

DELEGATED REPORT

Report by Mark Kilby	Date of report: 11/07/2025	Ref: 71984/LBC
Registration: 29/05/2025	LDFC: 11/07/2025	Expiry Date: 24/07/2025
Site Visit: 14/06/2025	Site Notice: 14/06/2025	Press Date: 19/06/2025
Objections: 0	Con Area: RAMS	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: LBAL

Proposal: Listed building consent for removal and reinstatement of the slate covered pitched roof

Location: 15 Barwood Lea, Ramsbottom, Bury, BL0 9AX

Description

The application relates to a Grade II Listed period dwelling within Ramsbottom Conservation Area. The original large L-shaped Barwood House has been subdivided into three separate two-storey dwellings, with the application site being at the corner of the "L".

The application is for the replacement roofing batons and the installation of a breathable roofing membrane. The existing original Welsh Blue slates will be removed and then reinstated after the work is completed. Missing and failed leadwork will be replaced as well as any non-breathable bituminous material. It is envisaged that some of the original slates will need to be replaced although no number has been estimated.

Relevant Planning History

45212 - ERECTION OF LOG CABIN IN REAR GARDEN - Approve with Conditions
01/11/2005

72023 - Listed Building Consent for installation of stud wall in main bedroom to form en suite bathroom; associated drainage connection and replacement of the existing external black metal rainwater pipe -

Publicity

Press notice 19/6/25, neighbour notification 12/6/25, site notice 14/6/25. No comments or objections received.

Statutory/Non-Statutory Consultations

Listed buildings - National Amenity Societies. No comments received.

Pre-start Conditions - None.

Development Plan and Policies

EN2/3	Listed Buildings
EN1/2	Townscape and Built Design
JP-P2	Heritage
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 -

The submitted design and access statement states that inappropriate historic ad hoc repairs to the roof has lead to poor building performance. It is accepted that the long term practice of using inappropriate non-breathable materials will lead to serious building defects in historic buildings requiring greater intervention and therefore potentially more harm to their heritage significance. As such the proposal its approach and methodology is considered will protect the fabric of the building from further harm and serious defects. The scope of the works would not represent loss or physical harm of or to the fabric of the building. The proposed works would not better reveal or expand on the significance of the building and as such the impact on the significance of the architectural and historic interest of the building would be neutral.

It is recommended a condition is imposed to control the use of replacement slates.

As such, it is considered that the work would be acceptable as it would not harm the significance of the building and would retain the historical and architectural character and features of the Listed Building and therefore be in compliance with UDP Policy EN2/3, the NPPF and Joint Plan policy JP-P2 - Heritage.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 D0372/100, D0372/101, D0372/102, D0372/103, MDA Design - Design & Access Statement: Listed Building Consent Application - Roof Replacement, Barwood House dated 22nd May 2025 and the development shall not be carried out except in accordance with the drawings and Design & Access Statement 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 original slates shall be reinstated in the same course as originally laid before the work was commenced. Any replacement slates shall be natural Welsh Blue slates and must be submitted to and approved in writing by the Local Planning Authority before their installation. Only approved replacement slates shall be used.
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 and to preserve the architectural and historic interest of the listed building.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Mark Kilby	11/7/25	DM	11/7/25