

Application Number:	2020/0401	Application Type:	Listed Building Consent
Proposal:	Painting of front door a changed colour/intended painting of front exterior windows a changed colour	Location:	168 Todmorden Road Bacup
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	6 October 2020
Applicant:	Miss L Spencer	Determination Expiry Date:	30 October 2020
Agent:			

Contact Officer:	Neil Birtles	Telephone:	01706-238645
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	Yes
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. **RECOMMENDATION**

That Listed Building Consent be granted subject to the conditions set out in Section 10 of the Report.

2. **The Site**

The applicant resides in a mid-terraced house to the NW side of Todmorden Road (A681). The terrace forms part of a ribbon of residential properties in the Countryside approximately 350m beyond the Urban Boundary of Bacup.

The terrace comprises of a dozen houses (No 164 to No186, evens) and the applicant's house is one of four in the terrace that have been included on the national List of Buildings of Special Architectural or Historic Interest (No 164 to No 170) at Grade II.

The Listing Description for the applicant's house reads as follows:

Cottage, later C18. Coursed sandstone, stone slate roof with chimney at junction with No. 166 to left (q.v.). Double depth, one bay, 2 storeys, with plain doorway to the right, stepped triple-light window at ground floor, stepped 5-light window above, all these lights with glazing bars and the middle lights sashed. Rear has brick lean-to at ground floor, 2 square windows at 1st floor (one with 12 panes, other altered), and a tall chimney rising from the eaves between them; left return wall, which projects beyond adjoining rear, has one window on each floor. Probably used for domestic weaving. Vertical joints between this item and Nos. 166 and 170.

The neighbouring Listed Buildings have been listed separately as of different builds - as evidenced by the vertical joints in the stonework of their front elevations - but their front elevations are of similar design, each with one stepped triple-light window to the side of the front door and one stepped 5-light window in the narrow-coursed stonework above, topped by stone slate roofs with a common ridge-height and shared gutter.

Although the door and window openings in the front elevations of each of the four houses which are listed create a regular pattern by reason of their siting/size/design, the doors and window-frames which in-fill these openings are not uniform (and were not so prior to recent painting by the applicant of their front door).

To the opposite side of Todmorden Road the land is open.

3. **RELEVANT PLANNING HISTORY**

2014/0424 Replacement windows to front elevation - 170 Todmorden Road
LBC Approved 15/12/14

The Officer Report in respect of this application states that

- this and the neighbouring properties were restored in the 1980's, including replacement of all windows in the front elevation.
- to replace the frames at No 170 would not result in loss of historic windows.
- the approved frames will return the arrangement to a historically accurate configuration (with central sash opening and outer windows fixed) using

double-glazed timber frames of slightly different cross-section dimensions, similarly setback from the face of the front wall.

Condition 3 of the Consent requires that the new frames be painted dark brown.

4. **PROPOSAL**

Following investigation of a complaint by the Enforcement Officer the Applicant has submitted this application to regularise painting of the front door changed from brown to sage green, with a cream door frame, and also seeks consent to paint the exterior of the front window frames changed from brown to cream.

5. **POLICY CONTEXT**

National

National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 12 Achieving Well-Designed Places

Section 16 Conserving & Enhancing the Historic Environment

Development Plan Policies

RBC Core Strategy (2011)

AVP2 Area Vision for Bacup, etc

Policy 1 General Development Locations and Principles

Policy 16 Preserving & Enhancing the Built Environment

Policy 23 Promoting High Quality Design and Spaces

Policy 24 Planning Application Requirements

6. **CONSULTATION RESPONSES**

None.

7. **NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order neighbours were notified by letter, a press notice published and a site notice posted.

The following comments have been received:

164 Todmorden Road

I have lived in one of these cottages for 28 years and was told on buying the property that as part of the listing the fronts of these cottages could not be altered and all woodwork must be stained brown. Changing the colour of the door has a detrimental effect on the appearance of these listed properties in a conservation area.

170 Todmorden Road

When I applied to put in double glazing at my property a few years ago we were required to have dark wooden window frames. If the windows and door at 168 are changed this would destroy the uniformity of the 4 cottages which were all refurbished at the same time. All previous residents have complied with the requirements and I do feel that it is important that we maintain the standardised image of all the 4 houses.

Address Unknown

There are some changes that should not be welcomed and I think the painting green and cream of the door at 168 has already changed the original appearance of these historic cottages. They had always had a uniformity of appearance, which added to their charm.

We have so few historic sites in our area. All the more reason to retain the original look of the sites we do have. I am also aware of previous similar decisions where the long-term residents here were told by relevant bodies to keep their doors and windows as near as possible to the original weaver's cottages, i.e. brown wood.

8. ASSESSMENT

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that local authorities shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 192 of the National Planning Policy Framework (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.*

Policy 16 of the Council's adopted Core Strategy seeks to preserve and enhance Rossendale's historic built environment by:

"Promoting the positive management of the Borough's heritage assets, avoiding unnecessary loss and requiring appropriate mitigation of any negative impacts.

Ensuring that all development is [amongst other things]:

- Located in a way that respects the distinctive quality of the historic landscape and setting and retains or enhances the character and context;*
- Of a high standard of design, reinforcing the local distinctiveness of Rossendale."*

In this instance the external alterations to the building are limited to painting of the front door & its frame (already done in sage-green & cream, respectively) and painting of the front window frames to match the colour of the door frame.

Although the door and window openings in the front elevations of each of the four houses which are listed create a regular pattern by reason of their siting/size/design, the doors and window-frames which in-fill these openings are not uniform.

Prior to recent painting by the applicant of their front door, it is the case that all four front doors comprised of vertical timber boards painted a dark colour. However they were not of uniform colour - painted dark-brown / painted slate-grey / painted brown / stained brown - and with door handles/letter-boxes/door-knockers/number-plates of varying materials/designs/colours. Likewise, the window-frames of the four houses which are listed are of slightly varying design/colour.

Whilst your Officers understand the view of the Objectors that it would be preferable for the front door and frames of the applicant's property to again be painted a dark colour - to better match the colour of those of the neighbouring properties - there is not considered to have been such uniformity this can now be insisted upon. The colour choices of the applicant will make their front door and window frames of rather brighter appearance than those of the adjacent properties but not otherwise inappropriate.

9. **SUMMARY REASON FOR APPROVAL**

The periodic painting of the timber door and window-frames of the front elevation is necessary and the chosen colours are not unduly detrimental to the character and appearance of this Listed Building or those attached. The development is therefore considered to accord with the National Planning Policy Framework and Policies AVP2 / 1 / 16 / 23 of the Council's adopted Core Strategy (2011).

10. **RECOMMENDATION**

Consent is granted

CONDITIONS

1. The development hereby consented to shall be carried out and completed in accordance with the following submitted documents/drawings:

Title	Date Recd
Application Form	27 / 08 / 20
Location Plan	27 / 08 / 20
Photos	27 / 08 / 20

Reason: For the avoidance of doubt.