

DELEGATED REPORT

Report by Tom Beirne	Date of report: 15/01/2025	Ref: 71334/FUL
Registration: 07/11/2024	LDfC: 20/12/2024	Expiry Date: 02/01/2025
Site Visit: 26/11/2024	Site Notice: 21/11/2024	Press Date: 28/11/2024
Objections: 1	Con Area: HOLC	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Porch at side; loft conversion; new slate roof; flue on side elevation; roof light at front; remove existing render and re-render side and rear elevations and replacement windows on all elevations

Location: 10 Lumb Carr Road, Ramsbottom, Bury, BL8 4NW

Description

The application is part retrospective relates to a two storey stone built detached cottage which has been vacant for a number of years. There is a small rear yard area and driveway to the side. The property was in a serious state of disrepair and covered in Ivy when the applicant purchased it in October 2024. The property is not listed but lies within Holcombe Village Conservation Area. The property to the north (No.5 Cross Lane) is a grade 2 listed building.

The front and rear roof planes have different materials. The front roof plane has in the past been relayed on the front with natural blue slate and the rear has natural stone slate. Both slate and stone slate have been removed.

The original external stone work been rendered with sand cement render and this has been covered in ivy for a number of years which has had a detrimental effect on the structure and integrity of the original stonework. The render and ivy has been removed to reveal the stonework beneath.

The original proposals, including re-rendering the whole property. installing Upvc windows and adding an enclosed porch to the side were not considered appropriate. Revised proposals have since been submitted and include:

- Re-rendering the side elevations
- Treating coursed stone front elevation, repairing and repainting.
- Replacing ground floor front window with timber framed window with mullions and stone head.
- Replace first floor window with timber sash and case.
- Conservation rooflight on front roof plane.
- Replacement windows on side elevations - the larger windows using timber sash and case.
- There would be a modest timber canopy over the main entrance door on the west side.
- The roof would be replaced with a new slate roof.
- Adding a flue for a wood burning stove on the side elevation.

Relevant Planning History

19/0303 - Untidy land/property - 02/10/2019

Publicity

Immediate neighbours notified by letter dated 19/11/2026. Press and site notices posted. Two representations received.

- This property is quite dominant on the main road through Holcombe, and next to a listed building Harrier's Cottage. Since Lumb Carr Road may not have existed when the property was built, and its odd juxtaposition with both the road and the terraces nearby, this is probably a significant historic building.
- The fact that the Conservation Officer has only made verbal comments to the Case Officer, nor has commented on the proposed UPVC windows proposed seems unexpected. I would ask for a written comment, for transparency hence.
- Now the original stonework is revealed this large house, hardly a cottage but without significant land adjoining becomes much more interesting as an historic artefact.
- What is its relationship with Harrier's Cottage which it may or may not predate. No historic value is cited in the Heritage Statement which is also odd.
- I do approve the concept but object to the Heritage Statement which states 3.06 - The existing windows will be replaced in UPVC with a more appropriate
- design. Surely this is not compliant with the current ban on UPVC windows. The ones at the front now are ghastly.
- The house is much better looking now returned to the original non rendered outside walls. I feel would be better to retain the original non rendering at front to road, and side, and gable end too. Leaving only the back rendered. Technology should be adequate now to repair any stone work and make waterproof, as has been well done on other nearby houses eg. no... 3 Lumb Carr Road gable end.
- There may be a cobbled yard, is a possible heritage feature and should be retained.
- Please make sure the original roofing is not sold and some other poorer quality to flagstones original are replaced.
- No objections to the proposals but protected species should be taken in to account as a material consideration in the development.
- The house is close to woodland and protected species licences for bats have been granted within 1km of the house.
- Legislation and case law states that surveys should be conducted before a decision has been made by the planning officer.

Statutory/Non-Statutory Consultations

Conservation Officer - Concerns regarding windows, porch and treatment of stonework. Revised plans submitted and no objections subject to appropriate conditions relating to materials.

Pre-start Conditions - N/A

Development Plan and Policies

H2/3	Extensions and Alterations
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN1/2	Townscape and Built Design
EN1/1	Visual Amenity
EN6/3	Features of Ecological Value
NPPF	National Planning Policy Framework
PfE	Places for Everyone

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.

Policy - Chapter 16 of the NPPF (2019) relates to conserving and enhancing the historic environment and states that Local Planning Authorities should take account of the significance of any heritage asset and the positive contribution it has. Any proposal should preserve or enhance the character of a conservation area unless there is clear and convincing justification. In weighing applications that directly or indirectly affect a heritage asset, in this case the conservation area, a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset'.

Heritage - The NPPF and local plan policy indicates that any proposal should preserve or enhance the character of a conservation area unless there is clear and convincing justification.

With an extended period of vacancy, the property has become extremely dilapidated. With the property undergoing a series of unfortunate alterations in the past, including render, replacement windows and doors and the presence of the overgrown ivy (now removed), it

has a low amenity value within the streetscape and indeed seriously detracts from the character of the conservation area.

Despite the property having a low amenity value currently, any proposal still needs to be appropriate to the Holcombe Village Conservation Area in which the site is located. The existing building has for a number of years, remained vacant and been allowed to deteriorate to the point of becoming an eyesore within the streetscape. The previous rendering of the walls and unfortunate and inappropriate changes to windows have not helped its appearance and as such the property has a low amenity value in the locality.

The revised proposals are part of a scheme to renovate and bring the property back into use. The application seeks permission to treat, repair and re point the recently exposed coursed stone front elevation whilst re-rendering the side elevations. The unsightly Upvc windows on the front would be replaced with more appropriate timber framed windows with mullions and stone header (ground floor) and timber sash and case (first floor). The larger windows on the side elevations would also be replaced with more appropriate timber sash and case whilst the smaller windows replaced with timber casement. There would be a modest timber canopy over the main entrance door on the west side. The roof would be replaced with a new slate roof.

The proposed changes would re-introduce more appropriate and characteristic features to the property and enhance its appearance, its setting next to a listed building and within the wider conservation area. As such the proposal would protect and enhance the conservation area and would be acceptable in terms of heritage, impact on the conservation area and nearby listed building. No objection from the conservation officer and in terms of heritage, the proposal complies with the NPPF, Places for Everyone and UDP Policies EN1/1, EN1/2, EN2/1, EN2/2 and H2/3 relating to visual amenity, streetscape and the conservation area.

Visual amenity and streetscape - The changes to the property, most notably the removal of the render on the front and the replacement timber framed windows would significantly improve the appearance of the property within the streetscape. The new canopy over the entrance is modest in scale and appropriate to the property.

In terms of visual amenity and appearance, the proposal would be acceptable and comply with UDP Policies EN1/1, EN1/2, EN2/1, EN2/2 and H2/3 relating to visual amenity, streetscape and the conservation area.

Residential amenity - There are no new structures proposed and, apart from the rooflight on the front roofplane, there are new window openings. The proposal, in terms of residential amenity, is considered to be acceptable and complies with UDP Policy H2/3 Extensions and alterations and associated guidance in SPD6.

Ecology - Extensive works, including the removal of the roof slates, have already started on the property and as such there is little likelihood of bats being in the building and a bat survey would not be useful in these circumstances and particularly at this time year. GMEU were contacted and it is considered appropriate to attach a condition ensuring that bat mitigation measures are installed on the property.

Public comments - The revised plans address issues raised by the objector and the issue with regard to bats is addressed above.

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:

- 1 This decision relates to location plan and drawings numbered 01, 02A, 03C and 04D 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.
- 2 No works shall recommence until full details/samples of the following works have been submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.
 - Treatment and repair works to the coursed stone on the front elevation,
 - Repointing of the coursed stone on the front elevation
 - New breathable render relating to the side and rear elevations and
 - Re-roofing
 - Reflagging the external areas of hardstandingOnly the approved works shall be carried out.
Reason. No details or material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
- 3 Full details of all replacement windows (materials, construction and fitting) shall be submitted for approval by the Local Planning Authority within one month of this decision notice and/or before development commences, whichever is sooner. The approved works shall then be carried out in complete accordance with those details.
Reason. In order to preserve the character of the conservation area pursuant to the NPPF and UDP policies EN1/1, EN1/2 and EN2/2 relating to visual amenity and character of conservation areas.
- 4 Prior to works recommencing, a scheme of mitigation relating to bats/swifts shall be submitted to and approved in writing by the Local Planning Authority. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

<u>Case Officer</u> TB 15/1/25	<u>Date</u>	<u>Sign off Officer</u> DM - 16/01/2025	<u>Date</u>
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