursuant to Development Plan Policies EN2/3 - Listed Buildings, EN2/1 - Character of Conservation Area, EN2/2 Conservation Area Control, the National Planning Policy Framework, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	16/05/2025	HL	22/05/25