APPLICATION NUMBER: 19/00889/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00889/FUL	Michael Atkinson-Smith	01 July 2020

Address: Milton Street Family and Children Centre Milton Street Middleton M24 5TU

Proposal: Reinstatement of front elevation windows and doors and associated works including timber bay window and doorway/steps to basement, balustrade to flats 5, 6 and 8 and rear brick panel detail (part retrospective).

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

CONDITIONS	**Pre-commencement conditions proposed?**	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT

CHECKED AND SIGNED OFF BY: EH **DATE: 2 July 2020**

SITE

The application relates to a *circa* 0.18 Hectare site comprising the former Milton Street Family and Children Centre building and associated land to the rear at Milton Street, Middleton. The site is located within a largely residential area to the north of Middleton Town Centre. The site borders two storey terraced dwellings to the north, and more modern post-war four storey apartment buildings to the south and east, and faces two storey terraced dwellings to the west and the now cleared site of the former Citizen's Advice Bureau office.

The application building is a partly Grade II listed building located along the frontage of the site with Milton Street which was built in 1911-12 as the Independent Labour Party Club. The building was designed by renowned local architect Edgar Wood for the purposes of the political group. The site also lies within the Middleton Town Centre Conservation Area, the significance of which results from the grouping of a large number of Edgar Wood designed buildings.

PROPOSAL

The proposals seek to regularise a series of unauthorised works at the Former Independent Labour Club. A Listed Building Enforcement Notice has been served on the property and the applicant is working towards complying with the requirements of this notice other than for the items detailed in this application.

Planning Permission is sought for:

- The installation of new stairway and access from external of the building directly to the basement level;
- The alteration of rear elevation including the installation of PVC windows and door and brick panelling in this area; and
- The provision of balustrades in Flats 5, 6 and 8 in compliance with the requirements of planning permission ref. 15/00036/FUL.

For consistency and in line with the requirements of the Enforcement Notice, the description also references works to which separate Listed Building Consent is being sought under application ref. 19/00888/LBC to be determined concurrently with this application. The associated application for Listed Building Consent includes:

- Reinstatement of timber windows to replace unauthorised UPVC windows in south elevation of the listed part of the building;
- Reinstatement of timber door to replace unauthorised UPVC door in south elevation of the listed part of the building;
- Installation of new stairway and access from external of the building directly to the basement level ;
- Reinstatement of timber windows to replace unauthorised UPVC window found on east elevation of the listed building; and
- Alteration of windows on Milton Street elevation to provide ventilation and emergency egress.

Following on from the previous meetings between the LPA and the Agent it was detailed that the CCTV cameras as installed within the site require regularisation. These are not demonstrated on the existing or proposed drawings and it is highlighted that these remain to be unauthorised.

RELEVANT PLANNING POLICY AND LEGISLATION

Legislation

Planning and Listed Buildings and Conservation Areas Act 1990 (as amended)

National Guidance

National Planning Policy Framework (NPPF) – June 2019
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3	**Improving design, image and quality of place**
P2	Protecting and Enhancing Character, Landscape and Heritage
P3	Improving design of new development
DM1	General development requirements
SD1	Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
BE/17	New Development Affecting Conservation Areas

RELEVANT SITE HISTORY

19/00888/LBC	Reinstatement of front elevation windows and doors and associated works including timber bay window and doorway/steps to basement, balustrade to flats 5, 6 and 8 and rear brick panel details. To be determined concurrently with this application.
15/00036/FUL	Conversion of former children's centre to 8 self-contained flats (use class C3) including demolition of rear shed, shelter and single storey outrigger, the formation of 12 car parking spaces and outdoor amenity area to rear of building, and alterations to ground floor windows on east facing (rear) elevation of building (Resubmission of 14/00821/FUL). Granted STC 29.01.2016
15/00150/LBC	Conversion of former children's centre to 8 self-contained flats (use class C3) including demolition of rear shed, shelter and single storey outrigger, the formation of 12 car parking spaces and outdoor amenity area to rear of building, and alterations to ground floor windows on east facing (rear) elevation of building. Granted STC 29.01.16
14/00821/FUL	Conversion of former children's centre to 10 self-contained flats (use class C3) comprising 6 two-bed and 4 one-bed dwellings including formation of 12 car parking spaces and outdoor amenity area to rear of building, installation of roof lights to east and west facing roof planes and alterations to ground floor windows on east facing (rear) elevation of building. Withdrawn.

CONSULTATION RESPONSES

Conservation Officer

The original consultation response from the Council's Conservation Officer noted that the application seeks to regularise a series of unauthorised works at the Former Independent Labour Club. A Listed Building Enforcement Notice has been served on the property and the applicant is working towards complying with the requirements of this notice other than for the items detailed in these applications. The Conservation Officer noted that at meetings of the LPA and the agent it was discussed that that the installed CCTV cameras also need regularising but these are not demonstrated on the existing or proposed drawings and it is highlighted that these remain to be unauthorised.

In relation to the revised plans received as a result of additional comments from the Conservation Officer which noted various omissions and discrepancies, the following updated consultation response has been provided:

> The former Labour Club is an early 20th century Grade II listed building constructed of brick with ashlar details, located within the Middleton Town Centre Conservation Area. The building has been extended in two phases, once to the north and once to the east and these elements of the property are specifically excluded from the designation. Following on from the previously granted planning permission (15/00036/FUL) and listed building consent (15/00150/LBC) a series of unauthorised works were completed at the property. Whilst a number of these have subsequently been reversed/removed a number are now proposed for regularisation which is the purpose of these applications. The applications also look to seek listed building consent for the alteration of the windows on the listed part of the buildings to ensure the apartments meet building regulation requirements.
>
> The proposed works include:
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> - Additional partition walling in Apartment 8 - Drawing K221-004revA details the location of the protected corridor. The walls have been constructed using the same technique as the other new subdividing walls erected throughout the property.
> - Solid wall constructed within mezzanine areas rather than balustrades as approved, a cross section of this detail can be seen in Drawing 1274/1406A which demonstrates the reason behind this finish. These works have had a neutral impact on the designated heritage asset (NPPF, paragraph 192).
> - Creation of external basement opening to afford direct access to plant room. These details are included on Drawing K221-004revA. The works have had a neutral impact on the designated heritage asset.
> - Replacement of the bay windows in the listed part of the building. The proposed design is detailed within Drawing K221-002revA and demonstrates that the design will remain unchanged other than for the inclusion of a 6 pane top hung opener at the bottom of the return windows. The works will have a neutral impact on the designated heritage asset (NPPF, paragraph 192).
> - Replacement of the arch headed windows in the listed part of the building. Details of the proposed replacements are included in Drawings K221-002revA and this information demonstrates that the design of the windows will be retained as existing with the lower 6 panes forming a top hung opening. It is considered that the proposal will have a neutral impact on the designated heritage assets (NPPF, paragraph 192).
> - Reinstatement of timber windows and doors in the south elevation of the listed part of the building. Drawing K221-004revA includes details for the proposed timber replacement units which are designed to match those

that have been lost. These works will have a neutral impact on the designated heritage asset (NPPF, paragraph 192)

- Reinstatement of timber windows in the Milton Street elevation of the non-listed part of the building. Drawing K221-003revA demonstrates the replacement design which has been installed within the site. The works have had a neutral impact on the designated heritage asset (NPPF, paragraph 192)
- Reinstatement of lost rainwater hopper. This element has been manufactured to match the remaining original and its reinstatement has created an enhancement to the designated heritage asset (NPPF, paragraph 192) (Not applied for as part of this application).
- Retention of UPVC windows and brick infill panels in rear of non-listed part of the building. These works are detailed in drawing 1274/1406A which shows the new window arrangement. Given that this part of the property is a modern extension the works have not had a negative impact on the character and appearance of the designated heritage asset they are considered in this instance to be acceptable.

Overall, the proposal will have a neutral impact on the designated heritage assets. As such, this application is supported for approval.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours, a site notice displayed in the vicinity and an advertisement published in the local newspaper.

One letter of objection was received citing ongoing inconvenience through building work and parking issues caused by contractors associated with the development. This application seeks to expedite the completion of the development, however, and a condition requiring the contractors to park on the car park associated with the development, as suggested by the objector, would not be reasonable or necessary to make the development acceptable and would therefore not meet the tests for planning conditions outlined within the NPPG. However, it is acknowledged that it would of course indeed be preferable for contractors and future occupiers of the development to park on the existing off-street car park that forms part of the site.

On letter of support was also received, citing the benefit of bringing the development to completion, again to reduce ongoing parking issues on Milton Street caused by contractors. A decrease in anti-social behaviour associated with the site and an increase in perceived and actual safety as a result are also raised are also cited as positive outcomes should the application succeed.

ANALYSIS

This application for planning permission seeks to regularise changes to the previously approved planning permission ref. 15/00036/FUL and as such the principle of the wider development has already been established. Matters relating to residential amenity, highways impacts, drainage and contamination, amongst other things, have also already been considered. Accordingly, only the heritage and visual amenity impacts of the proposed development are addressed below.

Impact on Heritage Assets and Visual Amenity

The application site lies within the Middleton Town Centre Conservation Area and includes the Grade II listed former Labour Club. As such, the proposal must be considered with regard to Section 66 of the Planning and Listed Building and

Conservation Areas Act 1990 (as amended) which states that in considering whether to grant planning permission for development which affects a listed building or its setting, 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. The proposal must also be considered with regard to Section 72 of the Planning and Listed Building and Conservation Areas Act 1990 (as amended) which states that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the conservation area.

Rochdale Core Strategy policy P2 states that the borough's heritage will be promoted by 'conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings.' Saved UDP policy BE/17 states that development proposals will be permitted that preserve or enhance the character or appearance of a conservation area. Core Strategy policies P3 and DM1 are also relevant.

The NPPF states in Paragraph 192 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.

Paragraph 193 of the NPPF 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.

The Council's Conservation Area Appraisal (CAA) identifies the significance of the conservation area as being through the grouping of a number of listed buildings including arts and crafts buildings by the renowned architect Edgar Wood. As such the area can be considered to have 'special architectural and historic interest' within the meaning of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Each element of the proposed works is addressed below. For expediency, consistency and clarity in respect of the Listed Building Enforcement Notice, the total description of the works has been included, including those that only require Listed Building Consent and which are considered as part 19/00888/LBC which is to be determined concurrently with this application.

- The additional partition walling in Apartment 8 to form a protected corridor to comply with building regulations has been constructed using the same technique as the other new subdividing walls erected throughout the property and this further installation is therefore considered to be acceptable.
- The inclusion of solid walls as opposed to the balustrades previously approved are considered to have a neutral impact on the designated heritage asset and therefore considered to be acceptable.
- The creation of an external basement opening to afford direct access to plant room is considered to have had a neutral impact on the designated heritage asset and is therefore considered to be acceptable.
- The proposed replacement of the bay windows in the listed part of the building demonstrates that the design will remain unchanged other than for the inclusion of a six pane top hung opener at the bottom of the return windows. The works will have a neutral impact on the designated heritage asset and are therefore considered to be acceptable.
- The supporting information in respect of the replacement of the arch headed windows in the listed part of the building demonstrates that the design of the

windows will be retained as existing with the lower six panes forming a top hung opening. It is considered that the proposal will have a neutral impact on the designated heritage assets.

- The reinstatement of timber windows and doors in the south elevation of the listed part of the building includes timber replacement units which are designed to match those that have been lost. These works will have a neutral impact on the designated heritage asset.
- The reinstatement of timber windows in the Milton Street elevation of the non-listed part of the building have had a neutral impact on the designated heritage asset.
- The re-instatement of lost rainwater hopper has included the manufacture of a new piece to match the remaining original and its reinstatement has created an enhancement to the designated heritage asset.
- The retention of UPVC windows and brick infill panels in rear of non-listed part of the building is considered to be acceptable solely on the basis that they are set within the non-listed part of the building, are largely shielded from view of the public realm and have not caused harm to the designated heritage assets therefore of the listed part of the building or the Middleton Town Centre Conservation Area.

In light of the above assessment that is based on the detailed commentary form the Council's Conservation Officer following on from numerous meetings, site visits and a high level of assistance provided, it is considered that the application proposal will have a neutral impact on the listed part of the building and the Middleton Town Centre Conservation Area and result in compliance with the Previously served Listed Building Enforcement Notice

Accordingly the application is considered to comply with the requirements of adopted Rochdale Core Strategy policies DM1, P2 and P3, saved Rochdale Unitary Development Plan policy BE/17 and the National Planning Policy Framework.

RECOMMENDATION

GRANT subject to the following conditions:

1. This permission relates to the following plans:-

   - 1274/1406/A (Received 01.05.20)
   - K221-002 Rev. A (Received 01.05.20)
   - K221-003 Rev. A (Received 01.05.20)
   - K221-004 Rev. A (Received 01.05.20)
   - K221-005 (Received 01.05.20)

   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 Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental

conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Report Author Michael Atkinson-Smith