

SECOND PLANNING STATEMENT ADDENDUM

The Lord Raglan Public House, Mount Pleasant, Bury BL9 6SP

05 September 2024

Introduction

1. This Planning Statement serves as an update to the Planning Statement Addendum submitted on 10 January 2024 to Bury Council (the “**Council**”).
2. The original planning application (Ref. 70213) was made for the conversion of existing public house to 5 no. apartments and erection of 3 no. terraced houses on existing car park, which was submitted together with a listed building consent application for conversion of existing public house to 5 no. apartments (Ref. 70214) (together the “**Original Applications**”).
3. The current revised version will solely focus on the conversion of the Lord Raglan Public House, as the proposal to replace the existing car park with dwellings has been discarded, which is evident in the extract of the Block Plan below.



4. The current design is described in the Updated Design and Access Statement dated 02 September 2024 prepared by Irwin Mitchell (“**Updated DAS**”). The Updated DAS serves as an update to the Revised planning, Design & Access Statement prepared by Edgeplan in October

2021 ("**DAS 2021**") and the Design and Access Statement prepared by Debtal Architecture in July 2023 ("**DAS 2023**").

5. Whilst the current proposal must be considered afresh and on its own merits, it is also important that the Application is seen in its full evolution, having had the benefit of advice from various technical officers of the Council and having responded/reacted to that advice as well as comments made by interested parties through statutory consultation. Whilst this constitutes a change from that which was initially submitted, it remains wholly within the same red-outlined area, includes no more development than initially proposed, and discards the parts of the previous designs that received objections from statutory consultees.
6. This current proposal limits the development to the conversion of the Lord Raglan Public House and is considered the least intrusive form of development that can result in a viable form of regeneration/redevelopment of the site, whilst also seeking to address a dramatically unmet need in the local area i.e. housing as currently the Council has only 1.7 years Housing Land Supply against a need of a minimum of 5 years.

Background

7. The Lord Raglan had been a public house for a significant period of time, but following its demise and a failed attempt by local residents to purchase it in line with their 'right of first refusal' under an earlier Listing as an Asset of Community Value ("**ACV**"), it is currently redundant; it is neither a local public house, nor an ACV.
8. It is a Grade II Listed Building and sits within the Mount Pleasant Conservation Area.
9. A pre-application enquiry was submitted to the Council by the Applicant in respect of the site in March 2018. This informed the preparation of the application and the details submitted with it.
10. An earlier (to this present application) planning application was submitted in July 2019 (Full permission Ref. 64476 / LB Consent Ref. 64594), which was subject to consultation responses raising detailed matters as well as points of principle.
11. Revised applications were submitted in February and April 2020 (Full permission Ref. 65428 / LB Consent Ref. 65331) and discussions have taken place over time in relation to the design and detail of the scheme.
12. New applications were submitted in October 2023 (Full permission Ref. 70213 / LB Consent Ref. 70214).
13. A revised version of the development was provided with the Planning Statement Addendum prepared by Irwin Mitchell and submitted on 10 January 2024 to the Council.
14. The current revised version seeks to solely focus on the conversion of the Lord Raglan Public House, while discarding the now superseded proposal of constructing terraced houses on the existing, developed car park.

Proposed development

15. The Applicant proposes to convert The Lord Raglan Public House to form 5 two-bedroomed residential apartments over the ground/first floors and attic.¹
16. All the apartments would be accessed from the existing front entrance and the existing external staircase at the rear of the property would be used to access the two apartments at first floor level. Otherwise, the main structural elements would remain largely unchanged. New partition walls would be used where necessary to divide rooms, with insulated panels between adjoining apartments. All existing windows would be retained.
17. An improved vehicular access would be formed on the northern side of the building leading to a parking area at the rear with four parking spaces.²

Site

Listed Buildings

18. The Lord Raglan is a Listed Building set adjacent to a number of terraces which are also Listed Buildings. Together they form a group listing. Further and better details on this heritage asset is set out in the Heritage Statement and Addendum, dated September 2023³ As well as the Second Heritage Addendum dated September 2024 which accompanies the current application.
19. The listed building has undergone a considerable degree of unsympathetic changes both internally and externally most notably the extensions, window treatment and internal studwork and thus the list description notes that the public house is included for **group value only**.
20. Whilst recognising the importance of the listing as a point of law one must consider it in context and in light of its recorded justification and impact on the wider heritage assets. The Lord Raglan was only listed as part of its surroundings and only then as a small contribution. The proposal to bring it back into reuse, by way of redevelopment and regeneration must therefore be seen as an enhancement of the listing, particularly given the very scant detail provided and absence of genuine contribution for anything that might otherwise be missing or lost by the continued dilapidations of the building if it is left in its current condition.
21. The construction and layout of the existing building lends itself to a new residential use as apartments, which would maintain the asset in its most complete form, without the requirement for new openings e.g. to accommodate equipment or machinery for a business use or substantial extension to accommodate e.g. public assembly. Indeed, the upper floor is already

¹ DAS 2021, bottom of page 1 under heading **Proposal**

² DAS 2021, page 2 under heading **Access**

³ Prepared by rps

in ancillary residential use as a manager's apartment, thus its character would be barely affected.⁴

22. This part of the development has been welcomed in a response from Bury Council's Conservation Officer⁵, which stated:

"The conversion of the Listed Lord Raglan would be acceptable in that it would be brought back into a viable use. Its historic, communal, evidential and aesthetic values would not be impacted by the proposed conversion as only internal alterations would be carried out and as far as is understood would only result in the adaptation of the building which would be reversible and the soft strip or removal of 20th century fixtures and fittings. As such its group value would not be affected nor would its conversion impact on the character and appearance of the conservation area. The loss of the 20th century extension is also welcomed".

23. The heritage value and improvements to be drawn from this proposal are more detailed and explained in the Heritage Statement and Addendums therefore, also submitted in support of this Application.

Green Belt

24. The site sits within the Greater Manchester Green Belt.
25. Development in the Green Belt is considered inappropriate unless it meets an exception or can demonstrate Very Special Circumstances.
26. In our view, part of this proposal at least meets an exception, in that it includes the extension or alteration of a building which is not disproportionate in respect of additions above or over the size of the existing building i.e. the works proposed to The Lord Raglan would neatly sit within this acceptable form of development given there is no extension or additions⁶.
27. The additional apartments could arguably fall within the exception that allows for partial redevelopment of previously developed land⁷, recognising that the public house area is previously developed land. Openness is accepted as being more than just the visual. Sympathetic landscaping will also introduce more opportunity for environmental enhancement which is a positive impact on openness and Green Belt value and the usage doesn't affect or impact openness.

⁴ DAS 2021, bottom of page 13 under heading **Design & Access Statement**.

⁵ Conservation officer comment, 16 June 2020

⁶ Paragraph 149(c) of the NPPF

⁷ Paragraph 149(g) of the NPPF

28. In relation to the Conversion and Re-use of Buildings in the Green Belt, Policy JP-G9 of the Greater Places for Everyone Development Plan Document⁸ reminds applicants that the Green Belt serves five purposes;
- a. To check the unrestricted sprawl of large built-up areas
 - b. To prevent neighbouring towns merging into one another
 - c. To assist in safeguarding the countryside from encroachment
 - d. To preserve the setting and special character of historic towns and
 - e. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
29. Policy JP-G9 goes on to recognise that there might be opportunity to enhance Green Belt purpose by delivering social benefits for residents and providing highway quality spaces that support economic growth and this is exactly what is proposed by this development, as refined in response to those concerns expressed through the initial application.
30. The conversion of the existing public house would itself be assessed against Policy JP-P2, which allows conversion and re-use of heritage assets encouraging the promotion, enjoyment, understanding and interpretation of heritage assets as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct character, identity and sense of place. Land within the existing curtilage of the public house would be utilised for associated parking for the apartments. The conversion of the listed building will secure the retention and long-term re-use of the building.
31. Whilst the proposal does not include affordable housing, given the dire situation with housing in the Council's area it is considered that any housing delivery must be given great weight. Whilst the Council continues to fail it carries a shortfall in its housing delivery each year on year, which ought to have imposed a buffer by central government which requires more than has been calculated by the Council.
32. In the present case, the Council fails in all regards and at last publication it recorded 1.7 years Housing Land Supply against a need of a minimum of 5 years.

Planning History

33. 59669 – listed building consent for installation of defibrillator and cabinet on front elevation at Lord Raglan; Approved 31 March 2016
34. 64476 – conversion of existing public house to 4no. apartments and erection of 6no. terraced houses; withdrawn 10 Dec 2019
35. 64594 – listed building consent for conversion of existing public house to 4no. apartments; withdrawn 10 Dec 2019

⁸ [Places for Everyone Joint Development Plan Document \(greatermanchester-ca.gov.uk\)](https://greatermanchester-ca.gov.uk/places-for-everyone-joint-development-plan-document)

36. 65428/FUL – conversion of existing public house to 4no. apartments and erection of 4no. terraced houses; refused 14 April 2022

Planning Policy

- 37. NPPF
- 38. UDP
- 39. H1/2 Further Housing Development
- 40. H2/1 The Form of New Residential Development
- 41. H2/2 The Layout of New Residential Development
- 42. H2/4 Conversions
- 43. EN1/1 Visual Amenity
- 44. EN1/2 Townscape and Built Design
- 45. EN1/3 Landscaping Provision
- 46. EN2/1 Character of Conservation Areas
- 47. EN2/2 Conservation Area Control
- 48. EN2/3 Listed Buildings
- 49. EN9/1 Special Landscape Areas
- 50. OL1/2 New Buildings in the Green Belt
- 51. OL1/3 Infilling in Existing Villages in the Green Belt
- 52. Bury Local Plan
- 53. Places for Everyone Joint Plan

Legislation

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

Proposal

Housing

55. The latest proposal seeks permission for 5 apartments to be converted within The Lord Raglan.
56. This is a not insignificant contribution to the area, particularly in recognition of the Council's failure to provide sufficient housing and given how small of a village Nangreaves is on its own.

Very Special Circumstances (VSCs)

57. Whilst there are no determinative circumstances that will be considered very special so as to automatically enable development in the Green Belt, caselaw and appeal decisions have shown certain criteria capable of amounting to VSCs.

Conservation of a listed building

58. At the heart of this proposal is the retention of the listed building. Whilst criticism has been levied in previous applications by objectors who believe this proposal is sought for profit alone whilst acknowledging that development generally has to achieve a financial profit to make it feasible and viable and the objectors comments in that regard misunderstand commercial development in that aspect, , it should be highlighted that it would be much easier, quicker and cheaper for the Applicant to propose demolition of the redundant listed building and replacement with something more modern and capable and robust to redevelopment. The expense of seeking to retain historic fabric and attempt to incorporate modern and improved methods of ventilation, fenestration, heating etc is significantly more costly than the easier option of demolition. On this point specifically it should not be undervalued that the Applicant is not suggesting that costs is a factor, despite the costs to date of trying to reach amicable agreement with officers and adapting the proposal to objections where reasonable, but there will come a point where the costs spent on this property in attempting to bring it back into a purposeful reuse will outweigh the financial gain in that use. At that stage, viability of the costs involved in regeneration and redevelopment of the property might need to be advanced in order to be weighed into the decision and considered against benefits of bringing back into use the heritage asset.
59. The Council's repeated and significant annual failure to properly plan and deliver necessary and much needed housing in its area puts all available land and buildings at this risk, because triggering the national policy position as opposed to being able to solidly rely upon their own local plan policies, in terms of housing at least, means that the Council would struggle to justify any reason for refusing housing unless and until it is able to improve its housing delivery.
60. The Applicant in this case is serious about reusing the listed building and had carefully considered all options for its reuse. He has chosen to instruct specialist heritage consultants to advise on the best means and methods of bringing back the property into a viable and longstanding repurpose. Whilst housing might not have been the first choice of officers or objectors, it is the most likely to generate the quickest reuse. There are significant waiting lists for houses and the Council has acknowledged this in its own area, so it is fair to expect that these houses will not require any great degree of marketing.
61. In reusing the buildings fabric in the manner proposed, it will ensure the buildings longevity and sustainability for years to come. Rather than the position if this development is not approved, which could result in the building standing empty for a significant period of time whilst an alternative, viable and practical option is considered. In the meantime, it might be necessary to consider interim/temporary uses, which are permitted by law in line with its previous use, noting that temporary or interim uses will not necessarily interrupt or change the character or permitted use of a property.

Under-delivery of housing land supply

62. The Council is unable to meet its obligation to provide housing. Its last publication asserted only 1.7 years of housing land supply.

63. Whilst ordinarily a proposal seeking permission for housing cannot in itself constitute a VSC, in cases where the Council has proven, year on year, to fail to provide sufficient housing any contribution made by applicants must be afforded additional weight. In this case, where the provision of housing by the Council is so low one must afford greater weight to any proposal for housing that will be delivered in the next 5 years, as in the case of this development.
64. The Case Officer's report⁹ recorded that the Council was "desperate for new housing and North Manor has a child poverty rate of 22.9% and a 33% rate for the wider town".
65. This must also be coupled with the Council's failure to bring itself up to date by way of Development Plan Management. Its reliance on an UDP adopted in 1997 despite having saved policies provides no local steer. The UDP must be considered outdated and in turn its policies given less weight, if any weight may be afforded at all.
66. Consequentially, one must look to national policy and in that regard not the presumption in favour of sustainable development, coupled with the housing crisis, which weighs in favour of permitting schemes that contribute to local housing numbers.

Economic benefit

67. Short-term economic benefit derived from the construction of the development has usually been given little or no weight, but it is reasonable to include it in any overall consideration. In this case there will be an increase in local economy during construction, but of more consequence, once the housing is built it will increase the economic prosperity of the area permanently once occupied. The occupants will pay Council Tax, contributing to the Council's coffers and ability to maintain public services. They will also contribute to local services, which will help better protect and manage ongoing services and maintenance. Some pay work locally and contribute to the employment numbers, whilst others may have children who help bolster local educational places and help sustain local schools and outside classes and or afterschool placements.
68. The economic benefit of bringing back into use this currently disused property is likely to also help improve the local economic landscape of neighbouring properties, better presenting the area, arguably raising the economic setting of other properties in response to the new housing which will be marketed, potentially triggering a re-evaluation of local prices to take account of new stock.

Site-specific circumstances – Green Belt, Listed Building, previously development land

69. Whilst clearly within Green Belt the contribution the site makes to the Green Belt in a traditional manner is low. In its current form, the previously developed land, including the car park make negligible contribution to Green Belt principles. Arguably they detract from the wider Green Belt benefits. Whilst new development is effectively prohibited to the most part, this is not stereotypical new development. This is redevelopment of a previously developed site, which has

⁹ Application reference 65428/FUL

been sensitively designed and considered in context of its historic, environmental and heritage and conservation settings. Its reinauguration will benefit the Green Belt immensely.

Community benefit

70. Whilst the loss of the public house is noted to have been of previous concern to locals, the business was clearly not viable, which resulted in its closure. Subsequently, despite having had the opportunity to acquire it through ACV first option of sale it was unsuccessful for residents to take over its management.
71. The redevelopment of The Lord Raglan for housing is of a similar degree – if not more – community benefit because it will continue to support the local people (albeit in a different manner; not leisure like the public house previously) by providing much needed housing. It will also remove the current ‘eye-sore’ of an underused/disused property from its area, improving the views to, from and across the site and beyond.

Environmental benefit

72. Currently in an increasingly dilapidated state, likely to continue to deteriorate without any carefully considered viable redevelopment this proposal presents a viable opportunity to introduce improved environmental elements contributing not just to the development and its intended occupants, but to the wider context of Green Belt and natural environment surrounding the site.

Conclusion

Policy position

73. The UDP is out of date and whilst the Council has sought to save policies through its ongoing attempt to progress a Local Plan it must be recorded that there is little or no progress and an anticipated adoption “subject to the timetable of the Planning Inspectorate”¹⁰ of mid-2024 one must consider the UDP policies out of date and of little or no weight.
74. The consequence of this position is that the NPPF must be looked to for policy compliance. In that respect the Application as a whole, with the support of various consultants expert assessments and reports clearly and demonstrably conclude how this proposal meets the criteria and needs of the NPPF as a whole, but in particularly in respect of housing and associated infrastructure.
75. In our view, the Council is attempting to use its UDP policies in order to thwart the proposed development, but this, together with the significant failing in respect of housing delivery, must contribute to context and be given great weight in support of the development. Policies prepared for the UDP in 1997 cannot be said to have regard of the latest national policy positions and must be considered out of date. Whilst some of the policies have been saved

¹⁰ Bottom of page 9 [Local-Development-Scheme-Feb-2022 \(bury.gov.uk\)](https://www.bury.gov.uk/local-development-scheme-feb-2022/)

under the Town and Country (Local Planning) (England) Regulations 2012 in our view those are to be considered as short-term transitional arrangements whereby a local authority has an opportunity to provide an interim measure until a local plan is progressed. The gap between the UDP and the 'emerging' Local Plan cannot be considered short-term or interim. The delay is unjustified and despite the Council recognising in its Local Plan documentation that there is scope for SPD's to be carried forward in line with Saved Policies, it has even failed to progress anything it seeks to refer to in considering this scheme or any of its earlier connotations.

76. The Applicant has considered the policies referred to by earlier officers and taken them on board as requested, but seeks to rely upon national policy in which respect it is considered this proposal wholly complies.
77. In any event, for the sake of completeness, this scheme would not contradict the UDP in so much as it relates or applies to the proposed development.

Heritage

78. Whilst listed, The Lord Raglan's contribution to heritage is limited. The legal justification for listing is recorded as 'included for Group Value only' and one must assume, by the fact that directly adjacent properties have their own individual listings, that it is as a consequence of that grouping that the public house saw itself listed.
79. Its original use, as a public house, as long been ceased and in its current form it stands without any community value or viable purpose. If allowed to continue to be unused it presents a blot on the landscape, without any discernible contribution or worst still, with potential to detract from the otherwise scenic and aesthetic views to, from and across the Site and surrounding Conservation Area.
80. Neighbouring listed buildings; 8-10 Mount Pleasant, 11 and 12 Mount Pleasant, 13-28 Mount Pleasant, 35-40 Mount Pleasant and High Hope Farmhouse will not be affected by the proposal in terms of operational development or proximity. The improvement of The Lord Raglan public house will in turn improve the views to, from and across the other listed buildings. The Applicant has taken great care and effort to maximise the heritage value afforded by this conversion.
81. The Second Heritage Statement Addendum that accompanies this application has assessed and concluded that the proposed development will cause no harm to; and preserve the significance of both the relevant listed buildings and the Mount Pleasant Conservation Area. In addition, the benefits of reuse of the existing building should not be underestimated.
82. In any event, the Applicant is attempting to preserve the characteristics of the listed building which are considered to draw value, above and beyond the limited 'Group Value' description on the listing, seeking to enhance the beauty of the built form, whilst bringing about its purposeful reuse that will protect its future usefulness.

83. In our view, the Applicant's proposal can enable the Council to record that it has special regard to the desirability of preserving the building or its setting¹¹, in context with the features or special architectural or historic interest which it possesses, noting the very limited features recorded as protected by way of listing and the fact that the Applicant has sought to retain all of the historic fabric.

Conservation Area

84. The Lord Raglan sits within the Mount Pleasant Conservation Area.

85. The Mount Pleasant Conservation Area Appraisal does mention The Lord Raglan, but only to recognise it as a "popular leisure amenity"¹². However, as noted, in part due to decreasing popularity the public house since operation and so the value attributed to it within the Conservation Area, must be considered lost.

86. The Second Heritage Statement Addendum that accompanies the application assesses and concludes that the proposed development of the listed building will preserve and enhance the special interest of the Conservation Area.

87. For the reasons set out above and more particular detailed in the supporting Application and various technical assessments, reports and statements, we invite the Council to consider this Application favourably and grant permission having resolved earlier refusal grounds and covered more in terms of benefits to be derived from this development as a complete scheme.

¹¹ In line with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

¹² Paragraph 2.0