

71177 – Waterside, Kay Street, Summerseat.

Erection of 5 no. detached houses with associated vehicular access, parking and landscaping.

This application is a resubmission of application 69913 which was refused and which had following description:

Erection of 5 no. dwellings with associated road and landscaping and an upgraded vehicular entrance off Kay Street.

The heritage reason for refusal was as follows:

"The proposed development by virtue of its size, siting, materials and design would have an unacceptable impact on the Brooksbottom Conservation Area of which the site forms part and the adjacent Grade II listed buildings. The proposal would neither preserve or enhance the traditional character or appearance of the Conservation Area or the listed buildings".

The application site is within the Brooksbottom and Rowlands conservation area and would be within the setting of the Grade II listed buildings The Spinnings (Brooksbottom Mill) and The Gate House.

The area consists mainly of former industrial buildings and the terraced houses constructed for the people who worked in them. The houses are generally small and of a simple form with vernacular design and materials. The mill buildings reflect the nature of their original use and although the former Brooksbottoms Mill has been converted to a residential use, the original features have been retained on the exteriors. The former Mechanics Institute on Hill Street has also been converted to residential use and retains its external features. The former railway warehouse at the northern end of Miller Street has also been converted to residential use and the windows have been replaced with an inappropriate modern style. The Miller Street terrace has the outside yards built on and converted into single-storey additions.

Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires that in the exercise, with respect to any buildings or other land in a conservation area, of any provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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 212 of the National Planning Policy Framework (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 that 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 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 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.

Conservation Area and Listed Buildings Setting.

This resubmission with regard to the design concept of the house types proposed is fundamentally no different from scheme that was refused under planning application 69913. There are still proposed large, high gables, steep pitched roofs, flat roofs, balconies and glass balustrades.

The proposed dwellings in this resubmission would still be of a design and appearance which would represent an incongruous, contemporising and urbanising feature within that part of the conservation area. The built environment character as described and referred to in the Brookbottoms and Rowlands Conservation Area Appraisal identifies the simple homogeneity, built form and of layout of the workers cottages using vernacular materials with a form, layout and design driven by the need for simple workers cottages. In stark contrast the proposed scheme still offers four different house types each of a very contemporary design comprising of three storeys in height, multiple steep pitched roofs at different heights and positions, multiple flat roofed and balcony levels, gable frontages and a dormer window which is also an incongruous architectural feature within the conservation area. The design, size, scale and mass of the proposal is not considered to preserve or enhance the character or appearance of the conservation area.

The proposal would be viewed within the setting of the listed buildings identified and would represent an incongruous development within their setting causing harm to their significance by way of their visual domination and representing an incongruous feature within their setting as in the conservation area. As such the proposed development would not achieve the aim of paragraph 219 of the NPPF for new development within the setting of heritage assets, to enhance or better reveal their significance.

The amended layout of this proposed scheme does represent some improvement moving the access road to the rear of the site along with a majority of the on site parking, but this does not represent a significant improvement that would offset the harm identified by the scheme as a whole to the character and appearance of the conservation area and the settings of the listed buildings.

In conclusion the proposed development in this resubmission would still represent an incongruous feature within the settings of the listed buildings causing a loss of heritage significance and would not at least preserve or enhance the character or appearance of the conservation area. As such the proposal would still represent less than substantial harm to the setting of the listed buildings and the character and appearance of the conservation area with no identified public heritage conservation benefit that would outweigh the harm identified.

The proposal would be either contrary to or not comply with adopted UDP policies EN2/1- Character of Conservation Areas, EN2/2 – Conservation Area Control, EN2/3 – Listed Building and paragraphs 212, 213, 215 and 219 of the NPPF and would not achieve the heritage conservation aims of policy JP-P2 of the Greater Manchester Combined Authority Joint Plan.

Conservation Officer

24/1/25