

UPDATE REPORT



FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 25th July 2023

B1 – Land West of Burnley Road, Loveclough

Further to publication of the Committee report, the following points are brought to Members' attention:

- The report states that the applicant is *Hollins Strategic Land*, however this should read *Hollins Homes*.
- Where it states "A major residential development such as that proposed on land within the countryside is contrary to Policies SS, SD1 and SD2" on page 5 of the Committee report, it should state "A major residential development such as that proposed on land within the countryside is contrary to Policies SS and SD2".

The above are intended as points of clarification, and there is no change proposed to the recommendation contained within the Committee report.

B3 – Land off Hall Street, Whitworth

Further to publication of the Committee report, the agent has sent in the following statement for Committee Members to view prior to the meeting:

*"The application is **not** for the use of the land. This is well established. In 2015 a planning appeal was dismissed for a dwelling on the land. The Inspector in his report states that '2 existing buildings were permanent structures in a reasonable condition and in use for the stabling of horses and associated storage' He also states 'The Council and third parties also indicate that the rearing of geese and poultry took place recently within the site' .*

So, it is clear that the equestrian use of the site is well established and is not a matter relating to the application.

It is also clear that the site, at least since 2015, has had two stables and associated storage on the land.

In 2015, the Council, as part of the appeal, took the following photo of the site and

the two stables and store. It looks remarkably the same today:

Council photo in 2015



I also took a photo about the same time (see date stamp on it)



The current situation looks remarkably similar both in layout and in site coverage: -

Current photo of the site



Since 2015 the stable block for two horses has been extended forwards slightly, but is not part of the current application (other than the overhang, for the avoidance of doubt).

The wooden building to the left of the stable block when viewed from the front is to remain.

Thus, the application is solely for the retention of the replacement wooden store building to the right of the stable block when seen from the front, for an open fronted hay store to the left of the stable block, and for the stable block overhang for the avoidance of doubt.

The Committee report compares the buildings on the site in 2015 with what is there now and concludes that the greater difference would be inappropriate development in the Green Belt. But what was there in 2015 is not the same as has been there in more recent years.

But in any event, the main consideration is whether a replacement wooden store building and an open hay store, to be used in connection with an existing stable

building for only two horses, is acceptable in the Green Belt

Government policy says that development for outdoor recreational activities is acceptable in the Green Belt so long as it does not affect its openness. It is implicit in the policy that there will be some impact on openness, otherwise no such development could take place.

The combined development on the site would include the existing stable block for two horses plus an existing wooden building. The additions for which planning permission is sought is only for a small replacement wooden store building and an open fronted hay store (plus the stable overhang).

The development could not be much smaller in the context of Government policy.

The Council has approved comparable and larger similar development in the Green Belt, which makes it difficult to sustain an objection to the current proposal.

On 9 August 2021, Planning permission was granted under application 2021/0371 for retrospective development for 3 stables + tack room/store + hardstanding in the Green Belt at Buckhurst Lodge, Croston Close Road, in the Borough.

On 17 December 2018, planning permission was granted in the Green Belt under application 2018/0530 for additions to a stable block for two horses and a tack room to include an additional loose box, plus a store and an end canopy at Lockgate Farm, Haslingden Road, Rawtenstall.

If these proposals were considered appropriate in the Green Belt, then the current proposal must be equally acceptable.

Summary

The site is already used lawfully for horses and for the keeping of small farm animals. The application is not for the two stable block or for an existing wooden shed and which will remain irrespective of the outcome of this application. It only relates to a small replacement wooden store shed and for a small, open fronted hay store (plus an overhang to the stales for the avoidance of doubt). These are tiny

additions, and the overall effect is comparable to other approvals in the Green Belt which were considered to accord with planning policy.

Your Committee report considers that there will be no adverse effect upon the amenities of adjoining householders and there are no highway objections.

Therefore, we ask that the application be approved.”

Similar information was submitted as a planning statement with the application, and has been used to assess the application.

Overall, there is no change proposed to the recommendation contained in the Committee report.

B4 – 12 Market Street, Bacup

Further to publication of the Committee report, the case officer would like to bring to Members' attention two objections received since the publication of the Committee agenda. The objections have been submitted by Historic Buildings & Places (HB&P), the working name of the Ancient Monuments Society, and the Twentieth Century Society respectively. A copy of the objections are appended to this report.

HB&P have recommended the application should be withdrawn until a corresponding redevelopment planning application is submitted; and if the applicant is unwilling to withdraw the application it should be refused due to the conflict with national planning policy.

The comments received from HB&P are noted. The concerns raised are similar to those provided by Growth Lancashire, the Council's Conservation Consultants, who commented that the scheme would result in *less than substantial* harm to the character and appearance of the Conservation Area. As noted in the Committee report the case officer agrees with this conclusion, and in line with the requirements contained within the Framework a “balancing exercise” has been undertaken which concluded that the public benefits of the proposal would outweigh the harm identified.

In terms of the site's redevelopment, the Council has been awarded £17.5m from the Government's Capital Levelling Up Fund and Council Members have approved the execution plan for the Levelling Up Fund Regeneration Programme. A key requirement of the funding is that the project is delivered within the funding deadline of March 2026, and the programme outlines that redevelopment of Bacup Market, including the handover of buildings, is projected to be complete by February 2026. Therefore the length of time the site will be secured with timber hoardings is expected to be limited to the above dates. Furthermore, it should also be noted that the ground floor of the building is currently secured with timber hoardings for reasons of security and safety.

In terms of sustainability and re-use of the building, the comments raised by HB&P are valid, however, the existing building has not been fully occupied since 2015 and market interest in occupying the building has been low.

The Twentieth Century Society object to the planning application and recommend 12 Market Street should be identified as a Non-Designated Heritage Asset (NDHA) and a positive contributor to the Bacup Town Centre Conservation Area. This view is contrary to the assessment set out within the Bacup Town Centre Conservation Appraisal, as well as the assessment undertaken by Growth Lancashire who have been consulted on the application.

Overall, there is no change proposed to the recommendation contained in the Committee report.

Mike Atherton
Head of Planning and Building Control
DATE: 20/07/2023

Statutory Remit: Historic Buildings & Places (HB&P) is the working name of the Ancient Monuments Society, a registered charity in England and Wales (no. 209605). We are a consultee on all Listed Building Consent applications involving an element of demolition, as required by the *Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021*. We are concerned with historic assets of all types and all ages, including conservation areas and undesignated heritage.

Comments: HB&P have just been alerted to this application – I note the report for the Development Control Committee has already been published ahead of their next meeting and I therefore request this letter of objection be circulated to the relevant members for their consideration.

The NPPF advises that great weight should be given to a heritage asset's conservation - which includes conservation areas - and that any harm to, or loss of, significance requires clear and convincing justification (Policy 199 and 200 of the NPPF (2021)). HB&P have reviewed the documentation available and must object as the proposed demolition is contrary to the guidance within the NPPF and would potentially harm the character and interest of the Bacup Conservation Area.

The first issue is the conflicting details of what is actually proposed and the lack of 'proposed plans' for the future of the site. The application description suggests full demolition, however, the Economic Development Statement states the basement is to be retained for a future cycle storage facility. Is this actually only a partial demolition? The lack of any 'proposed plans' for the site means it is impossible to understand how the site will be rehabilitated and managed once the demolition has taken place.

Policy 204 of the NPPF states that '*Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*'

This application is predicated on potential future development outlined in the Bacup 2040 Vision document. At this stage, we understand that the scheme is only partially funded and that no timeline for the future development of the market square has been established. Demolition within a conservation area without a clear plan for the replacement/ future development is contrary to the NPPF and the application should be withdrawn until a corresponding redevelopment planning application is submitted. Leaving a partially demolished building, likely surrounded by security hording until the future plans are developed (potentially up to 2040) would cause more harm to the character and quality of the streetscape.

Further, HB&P encourages Council to reassess the heritage value of this former bank building. The value, appreciation, and significance of post war buildings has greatly changed since the Appraisal was published in 2011 and HB&P strongly recommend Council seek the advice of the 20th Century Society before proceeding.

The conclusion of the Heritage Statement relies on the identification of No. 12 Market Street as a potential redevelopment opportunity site in the 2011 Character Appraisal and Management Proposals Plan 2011. However, it is important to note that while the Appraisal finds 'the modern brickwork on Barclays Bank (No. 12 Market Street)' to be 'less attractive' than the other brick buildings in the town centre, the description for *Character Area 4: Market Street and Bank Street* does not identify it as a 'negative' building. But, the Appraisal does clearly state that one of the key negative features of the conservation area are '*Vacant sites due to clearance*', which this application risks compounding.

Finally, in terms of sustainability, the demolition of a functional building and the waste of embodied energy from the existing building should be avoided, as per Rossendale Council's 2019 decision to declare a 'climate emergency' and commit to taking urgent action. The Structural Statement by Michael Poole Associates concludes that there are 'no structural anomalies of a significant magnitude', suggesting the building is in reasonable, reusable condition. The large open plan form of the building at ground level readily lends itself for use as a café, with the separate entry to the side providing suitable and exclusive access to the upper levels which would readily be adapted for a commercial or even residential use to increase activity within the town centre and contribute to the vitality of the future market square development.

Recommendation: Withdrawal of the application or Refusal

Given that the extent of demolition proposed is unclear, and the complete lack of detail about the future of the site, HB&P would recommend that the application is withdrawn until an appropriate future scheme is prepared, preferably reusing the retained bank building.

However, if the applicant is not willing to withdraw the application, it should be refused due to the conflicts with the NPPF regarding the future redevelopment of the site and the potential harm that would be caused to the conservation area by the proposed demolition. The relevant policies are Policy 199, 200 and 204 of the NPPF (2021).

Regards

Ross Anthony



Email: planning@rossendalebc.gov.uk

19 July 2023

Dear Storm Grimshaw

12 Market Street, Bacup, Lancashire, OL13 8HA

RE: 2023/0276

The Twentieth Century Society has been notified of the above planning application “to demolish 12 Market Street” in Bacup. The Society objects to the demolition of 12 Market Street which should be identified as a Non-Designated Heritage Asset (NDHA) and positive contributor to the Bacup Town Centre Conservation Area.

Significance

12 Market Street was built for Barclays Bank in 1954-55 to designs by the architects Young & Purves.

It is a considered and urbane modern brick building. Its principal Market Street-facing elevation is more architecturally conservative than the rear façade and is somewhat neo-Georgian, its 3 floors expressing a classical hierarchy of ground floor, principal first floor (with tall windows and ironwork Juliette balconies) and smaller uppermost floor. It is well-composed with high-quality detailing, its ground floor featuring recessed glazing, sheltered by a projecting canopy on stone-clad columns and plinth, and with blue tilework to its side entrance – we assume these fixtures and finishes survive beneath the boarding. The rear (east-facing) elevation is more expressive, composed of two vertical bays of regular small square and rectangular windows in deep surrounds, as seen on the side (south) elevation, and two bays of alternating bands of glazing and tile cladding. Overall, no.12 is a considered and responsive post-war addition to the historic built environment of Bacup town centre.

Young & Purves were a well-respected Manchester-based architectural practice who are represented on the National Heritage List for England (NHLE) by the headstocks and powerhouse at Clipstone Colliery in Nottinghamshire (1953) (LEN: 1380235).

Policy & Assessment

Impact on Non-Designated Heritage Asset:

12 Market Street should be identified as a Non-Designated Heritage Asset (NDHA) on account of its clear local historic and architectural significance. As outlined in Planning Policy Guidance (PPG) (2019), local planning authorities can identify NDHAs as part of the decision-making process on planning applications and we strongly encourage you to do so here.

The Twentieth Century Society is a company limited by guarantee, registered in England no 05330664

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Paragraph 189 of the National Planning Policy Framework (NPPF) describes “heritage assets”, which includes “buildings of local historic value” as “*an irreplaceable resource [...] [which] should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*”. Paragraph 197 states that “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 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” (our emphasis).

Paragraph 203 of the NPPF relates to NDHAs and asks that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

12 Market Street is a sophisticated and well-detailed post-war building. Its demolition would result in the loss of a valuable and irreplaceable heritage asset, which we strongly oppose.

Impact on Conservation Area:

12 Market Street is located in the Bacup Town Centre Conservation Area, which is a designated heritage asset.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in “In the exercise [of planning functions], with respect to any buildings or other land in a conservation area [...] *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*” (our emphasis).

Paragraph 199 of the National Planning Policy Framework (NPPF, 2021) states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation [...] This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.” Paragraph 200 states that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification” (our emphasis).

It is the Society’s view that 12 Market Street makes a positive contribution to the character of the Bacup Town Centre Conservation Area.

We note that the Bacup Town Centre Conservation Area Character Appraisal does not describe the building particularly favourably, referring to it as “Less attractive” than other brick buildings in the area (p.40). It is not identified as a negative contributor, however. Furthermore, this report is now 12 years old and appreciation for 20th-century architecture has grown significantly since its publication. This assessment is, in our view, subjective and outdated and should be disregarded.

In the Society's opinion, no.12 is a restrained and dignified brick 1950s building which increases the variety and interest of the otherwise largely 19th-century town. It occupies a prominent plot on Market Street in the centre of Bacup, close to St James's Square, and has a strong streetscape presence.

The application would not only result in the loss of a building which is a positive contributor to the area, but it also appears that there are no proposals for the site following its demolition, and plans for the future development of the market square are yet to materialise. A vacant plot would have a negative impact on the character of the streetscape and wider area. Policy 204 of the NPPF clearly states that "Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred."

We see no reason why the existing building could not be retained and adapted for a new use and we urge the applicant to investigate the possibility of doing so.

Summary

The Society objects to the application as it would result in the loss of a local heritage asset and would harm the character and appearance of the conservation area. We urge the local authority to refuse planning permission.

We hope that these comments are of use to you. We would be grateful if you could please inform us of your decision on this application.

Yours sincerely,



Coco Whittaker

Caseworker

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Remit: The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when

an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

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