

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER | DATE         |
|-----------------|--------------|--------------|
| 15/00033/LBC    | Paul Ambrose | 9 March 2015 |

**Address:** 1 Drake Street Rochdale OL16 1RE

**Proposal:** Application to replace eleven windows and first and second floor levels (retrospective)

|                  |                            |   |                       |   |
|------------------|----------------------------|---|-----------------------|---|
| <b>PUBLICITY</b> | Call up expired?           | y | Site notice expired?  | y |
|                  | Neighbour letters expired? | y | Press Notice expired? | y |

|                  |                                                         |   |                                                                  |   |
|------------------|---------------------------------------------------------|---|------------------------------------------------------------------|---|
| <b>INTERESTS</b> | Officer dealing with planning matters / Councillor app? | n | More than 4 representations in opposition to the recommendation? | n |
|                  | Decision maker management interest in site?             | n | Called up?                                                       | n |

|                             |                                                                                   |    |
|-----------------------------|-----------------------------------------------------------------------------------|----|
| <b>COMMUTED SUMS / S106</b> | Commuted Sum paid / S106 completed?                                               | na |
|                             | Confirm if commuted sum / S106 for POS – copy of calculation spreadsheet on file? | na |

|                                      |                                                 |
|--------------------------------------|-------------------------------------------------|
| <b>HUMAN RIGHTS ACT ENFORCEMENT?</b> | Account has been taken of the Act's provisions. |
|--------------------------------------|-------------------------------------------------|

|            |                                                             |    |
|------------|-------------------------------------------------------------|----|
| <b>EIA</b> | Has a screening opinion been completed and saved to Onbase? | na |
|------------|-------------------------------------------------------------|----|

|                       |              |
|-----------------------|--------------|
| <b>RECOMMENDATION</b> | <b>GRANT</b> |
|-----------------------|--------------|

**CHECKED AND SIGNED OFF BY:** R Coley

**DATE:** 10/03/15

## **SITE**

The application relates to no. 1 Smith Street Drake which forms part of a Grade II listed building located at the junction of Drake Street and Smith Street. No. 1 Drake Street is currently vacant.

Planning permission and listed building consent (13/00166 and 13/00199) remains extant to use the ground floor of this section of the building as a restaurant while the upper floors would be used as apartments.

The building was constructed in 1810 and it was known as the 'Wellington Hotel'. As a leading coach house in the town it would have been busy with travellers, locals and merchants debating and exchanging ideas. The immediate area outside the Wellington Hotel was known as speakers' corner and hustings were last erected opposite the Wellington Hotel on November 16th 1868, when 10,000 people were estimated to be present. In 1930 the hotel was extended along Smith Street.

The building is 3 storeys high and it is constructed using brick with stone dressing. It lies in a prominent location at the junction of Drake Street and Smith Street, within the Town Centre Conservation Area. The ground floor of the rear section of the building is currently being converted into a small supermarket.

## **PROPOSAL**

This application seeks retrospective Listed Building Consent to replace eleven windows which lie on the first (x5 windows) and second floors (x6 windows) of the front elevation. The windows which have been replaced were non – original casements and in the order of 50 years old.

The replacements windows are traditional timber box sliding sashes which were designed to replicate the last remaining original sash window which lies on the second floor. The details of the windows are described below: -

- All windows are made from redwood and have been painted oyster white
- The sashes operate with traditional pulleys, heavy cords and lead weights.
- Single 6mm glazing panels are used.
- Decorative horns to be fitted to upper sash.

## **RELEVANT PLANNING POLICY**

## National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF)

The Department for Communities and Local Government published the NPPF on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG)

The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

## Unitary Development Plan (UDP)

**G/D/1                Defined Urban Area**

**G/BE/9            Conservation of the Built Environment**

**BE/14            Alterations and Extensions to Listed Buildings**

## **PUBLICITY**

Earliest Decision Date: 18 February 2015

**Press Advert:** Rochdale Observer

Date Published: 28 January 2015

**Reason:**Listed Building

## **RELEVANT SITE HISTORY**

**13/00166** - Change of use of the ground floor into three retail units and a bar/restaurant/café and the conversion of the upper floors to provide 19 apartments. Four new shop fronts, first and second floor rear extensions and external alterations to the building to include the partial rebuilding of the rear outbuilding. Approved

**13/00199** - Listed Building Consent to change of use of the ground floor into three retail units and a restaurant/café and to convert the upper floors to provide 19 apartments. Four new shop fronts, first and second floor rear extensions and external alterations to the building to include the partial rebuilding of the rear outbuilding. Approved

## **CONSULTATION RESPONSES**

*Conservation and Design Officer:* - The Conservation Officer visited the site with the applicants agent and deemed the replacement windows to be acceptable.

## **REPRESENTATIONS**

Site notices have been posted, the application has been advertised in the local press and the occupiers of the adjoining properties have been notified. No letters of representation have been received.

## **ANALYSIS**

### **The impact on the listed building**

When considering proposals for listed building consent regard has to be given to S16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 which requires the Local Planning Authority to *'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'*. In addition, paragraph 132 of the NPPF applies with respect to the effect on the listed structures and states;

“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...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting...Any harm or loss should require clear and convincing justification”

In addition, Paragraph 131 of the National Planning Policy Framework similarly states “In determining planning applications, LPA’s should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the positive contribution that the conservation of heritage assets can make to sustainable communities...the desirability of new development making a positive contribution to local character and distinctiveness”

Also paragraph 134 of the NPPF states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

Policy BE/14 of the adopted Rochdale Unitary Development Plan controls alterations to listed buildings.

The proposed seeks to replace 11 windows on the first and second floors which were non – original casements and in the order of 50 years old. By reason of their design and condition these windows detracted from the appearance of the front elevation of the building.

The application seeks to install traditional siding sash timber windows which are copied in design, appearance and detailing to the last remaining original sliding sash window which lies on the second floor. The windows use cords and weights, which is the traditional way for sash windows to operate and they have painted in oyster white. The replacement windows would therefore improve the appearance of the listed building, enhance the significance of the heritage asset and would represent a positive intervention. They would not cause harm to the architectural value and historic interest of the listed building and as such the proposal complies with the NPPF and section 16 of the Planning (Listed Building and Conservation Areas) Act 1990.

## **RECOMMENDATION**

### **GRANT subject to conditions**

- 1 This permission relates to the following plans:-

Drawing Number M273-200

Drawing Number M273-201

Drawing Number M273-202

and the development shall be carried out in complete accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained

within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Report Author Paul Ambrose