DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01312/FUL	Mubeen Patel	14 January 2021

Address: 7 Church Lane Rochdale OL16 1NR

Proposal: Installation of 1.7m high security fencing to flat roof perimeter and timber fascia

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/a
	Neighbour comments received?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N/a

CONDITIONS	**Pre-commencement conditions proposed?**	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: AT **DATE: 15.01.2021**

SITE

The application relates to 7 Church Lane, a single storey flat roofed building used as a solicitor's office. The property is located within the Rochdale Town Centre

Conservation Area and adjacent to 19-21 Church Lane and further along the Grade II L Listed Deaf Institute. These two buildings form a high quality group on the stone setted Church Lane and are high profile within the Conservation Area. 14 Drake Street is a non-designated heritage asset.

PROPOSAL

The proposal is for the Installation of a 1.7m high security fence to the flat roof perimeter of the solicitor's office. The fence would be erected along the western front and southern side elevations of the office building. The amended plans submitted indicate fence design to be Victorian railings with spear tops painted black. A timber fascia obscuring fixings to the office wall is also proposed to be painted black.

AMENDMENTS

The palisade fencing 2.4m in height with wire meshing above originally proposed has been omitted after concerns were raised of it not preserving or enhancing the character of the conservation area. As such the amended plans submitted indicate a Victorian type railing a spear shape atop with a reduced height.

RELEVANT PLANNING POLICY

National Guidance

Planning Listed Building and Conservation Areas Act 1990 (As Amended)

Section 66 of the Act states that the Local Planning Authority "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."

Section 72 of the Act states that in respect of conservation areas "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Rochdale Core Strategy (CS) Adopted October 2016:

DM1 General Development Requirements
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
E1 Establishing thriving town, district and local centres

Saved Unitary Development Plan (UDP) Policies:

S/6 District Centres Local Centres and Linear Commercial Areas

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

Conservation Officer

Given the extended dialogue and continued issues with security I am satisfied that this iteration of the design is the most suitable option available. To move the fixings to the internal face of the parapet will require substantial roofing works to be undertaken at the property. The proposed Victorian style cast iron fencing with spear tops will be sympathetic to the historic environment whilst not looking out of place against this modern building, subsequently resulting in a neutral impact on the designated heritage asset.

Please ensure that full specification details including finish are conditioned as part of any permissions granted.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours, a site notice displayed adjacent to the site, and a press notice published in the local newspaper. A letter of objection has been received which makes the following concerns;

- The proposed fencing is completely inappropriate
- This is a town centre site in a conservation area and needs a complimentary solution and not a hard industrial look.

ANALYSIS

Policy P2 of the adopted Core Strategy states that the Council will protect the Borough's heritage by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings. Saved UDP Policy BE/17 only permits development that preserves or enhances the character and appearance of the conservation area.

Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities to pay special regard to the desirability of preserving the setting of a listed building. A similar requirement for the preservation and enhancement of character of a conservation area is found in Section 72 of the Act.

Paragraph 190 of the NPPF states that LPAs 'should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

Paragraph 197 of the NPPF states 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 directly or indirectly affect 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.

The NPPF at Paragraph 192 advises that when 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.

7 Church Lane is a modern, single storey property located within the Rochdale Town Centre Conservation Area. It is acknowledged that there have been a string of security breaches caused by individuals climbing on the roof of the property to access the buildings to the rear causing damage, and this has led to this application to erect a security fence.

Given that the property is part of a group of modern buildings the inclusion of a fence, constructed of metal in a traditional design and finished in a recessive colour would be appropriate. It is considered the amended Victorian type railing with a spear shape atop would be an appropriate design. An ideal design would have been to have the fencing set back from the face of the building and where fixings would not be attached on the front/outer face, and instead installed on the roof, out of sight. However, in this instance to move the fixings to the internal face of the parapet would require substantial roofing works to be undertaken at the property.

The proposed Victorian style fencing with spear tops would be sympathetic to the historic environment whilst not looking out of place against this modern building. Furthermore, the timber fascia boarding would cover these fixings where they would not be viewed from public vantage points. In addition, the amended lower height of the fence is considered to have reduced its impact further, subsequently resulting in a neutral impact on the Conservation Area.

The Council's Conservation Officer has been consulted and is satisfied that the proposed amendments of the design is the most suitable option available. However, full specification details including the exact design, materials and finish of the fencing have not been submitted and would therefore need to be conditioned as part of any permission granted.

Overall, it is therefore considered that the proposal would result in a neutral impact to the surrounding heritage assets and the Conservation Area. Given the details provided, the proposal would secure a good quality design sympathetic to the area. The application therefore accords in this regard with policies DM1, P2 and P3 of the adopted Core Strategy, the Planning Listed Building and Conservation Areas Act 1990 (as Amended) and the NPPF

RECOMMENDATION

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2 This permission relates to the following plans:-

- Location Plan – 1:1250
- Existing and Proposed pan and elevations – Drawing No. 01 Revision B.

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

3 No works to erect the security fencing shall take place until a full specification of the exact type, design and materials in the construction of fencing including 'RAL' colour specification to be used, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and thereafter so maintained.

Reason: To protect the architectural and historic interest of the buildings and to protect the character and appearance of the Rochdale Town Centre Conservation Area, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Details are required to protect the architectural and historic interest of the Conversation Area and surrounding buildings.

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: