

<b>Application Number:</b>	2023/0124	<b>Application Type:</b>	Listed Building Consent
<b>Proposal:</b>	Improvements to Cenotaph and gardens including provision of uplighters, cleaning of column, dais and surrounding surface and stone repairs and repointing where necessary	<b>Location:</b>	Hempstead Memorial Gardens Burnley Road Bacup
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	23/05/2023
<b>Applicant:</b>	Rossendale Borough Council	<b>Determination Expiry Date:</b>	10/05/2023 EOT agreed to 26/05/2023

<b>Contact Officer:</b>	<b>Claire Bradley</b>	<b>Telephone:</b>	<b>01706 238636</b>
<b>Email:</b>	<b>planning@rossendalebc.gov.uk</b>		

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	No
<b>Member Call-In</b> Name of Member: Reason for Call-In:	No
<b>3 or more objections received</b>	No
<b>Other (please state):</b>	<b>Yes – Council Owned Land</b>

## 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

Approval subject to conditions

## 2. APPLICATION SITE

Bacup War Memorial is located in a prominent position along Burnley Road, within a small grassed memorial garden area. The Cenotaph is a First World War memorial, erected in 1928, with an additional inscription commemorating those who died during the Second World War. The Cenotaph is constructed from ashlar sandstone and stands on a stone dais and pedestal with two circular steps, the memorial has a tall rectangular shaft with carved detailing.

## 3. RELEVANT PLANNING APPLICATION HISTORY

No previous applications

## 4. PROPOSAL

Listed Building Consent is sought for improvements to Cenotaph and gardens including provision of uplighters, cleaning of column, dais and surrounding surface and stone repairs and repointing where necessary

## 5. POLICY CONTEXT

### National Planning Policy Framework

Section 2 Achieving Sustainable Development  
Section 4 Decision Making  
Section 12 Achieving Well Designed Places  
Section 16 Conserving and Enhancing the Historic Environment

### Development Plan

#### Local Plan Policies

Policy SS: Spatial Strategy  
Policy SD1: Presumption in Favour of Sustainable Development  
Strategic Policy SD2: Urban Boundary and Green Belt  
Strategic Policy R1: Retail and Other Town Centre Uses  
Policy ENV1 High quality Development in the Borough  
Policy ENV2 Historic Environment

### Other material considerations

National Planning Practice Guidance  
Bacup Conservation Area Appraisal

## 6. CONSULTATION RESPONSES

Consultee	Summary of response
Growth Lancashire (Conservation)	No objection

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted next to the site on 22/03/2023. A notice advertising the proposals was published in the Rossendale Free Press on 31/03/2023.

No comments have been received.

## 8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Heritage/Visual Amenity;
- 3) Residential Amenity;
- 4) Access, Parking and Highway Safety

### **Principle**

The application site is located within the Bacup District Centre, where Policy R1 of the Local Plan seeks to focus main town centre uses.

The proposed scheme is for improvements to the Cenotaph and gardens including provision of uplighters, cleaning of the column, dais and surrounding surface and stone repairs and repointing where necessary.

Consequently it is considered that in principle the proposal meets the requirements of Sections 2 and 16 of the NPPF and Policies SD1 and SD2 of the Local Plan.

### **Heritage/Visual Amenity**

The site is located in Bacup Conservation Area.

Section 12 of the Framework refers to the importance which Government attaches to the design of the built environment:

- *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” (Para 127)*
- *“Planning policies and decisions should ensure that developments...will function well and add to the overall quality of the area...are sympathetic to local character and history, including the surrounding built environment and landscape setting.” (Para 130).*

Section 16 of the Framework states local planning authorities should take account the desirability of new development making a positive contribution to local character and distinctiveness and the desirability of sustaining and enhancing the significance of heritage assets.

Paragraph 197 of the National Planning Policy Framework requires that when determining applications affecting heritage assets local planning authorities should take account of:-

- a) the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that the 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.

Paragraph 199 adds that when considering the impact of a proposed development on a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset the greater that weight should be).

Policies ENV1 and ENV2 of the Local Plan seek to ensure that the built and historic environment is safeguarded and enhanced and proposals take into account design, lighting and materials.

The proposed scheme is for improvements to the Cenotaph and gardens including provision of uplighters, cleaning of the column, dais and surrounding surface and stone repairs and repointing where necessary.

The Application Form states that two uplighters will be installed which will be surface mounted spotlights 9.9cm in diameter, recessed into the surface laid with rounded stones. All wiring will be ducted underground to the nearest lighting column and will be controlled on a dusk till dawn time controlled arrangement. The memorial and surrounding dais will be sensitively cleaned.

The Council's heritage consultant has raised no objection, stating:

*"I feel that the proposed scheme will not cause any discernible harm to the significance of the Bacup War Memorial and as such the proposal would meet the statutory test 'to preserve' and is in accordance with the guidance contained in Chapter 16 of the NPPF and Policy ENV2 of the Rossendale Local Plan."*

### **Residential Amenity**

Paragraph 130 of the NPPF advises that Planning policies and decisions should ensure that developments:

*"Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience"*

Policy ENV1 of the Local Plan states that all proposals should take account of the following:

- "c) *Being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the area*

“d) *The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being overbearing or oppressive, overlooking or resulting in an unacceptable loss of light:- nor should it be adversely affected by neighbouring uses and vice versa.*”

The proposed development will not impact residential amenity in any way.

### **Access, Parking and Highway Safety**

There will be no impact on access, parking or highway safety from the proposed development.

## **9. CONCLUSION**

The proposal has been assessed to cause no harm to the Listed Building or the Conservation Area. The proposals have also been assessed as having no adverse impacts on residential amenity, or highway safety.

On this basis it is considered that the proposal is in accordance with the Local Plan and the NPPF.

## **10 RECOMMENDATION**

That Listed Building consent is granted subject to the following conditions:

## **11. CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development shall be carried out in accordance with the following:

Application form signed and dated 15.03.2023  
Location Plan LAN129326 received 15.03.2023  
Drawing No 3480-106-C Received 04.04.2023  
Uplighter details received 04.04.2023

*Reason: To define the permissions and in the interests of the proper development of the site.*

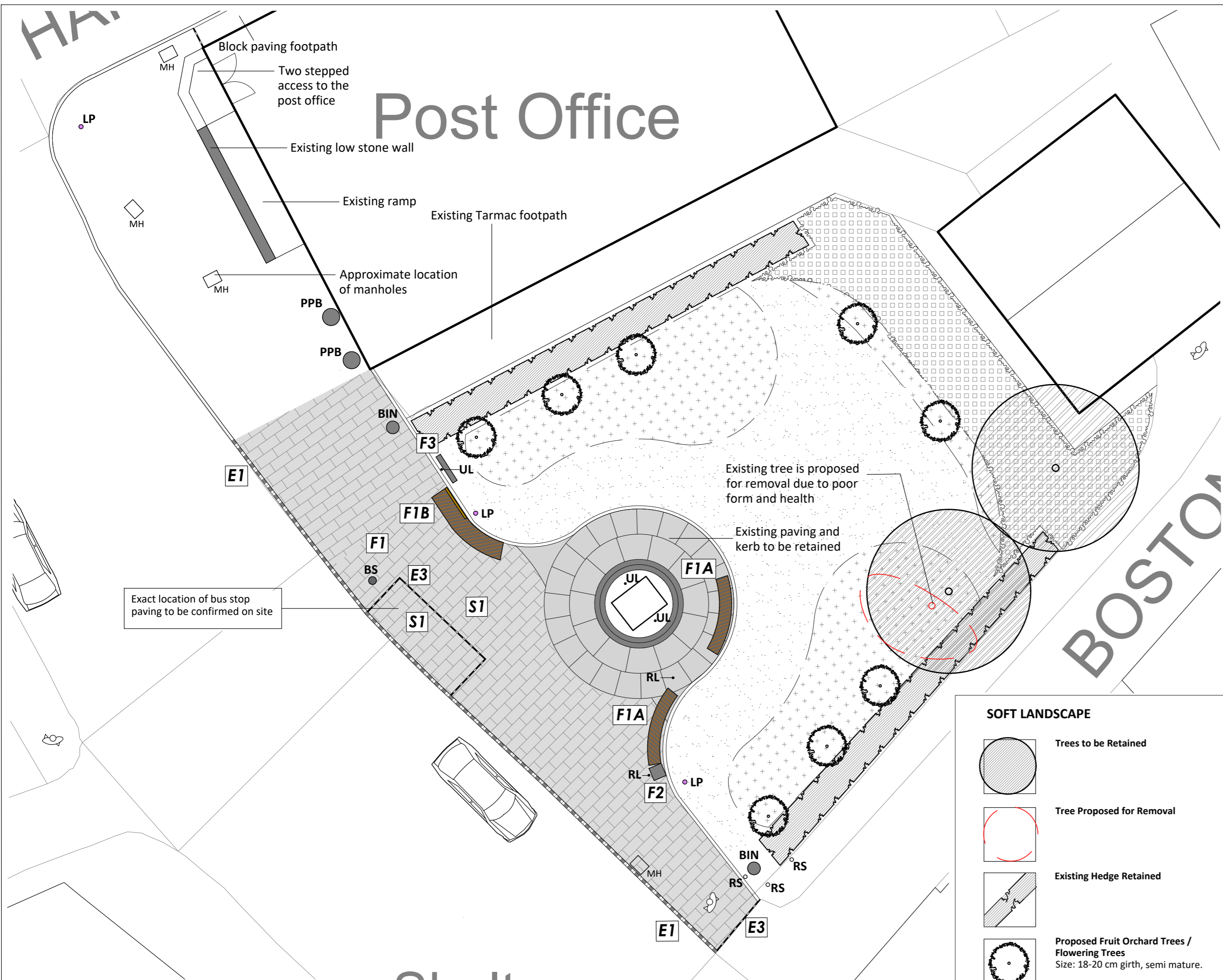
3. No materials shall be used on the proposed development other than those referred to on the approved plans.

*Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.*

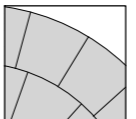
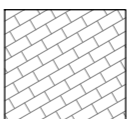
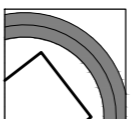
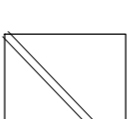
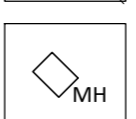
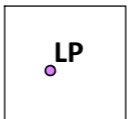
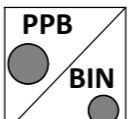
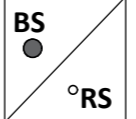
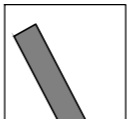
## 12. INFORMATIVES

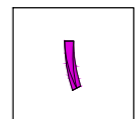
1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.






**EXISTING PAVING AND FEATURES**

-  **Existing Historic Paving Surfaces Retained**  
Existing natural sand stone flag paving in circular pattern. Broken existing stone paving work will be repaired.
-  **Existing Block Paving to be Retained**
-  **Existing War Memorial to be Retained**  
Cenopath standing on a stone dais with two receding circular steps around a surface laid in rounded stones. It stands approximately 5.5m high. Material Ashlar sandstone. Height approx. 5m.
-  **Existing Kerbs Retained**
-  **Existing Manholes Covers**  
Manholes covered to be retained or replace with recessed cover.
-  **Existing Street Lamps**  
To be repainted in black.
-  **Existing Pillar Post Box / Bin**
-  **Existing Bus Stop Post / Road Sign**
-  **Existing Low Wall to be Retained**

 **Proposed Natural Granite Drop Kerbs**  
With the bush-hammered finish on the top surface provides anti slip properties.  
**Supplier:** Hardscape or similar approved


FOR PAVING DETAILS REFER TO TPM DRAWING 3480-302


**FURNITURE / FEATURES**

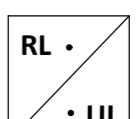
 **Proposed Bench**  
**Product:** RailRoad Delta Straight and Curved Seating  
**Material:** Iroko timber slats. Heavy duty steel bar.  
**Material:** Polyester powder coated steelwork to RAL 7016  
**Supplier:** Furnitubes or similar approved.  
**Installation:** Bench to be fitted with a base plate, pre-drilled to M12 ground anchors for bolt-down installation onto level down.

**F1A**  
**Product:** RailRoad Delta narrow bench, curved. Independent bench. Size: W475, L3250 H450 Radius 3.75m


**F1B**  
**Product:** RailRoad Delta bench, straight & curved modules.  
**Size:** W700, L4865, H450. Curved bench radius 3.75m  
**Additional items:** Timber back rest, steel elements polyester powder coated steelwork to RAL 7016

 **Proposed Artwork 1**  
Artwork column with black granite cladding.  
Base: Concrete base  
Cladding: Black granite cladding (Hardscape to confirm colour ref.) Ordered as polished stone to be sandblasted at Hardscape Workshop.  
Text / Image: To be confirm.  
Size: 50x50cm at the base. 1800mm height.

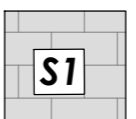
 **Proposed Artwork 2**  
Artwork wall with black granite cladding. Stalalone granite wall. Ordered as polished stone to be sandblasted at Hardscape Workshop.  
Text / Image: To be confirm.  
Size: W1200, D200, H1800mm  
Supplier: Hardscape or similar approved.

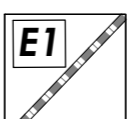
 **Proposed Lights**  
RL - LED recessed floor light Doris, stainless steel. Diameter 12cm. Supplier: Lights.co.uk

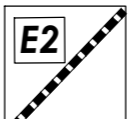
UL - Uplighter- LED spotlight, HB 109 surface-mounted spotlight. Diameter 9.9cm. Supplier: Lights.co.uk or similar approved.

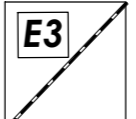
 **Potential Location of Metal Poppies**  
Proposed fixed and secured metal poppies. Metal poppies to be set in concrete trench to prevent theft. Exact design TBC.

**HARD LANDSCAPE**

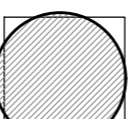

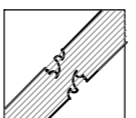
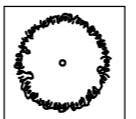
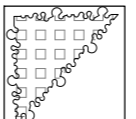

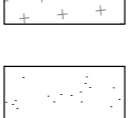
 **Proposed Natural Stone Flag Paving**  
**Product:** Yorkstone Flags to match existing flags within Bacup public realm, laid in stretcher pattern  
**Size:** 450 x 600 x 63mm  
**Colour:** Natural  
**Finish:** Flamed on visible edge  
**Supplier:** Marshalls or similar approved.

 **Proposed Natural Granite Stone Kerb**  
**Product:** Silver grey natural granite sawn & Bush Hammered kerb with 10mm bullnose. To have 100mm upstand with carriageway surface. The bush-hammered finish on the top surface for anti slip properties.  
**Size:** 125x250x900mm  
**Supplier:** Hardscape or similar approved

 **Proposed Natural Granite Central Kerb**  
**Product:** Silver grey natural granite sawn & Bush Hammered central kerb with 10mm bullnose. 10mm upstand with carriageway. With the bush-hammered finish on the top surface for anti slip properties.  
**Size:** 125x150x900mm  
**Supplier:** Hardscape or similar approved

 **Proposed Concrete Flush Kerb**  
**Product:** Concrete Flush Flat Top Path Edging, in silver grey colour. To be flush with paving.  
**Size:** 50x150x915mm  
**Supplier:** Marshalls or similar approved.

**SOFT LANDSCAPE**

-  **Trees to be Retained**
-  **Tree Proposed for Removal**
-  **Existing Hedge Retained**
-  **Proposed Fruit Orchard Trees / Flowering Trees**  
Size: 18-20 cm girth, semi mature.
-  **Proposed Ornamental Planting**  
Mixed shrub and herbaceous planting 5-7ltr pots with 10ltr specimens. Planting beds to receive 75mm depth ornamental bark mulch.
-  **Proposed Cornfield Mix and Bulbs**
-  **Proposed Grass**

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  - This drawing is to be read in conjunction with all relevant Architects', Engineer's, Specialist's, Bills of Quantities and Specifications.
  - The insertion of any firm or proprietary brand on this drawing is an indication of the class or quality required and does not exclude the use of alternative materials that are equal in performance, quality and appearance, provided that they have been approved in writing by the Landscape Architect.
  - The Contractor is responsible for accurately ascertaining the position of underground services and responding to all relevant service easement requirements.
  - All dimensions are in millimetres unless stated otherwise, for the purposes of construction this drawing must not be scaled and only written dimensions used. Written and scaled dimensions to be checked on site, any discrepancies reported prior to work commencing. IF IN DOUBT PLEASE ASK.
  - All work and materials are to be in accordance with the relevant British Standards and Code of Practice.
  - All Proprietary products are to be used strictly in accordance with the manufacturer's instructions and details.

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**FOR PLANTING PLAN REFER TO TPM DRAWING 3480-201  
FOR TREE PIT DETAILS REFER TO TPM DRAWING 3480-301  
FOR PAVING DETAILS REFER TO TPM DRAWING 3480-302  
FOR BENCH DETAILS REFER TO TPM DRAWING 3480-303  
FOR ARTWORK DETAILS REFER TO TPM DRAWING 3480-304**

**REVISION NOTES**

Rev	By	Description	Date
C	ET	brought in line with agreed layout	16-5-22
B	MW	Changed in line with comments	13.01.2022
A	MW	Changed in line with comments	16.12.2021

Client  
Rossendale Council

Project  
Bacup Public Real Works

Description  
Memorial Garden - Hardworks

Status  
For Approval

Scale @ A2	Drawn	Checked	Date
1:125	MW	CT	29.11.21
Job number	Drawing number	Revision	
3480	106	C	





1914-1918

THEY DIED  
FOR THE MEN OF  
THE GREAT WAR  
THEY DIED THAT WE  
MIGHT LIVE IN PEACE







RZB

RZB HB 109 LED spotlight IP65 10 W 830 47°

