

72061 – 44-48 Bolton Street, Bury.

Change of use of first and second floors from Offices (Class E) to 5 no. Apartments (Class C3); External works/alterations to shop ground floor frontage.

The application site is within Bury town centre conservation area.

The Bolton Street area of the conservation area is characterised by 19th century three storey brick and slate dwellings and commercial premises. This character illustrates the evolution of the town centre from a market town into a commercial centre.

The conservation area is on the Historic England Heritage at Risk Register. Part of this assessment of risk is caused by inappropriate alterations to buildings consisting of inappropriate alterations to shop fronts, inappropriate advertisements and the addition of non-historic render. All of these elements of inappropriate development and advertisement display do not preserve the character or appearance of the conservation area representing a loss significance to the character and appearance of it.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 202 of the National Planning Policy Framework (NPPF) states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 210 of the NPPF states 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 212 of the NPPF states 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.

Paragraph 213 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 215 of the 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.

Paragraph 219 of the NPPF states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 220 of the NPPF states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

There is no objection to the proposed change of the use of the upper floors to a residential use. This would comply with town centre policy of the UDP in promoting the sustainable and viable occupation of upper floors, and in this case making a contribution to preserving the character and appearance of the conservation area.

The proposed alterations to the ground floor shop fronts are acceptable subject to a condition being added to any consent to secure details of design for a timber shop front before the commencement of any development. This is in accordance with paragraph 219 of the NPPF to enhance or better reveal the significance of the conservation area.

The upper floors 1 and 2 to all elevations should not be re-rendered if the existing render is to be removed. Re-rendering would not preserve or enhance the character or appearance of the conservation area or better reveal its significance as required by paragraph 219 of the NPPF. The exposed brickwork should be cleaned and re-pointed and left exposed.

For the same reasons the replacement windows and new window frames to the upper floors should timber with details secured by condition before commencement.

Conservation Officer

2/9/25