

Application Number 19/00088/FUL

Proposal	To vary condition 3 (approved plans) of planning permission ref. 15/00440/FUL - Conversion of former bank into 1no. 2 bed apartment and commercial unit at ground floor and 7no. 1 bed apartments at first floor including first floor rear extensions, alterations to existing roof and demolition of rear chimney stack - to allow construction of shop front in Delamere Street.
Site	(Former) Natwest Bank, 179 Stamford Street Central, Ashton-Under-Lyne.
Applicant	Mr Mark Robinson
Recommendation	Refuse
Reason for report	A Speakers Panel decision is required at the request of Councillor Bray.

REPORT

1. APPLICATION DESCRIPTION

- 1.1 Planning permission (ref. 15/00440/FUL) was granted in July 2015 for the conversion of the former bank into 1, 2-bedroom apartment together with a commercial unit at ground-floor and 7, 1-bedroom apartments at first floor, including first-floor rear extensions, alterations to the roof and the demolition of a chimney stack at the rear. A condition (no. 3) of that permission specified the plans in accordance with which the development should be carried out.
- 1.2 The current application seeks to vary that condition and specify alternative plans so as to allow for the construction of a shop front with a display window in the Delamere Street elevation. This would then facilitate the sub-division of the commercial unit with a smaller shop unit fronting on to Delamere Street. The proposal involves the replacement of what was a ground-floor window comprising three, double-hung openings separated by two brick-work pillars with a shop front with display windows on either side of a central doorway. The original window openings are now bricked-up.

2. PLANNING HISTORY

- 2.1 Following the grant of the original planning permission (ref. 15/00440/FUL) a non-material amendment (ref. 16/00603/MATCH) was allowed in July 2016 for the conversion of the central window opening to create a doorway, using existing external features, so as to provide an alternative means of escape in to Delamere Street from the ground-floor commercial area.
- 2.2 Granted in January 2017, a second non-material amendment (ref. 16/01160/MATCH) to the original permission allowed for the change of the design roof from a mono-pitch to a dual-pitch on the first-floor rear extension.
- 2.3 Including the second amendment, the works to convert the building are now substantially completed.

- 2.4 A full planning application (ref. 18/00513/FUL) to vary condition 3 of the original permission and specify alternative plans so as to allow for the construction of a shop front with a display window in the Delamere Street elevation was refused in October 2018. The variation of the condition would have allowed for the replacement of the ground-floor window with a single-pane display window and door and would have facilitated the sub-division of the commercial unit with a smaller shop unit fronting on to Delamere Street. The application was refused for two reasons.
- Although less than significant, the harm that would be caused to the conservation area, as a heritage asset, as a whole by the removal the distinguishing symmetry of the building's frontage and introduction of a shop front uncharacteristic to the building is not outweighed by any demonstrable, immediate and apparent public benefits. The proposal is thus contrary to Section 16 of the National Planning Policy Framework.
 - As a result of the proposal, the removal the distinguishing symmetry of the building's frontage and introduction of a shop front uncharacteristic to the building would be insensitive and detrimental to the character of the immediately-surrounding conservation area and so contrary to Section 12 of the National Planning Policy Framework and policies 1.3, 1.11, C2, C4 and C11 of the Tameside Unitary Development Plan.

3. SITE & SURROUNDINGS

- 3.1 The application site comprises the former bank, which is a distinguished and attractive 2-storey building, occupying a corner plot, at the junction of Stamford Street and Delamere Street, in the heart of the town centre conservation area, together with an attached building at the rear that has frontages on to both Delamere Street and Fleet Street. The surrounding, primarily commercial, uses are typical of the town centre location.

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

Unallocated site within the town centre conservation area.

4.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development.
- 1.6: Securing Urban Regeneration.
- 1.7: Supporting the Role of Town Centres.
- 1.11: Conserving Built Heritage and Retaining Local Identity.
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.3 Part 2 Policies

- H2 Unallocated Sites.
 - H7 Mixed Use and Density.
 - H10 Detailed Design of Housing Developments.
 - T10 Parking.
 - C1 Townscape and Urban Form.
 - C2 Conservation Areas.
 - C4 Control of Development in or Adjoining Conservation Areas.
 - C11: Shop Fronts
- MW11 Contaminated Land.***

4.4 National Planning Policy Framework (NPPF)

Section 2. Achieving sustainable development

Section 5. Delivering a sufficient supply of homes

Section 7. Ensuring the vitality of town centres

Section 8. Promoting healthy and safe communities

Section 12. Achieving well-designed places

Section 16. Conserving and enhancing the historic environment

4.5 Other Policies

Residential Design Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

4.6 Planning Practice Guidance (PPG)

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 PPG or other national advice in the Analysis section of the report, where appropriate.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 neighbour notification letters were issued to 31 addresses and a notice was published in a local newspaper on 27th February 2019. Notice was posted at the site on 28 February 2019.

6. RESPONSES FROM CONSULTEES

- 6.1 No responses have been received.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Councillor Bray supports the application on the grounds that that the economic benefits of facilitating bringing the building back in to use outweigh any harm that would be caused to the character and appearance of the conservation area in which it is set.
- 7.2 No responses have been received from neighbours.

8. ANALYSIS

- 8.1 All pre-commencement conditions having been discharged, the development allowed by the original permission is now substantially completed. The issue then to consider in determining the application is the appropriateness of the proposed shop front in terms of its impact on the character and appearance of the building and the conservation area, as a heritage asset, in which it is set and whether any harm it would cause to the significance of that heritage asset is out-weighed by the public benefits of the proposal including securing its optimum viable use.
- 8.2 The existing façade of the building is primarily brick-work above a stone plinth and with a continuous stone band at sill level and brick-work fan headers above the individual window

openings. The fenestration is symmetrical on either side of a grand doorway with an ornate stone surround.

- 8.3 The non-material amendment that was allowed to the original permission (see paragraph 2.1) maintains the existing proportions of the windows, as well as most of the section of the sill-level, stone band, on either side of the new doorway. The doorway would also replicate the proportions of the existing central opening, although descending to floor level. The existing stone pillars between the openings would be retained.
- 8.4 The proposed display window, including a fascia sign panel, and door would occupy similar space in the façade as do the original three window openings, but the door opening would descend to floor level and the windows on either side to the level of the plinth. A brick-work fan header would be constructed above the new windows and door. Nevertheless, the replacement of the three, double-hung openings separated by two brick-work pillars with the proposed new shop front would remove the distinguishing symmetry of the frontage as well as a section of the sill-level, stone band, and introduce a feature uncharacteristic to the building.
- 8.5 Any benefits that would accrue from the proposal would be the securing of a viable use for a small section of the building. It is not however demonstrated that the proposal is necessary to secure the optimum use of the building. The proposal would allow for the sub-division of the permitted ground-floor commercial unit only should the opportunity and demand arise.
- 8.6 Whilst the harm the proposal would cause to the conservation area, as a heritage asset, as a whole might be considered less than significant there are no immediate and apparent benefits that would accrue. The same considerations that informed the refusal of the previous planning application (see paragraph 2.4) remain relevant and the proposal must then again be considered contrary to Section 16 of the NPPF.
- 8.7 Resulting from the proposal, although causing less than significant harm to the wider conservation area, the removal the distinguishing symmetry of the building's frontage and introduction of an uncharacteristic feature is considered insensitive and detrimental to the character of the immediately-surrounding conservation area and so contrary to Section 12 of the NPPF and policies 1.3, 1.11, C2, C4 and C11 of the UDP.

9. RECOMMENDATION

Refuse planning permission for the following reasons.

- 1. Although less than significant, the harm that would be caused to the conservation area, as a heritage asset, as a whole by the removal the distinguishing symmetry of the building's frontage and introduction of a shop front uncharacteristic to the building is not outweighed by any demonstrable, immediate and apparent public benefits. The proposal is thus contrary to Section 16 of the National Planning Policy Framework.
- 2. As a result of the proposal, the removal the distinguishing symmetry of the building's frontage and introduction of a shop front uncharacteristic to the building would be insensitive and detrimental to the character of the immediately-surrounding conservation area and so contrary to Section 12 of the National Planning Policy Framework and policies 1.3, 1.11, C2, C4 and C11 of the Tameside Unitary Development Plan.