

APPLICATION NUMBER: 24/01031/LBC

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/01031/LBC	Nick Brookman	11 December 2024

DETERMINATION DATE (EXTENSION OF TIME)
18 December 2024

Address: 190, 191 and 192 Dewhurst Road, Rochdale, OL12 9TW

Proposal: Proposed replacement of roof tiles and repairs and reinstatement works to existing chimney stacks.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	Grant subject to conditions
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CHECKED AND SIGNED OFF BY: LA

DATE: 18.12.24

SITE

The application site is a collection of three terraced dwellings that are three storey storeys high and constructed in millstone grit. The dwellings form a set of three cottages, built in the late 18th century as weaver's cottages. The cottages retain much of the original form of the windows at second floor level. The cottages are listed at grade II for their special architectural and historic interest. The list description reads as follows:

"3 houses. c.1800. Watershot stone with stone slate roof (C20 tiles to Nos. 191 and 192). 3-storey, double-depth, one room wide with door to right in each case. Flat faced mullion windows of 3 lights (with mullions removed) 3- lights (with bay windows added) and 4-lights to ground floor, 4, 5 and 6 lights to first floor and 6, 7 and 8 lights to second floor. The doors have square-cut monolithic jambs and lintels. Ridge chimney-stacks on gables and between each house."

PROPOSAL

The proposal seeks the replacement of roof tiles and repairs and reinstatement works to existing chimney stacks.

RELEVANT PLANNING POLICY

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the above Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (NPPF)

Chapter 16 – Conserving and Enhancing the Historic Environment

Places for Everyone (PfE) Joint Development Plan

Policy JP-P2 - Heritage

Adopted Rochdale Core Strategy (CS):

SO3 Improving design, image and quality of place

P1 - Improving Image

P2 - Protecting and enhancing character, landscape and heritage

P3 - Improving design of new development

DM1 – General development requirements

Unitary Development Plan (UDP):

None relevant

RELEVANT SITE HISTORY

24/01030/FUL - Proposed replacement of roof tiles and repairs and reinstatement works to existing chimney stacks. Pending determination.

22/00940/LBC - Removal of masonry paint on gable end wall including re-pointing where necessary. Approved 20th September 2022.

22/00937/LBC - Removal and replacement of roof and ridge tiles with new tiles to match existing on treated s/w battens on breathable and waterproof roofing membrane, existing lead flashings to chimneys removed and replaced and existing verges repointed. Approved 20th September 2022.

CONSULTATION RESPONSES

Conservation Officer

No comments received.

Urban Design

A slate tile would be a welcome improvement to the existing concrete tile. The appearance however would still need to match i.e colour, shape and configuration. A condition would be helpful. We have no issue with the rebuilding of the chimney stacks as described in the Planning Statement.

REPRESENTATIONS

One objection was received which relates to access and scaffolding on a neighbouring property. The concerns raised lie outside the scope of Planning Legislation and no material planning considerations have been raised against the planning application.

The comments raised should be addressed civilly between landowners / neighbours.

ANALYSIS

Impact on Heritage Assets

When making a decision on all listed building consent applications, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

'Significance' with regard to heritage assets is defined by the NPPF as:

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'

The setting of a listed building is defined by the NPPF as:

‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’

NPPF paragraph 210 sets out 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 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.

NPPF paragraph 212 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

This is reiterated at a local level by Rochdale CS policy P2, which seeks to protect the borough's heritage. This policy seeks to conserve, enhance and promote key heritage assets, which includes all listed buildings.

In assessing the impact on the significance of the Listed Buildings, it is considered that the proposed repair work to the chimneys are appropriate and this would lead to a significant visual improvement over the existing situation and it would result in the preservation of the Listed Buildings.

Overall, the proposed replacement slate roof would be of a higher heritage benefit to the Listed Buildings and this proposed development is welcomed.

Subject to the recommended conditions, it is considered that the proposal would accord with the requirements of Policies DM1, P2 and P3 of the Adopted Core Strategy, the relevant paragraphs of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act.

Design and Assessment on Harm to the Listed Buildings

Just only two years ago an application was made under application 22/00937/LBC to replace the concrete roof tiles on 192 Dewhirst Road with a Grey Marley Modern Flat concrete tile.

The proposal now before the LPA seeks to replace the existing concrete tiles on the roof, with a slate effect tile closely resembling the original finishes as well as repairing 4 chimney stacks (comprising the rebuilding of 3 of the stacks).

Under application 22/00937/LBC, the Councils Conservation Officer noted that the roof of the properties would originally have been covered with stone tiles. The existing concrete tiles relate poorly to the host properties and detract from their appearance. However, the Conservation Officer confirmed that it is important to note

that they were in situ at the time that the building was listed, as stated within the list description. As such, the concrete tiles which were on the building prior to the previously proposed works being carried out were lawful.

As was confirmed under application 22/00937/LBC, the use of concrete tiles on a listed building would not normally be acceptable. As a modern material, they are neither appropriate nor compatible with late 18th century cottages. However, in that particular case, the previous and existing concrete tiles are lawful.

Given the lawfulness of the existing concrete tiles, their replacement with similar concrete tiles was not considered to result in any further harm to the listed building.

In this instance, the proposed replacement roof tile is a high quality natural slate of blue and grey appearance. Slate is a much more appropriate material and the introduction of a slate roof in this location would be a heritage benefit. Subject to a condition requiring samples of new slates and details of the lime mortar specification, it is considered that the repair works would have a positive impact on the significance of the listed building.

Photographic evidence provided with the application shows the deterioration of the existing chimney stacks and the sensitive repair of these would undoubtedly be a heritage benefit. Details of the lime mortar specification and finish are required by condition. Code 5 lead flashing is suitable for the chimneys. The Councils Urban Design team were consulted on this application and they raised no objection to the proposed works.

Overall on balance, subject to conditions it is considered that the proposal overall would preserve the special architectural and historic interest of the building. The proposal would have a neutral impact on the significance of the designated heritage assets.

Therefore subject to the recommended conditions, it is considered that the proposal would accord with the requirements of Policies DM1, P2 and P3 of the Adopted Core Strategy, the relevant paragraphs of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act.

RECOMMENDATION

Grant subject to the following conditions:

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with the requirements of section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This consent relates to the following plans and documents:
 - o Location Plan dated 15 October 2024
 - o Design, Access and Heritage Impact Statement dated 15 October 2024
 - o Existing and Proposed Chimney C1 Details Drawing 422-01-A002-2
 - o Proposed Chimney C2 Details Drawing 422-01-A004-2
 - o Proposed Chimney C3 Details Drawing 422-01-A006-2
 - o Proposed Chimney C4 Details Drawing 422-01-A008-2
 - o Existing and Proposed Roof Build-ups Drawing No 422-01-A009-1

And the works shall be carried out in complete accordance with these drawings and plans hereby approved unless otherwise separately required by condition below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any details included within the application, no development shall take place until such time as full details of proposed materials for the roof replacement have been provided to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, a sample of the proposed surfacing material shall be obtained and provided for assessment on site. Full details of the battens and ancillary materials shall also be provided. The works shall then be carried out in complete accordance with the duly approved details.

Reason: In the interests of preserving the character, appearance and longevity of the Listed Building and its setting in accordance with Policies P2, P3 & DM1 of the adopted Rochdale Core Strategy, Policy JP-P2 of the adopted Places for Everyone Joint Development Plan, the National Planning Policy Framework and Section 66 of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

4. The chimney repairs to C2, C3 and C4 shall be carried out in accordance with the approved plans and documents. Existing brickwork shall be reused wherever possible, with samples of new bricks if needed to be provided and approved in writing by the local planning authority prior to their use.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. No development shall take place until such time as full details of the mortar specification for the chimney re-constructions has been provided to and agreed in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the duly approved details.

Reason: In the interests of preserving the character, appearance and longevity of the Listed Building and its setting in accordance with Policies P2, P3 & DM1 of the adopted Rochdale Core Strategy, Policy JP-P2 of the adopted Places for Everyone Joint Development Plan, the National Planning Policy Framework and Section 66 of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

6. Notwithstanding any details included within the application, no development shall take place until such time as a full works methodology for the roof replacement and chimney repairs has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of preserving the character, appearance and longevity of the Listed Building and its setting in accordance with Policies P2, P3 & DM1 of the adopted Rochdale Core Strategy, Policy JP-P2 of the adopted Places for Everyone Joint Development Plan, the National Planning

Policy Framework and Section 66 of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

7. All new and replacement flashings related to the proposed chimney restoration works shall be carried out using Code 5 lead.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Procedure Statement

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 to issue the decision without delay.

Notes for Applicant:

1. Whilst the building to be repaired has previously been assessed as very low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Report Author Nick Brookman