
Appeal Decision

Site visit made on 17 January 2017

by Siân Worden BA MCD DipLH MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 February 2017

Appeal A: APP/P4225/Y/16/3155998

Rake Inn, Blackstone Edge Old Road, Littleborough, OL15 0JX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Mark Wickham against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 16/00560/LBC, dated 9 May 2016, was refused by notice dated 13 July 2017.
 - The works proposed are the construction of a three storey side extension to contain expansion of the existing micro-brewery, three additional rooms for guests, and a gated bin store; for routing an alternative means of escape from the guest bedrooms via permanent stone steps and lean-to, following demolition of existing brick garage structure and timber decking.
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Appeal B: APP/P4225/W/16/3155997

Rake Inn, Blackstone Edge Old Road, Littleborough, OL15 0JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Wickham against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 16/00559/FUL, dated 9 May 2016, was refused by notice dated 13 July 2017.
 - The development proposed is the construction of a three storey side extension to contain expansion of the existing micro-brewery, three additional rooms for guests, and a gated bin store; for routing an alternative means of escape from the guest bedrooms via permanent stone steps and lean-to, following demolition of existing brick garage structure and timber decking.
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Decision

1. Appeal A is dismissed and listed building consent is refused for the construction of a three storey side extension to contain expansion of the existing micro-brewery, three additional rooms for guests, and a gated bin store; for routing an alternative means of escape from the guest bedrooms via permanent stone steps and lean-to, following demolition of existing brick garage structure and timber decking.
2. Appeal B is dismissed.

Main Issues – both appeals

3. I consider that the main issues in this case are:
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Appeal A:

- Whether the proposed works would preserve the listed building or any features of special architectural or historic interest which it possesses.

Appeal B:

- Whether the proposed development would preserve the listed building; and
- The effect of the proposed development on protected species.

Reasons – both appeals

Listed building

4. The appeal property is a public house at the junction between Blackstone Edge Old Road and the A58 where it is clearly visible to those using either of these routes. It is on a plot that slopes down to the south and steeply up behind. Much of the building is of two storeys with long and low proportions but to one side, and making the most of the change in levels, is a three storey wing at right angles to the main building. The proposal is to extend the building with the construction of a two bay, three storey addition adjacent to that cross wing. The existing garage on the north side would also be replaced by a stone structure with a slate, mono-pitch roof.
5. The building is listed Grade II. The listing description notes that it is a pub and that the central part dates from 1690 with later additions to either side. It then describes its architectural features. In my view the significance of the listed building lies in its use as a pub, the age of the central bays, and details of its construction.
6. The proposed extension would provide three new guest rooms and an extension to the microbrewery on the lower ground floor. Its frontage would be as wide as that of the existing cross wing and, although set slightly back from the existing front-most elevation, it would be forward of the older part of the building. The ridge and eaves of its roof would be level with those of the existing building. The proposed extension would, therefore, be of considerable height and mass, particularly in relation to the original part of the building.
7. The existing south side elevation, which is finished with a boldly-textured, cream coloured render, is a dominant and eye-catching feature for those travelling north. The south side elevation proposed would be taller than the existing and not much less wide. Although finished with natural stone, it would be a large and conspicuous feature, dominating views of the pub from the south. Similar circumstances would pertain from directly in front of the pub. The existing cross wing together with the large extension proposed would be prominent in views of the pub, rendering the older part less noticeable and insignificant.
8. All in all, I consider that the proposed works would have a harmful effect on the significance of the listed building, failing to preserve it or the features of special architectural or historic interest which it possesses. It is a statutory

requirement for the decision-maker to have special regard to the desirability of preserving listed buildings¹.

9. With regard to the planning application the National Planning Policy Framework (the Framework) stresses that, when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation². The extent of harm to the asset's significance must be determined. National Planning Policy Guidance (PPG) notes that substantial harm is a high test³. The side extension proposed would erode the importance of the central, oldest part of the listed building and thus its significance as a whole. To my mind this would amount to less than substantial harm.
10. The Framework states that, 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 use⁴. The appellant has not put forward any public benefits arising from the scheme. In the light of the prominence of the building and its historic place in the area, I consider that the improvements to the garage would be a minor benefit. This would not, however, be sufficient to outweigh the harm caused.
11. The proposed development would not conserve the listed building, which is classed as a key heritage asset in the borough, and would be contrary to Policy P2 of the Rochdale Core Strategy, adopted 2016.
12. I am aware that the appellant has followed much of the advice provided by a Council officer in order to achieve an appropriate scheme. Drawings of a two storey extension were prepared but the appellant considered that this did not suit the existing building. He preferred the three storey version which is the subject of these appeals. As the two storey extension is not before me it would not be helpful for me to comment on it.

Protected species

13. In respect of protected species I am aware that their presence or otherwise should be established before a planning permission is granted in order that all material considerations are addressed in reaching a decision. Circular 06/2005⁵ states, however, that developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. I have not been provided with any evidence, such as the opinion of the Council's ecologist or relevant responses to consultation, which suggests bats are likely to be present in or around the building. In the absence of such, and had the appeals been allowed, I consider that these are cases where the matter might safely have been addressed through a condition.

¹ Planning (Listed Buildings and Conservation Areas) Act 1990, S.16(2) applies to listed building consent, S.66(1) to planning permission.

² The Framework paragraph 132

³ PPG, Paragraph: 017 Reference ID: 18a-017-20140306

⁴ The Framework, paragraph 134

⁵ *Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*, paragraph 99

Other matters

14. The proposed escape route and replacement garage would be a marked improvement on the existing structures. Some historic fabric would be removed in the creation of a new doorway. This would not affect the oldest part of the building, however, and none of its features would be removed or physically altered.

Conclusions – both appeals

15. I do not consider it likely that the proposed development would harm protected species. It would, however, result in harm to the significance of the listed building. My view is that this would be less than substantial harm. Nonetheless, the minor public benefits of the scheme would be insufficient to outweigh that harm. The proposed development would not, therefore, preserve the listed building or any features of special architectural or historic interest which it possesses.
16. I have taken all the matters raised into consideration but not found any compelling reasons to allow the appeals. For the reasons given above I conclude that Appeal A should fail and Appeal B should be dismissed.

Síân Worden

Inspector