

# REPORT FOR DECISION

<b>Agenda Item</b>	
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<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>20<sup>th</sup> DECEMBER 2011</b>
<b>SUBJECT:</b>	<b>HOLCOMBE VILLAGE CONSERVATION AREA, RAMSBOTTOM. APPRAISAL AND MANAGEMENT PLAN</b>
<b>REPORT FROM:</b>	<b>CONSERVATION OFFICER</b>
<b>CONTACT OFFICER:</b>	<b>M NIGHTINGALE</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	This report presents an appraisal of the Holcombe Village Conservation Area and the main proposals for a management plan. This action is in line with good practice guidance in the protection and enhancement of conservation areas and in community consultation.
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<p>OPTIONS AND RECOMMENDED OPTION (with reasons): The options are as follows:</p> <p>(a) To reject the consultant’s report and the core proposals outlined in paragraph 2 of this report.</p> <p>(b) To accept the consultant’s report and the core proposals outlined in paragraph 2 of this report, and to approve the content as the basis for the management plan.</p> <p>(c) To accept the consultant’s report as covered in paragraph 2 of this report subject to the amendments outlined in paragraph 4, and to approve this as the basis for the management plan; and to specifically approve the extension of the conservation area and the implementation, in principle, of the Article 4 Direction as proposed.</p> <p>Option (c) is recommended for the following reasons:</p> <p>(1) Further work is necessary to ensure that a relevant and complete management plan is produced, and this should be undertaken in discussion with the Holcombe Society.</p> <p>(2) This option is consistent with the results of the</p>

	<p>community consultation.</p> <p>(3) The adjusted boundary revisions correctly reflect the architectural and historical significance of the area.</p> <p>(4) The proposed Article 4 Direction is subject to a fixed legal process.</p> <p>(5) This option meets the Planning Authority's responsibilities in protecting the heritage of Holcombe Village Conservation Area, as extended.</p>
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management N/A
<b>Statement by Executive Director of Resources:</b>	The work proposed in this report to develop a management plan for the conservation area will mainly involve existing staff time. However any implications for work to be done by the Council included in the management plan needs to have due regard to the level of resources in those services expected to undertake works.
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	There is a legal process for the making and confirmation of an Article 4 Direction, depending on whether their application is immediate or non-immediate. Both of these require statutory consultation, including notification to the Secretary of State. There is also a process to go through in relation to alteration of Conservation Area boundaries and Conservations Areas more generally. There are circumstances in which Local Planning Authorities may be liable to pay compensation as a result of an Article 4 Direction, although this is limited in many cases by the application of time limits. This report identifies the risks in this respect, which should effectively be extinguished if 12 months' notice is provided (as is proposed in this case). Legal Services shall be able to provide advice and assistance where necessary should the PCC be minded to uphold the Officer's recommendation.
<b>Wards Affected:</b>	Ramsbottom
<b>Scrutiny Interest:</b>	Appraisals and management plans have

	previously been discussed at Planning Control and Scrutiny committees.
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**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

- 1.1 Holcombe Village Conservation Area was designated in 1970. Until the appraisal work completed in May 2010, there had not been a full in-depth assessment of the area’s character and significance, or a formal dialogue with the local community. Consultants have been engaged to produce an initial appraisal and to put forward recommendations for a management plan. The local community was consulted on the consultant’s report from December 2010, and the results of that consultation incorporated into this committee report. The comments of the Holcombe Society, the National Trust and the MOD, as significant landowners, are also discussed in part 3 below.
- 1.2 The Council’s current priority is to produce appraisals and management plans in line with the current programme for all conservation areas. The implementation of the plans will be subject to the available resources. Every effort will be made to protect and enhance conservation areas in the context of the approved management plans.

**2.0 CONSULTANT’S APPRAISAL AND ACTION PLAN**

- 2.1 The consultant’s full report is 89 pages of detailed information. It has been placed on the Council’s website since July 2010. A full version of the report can be viewed via the following link –  
<http://www.bury.gov.uk/CHttpHandler.ashx?id=5991&p=0>

The report is divided into a number of main parts. It assesses the area’s history and the detail of its special architectural character. It considers factors which have a positive, negative and neutral impact on the area, and it puts forward 45 separate actions, split into three groups, which are aimed at protecting or enhancing area character.

**3.0 CONSULTATION**

- 3.1 The area consultation took place from November 2010. The consultants contacted every household in the area by leaflet. This outlined the proposed consultation process and provided a link to the appraisal document on the Council’s website. Residents were invited to a drop-in discussion at the Shoulder of Mutton on the 6

December 2010. The area residents were also asked to complete and return a questionnaire, and/or to give any comment verbally or via letter or e-mail. The initial deadline set for comments was extended to allow the fullest response. Comments were also received from the National Trust.

3.2 The Holcombe Society was involved in the consultation and has been informed that the matter is to be reported to this Committee. It has had the opportunity to comment on a draft of this report, which has also been placed on the Council's website since early December 2011.

3.3 In September and October 2011 the Council wrote to all properties covered by the proposed boundary extensions requesting comments from owners/occupiers. The Council also contacted the Ministry of Defence in connection with land around Simon's Sundial Cottage.

3.4 The key responses are listed below. In general the respondents supported the protection of the special character and conservation status of the area and the proposed new larger boundary. There was concern expressed over the loss of historic character due to a range of changes over time, and support for proposals for additional planning controls.

3.5 Individual (summarised) comments from the community covered –

- The need to accommodate the 21<sup>st</sup> century requirements of area residents, for example energy efficiency through double glazing, also driveways and parking, burglar alarms etc; and not to turn the area into a museum.
- Concerns over the loss of the agricultural use of open land, the increase in underused land, and proliferation of sheds and huts in fields.
- The loss of area character through the accumulation of a range of changes to buildings, walls and cobbled areas.
- The need for consistency in decision making by the local planning authority, with the structure at Hill End quoted as an example.
- The wish to see more family housing to attract younger people to the village.
- The poor condition of Moor Road.
- The need for improved street lighting, and stricter control of traffic speed through the village.
- Some suggestions were put forward for additions to the list of significant buildings within the area.

3.6 The National Trust has submitted views on the appraisal and action plan. The Trust has welcomed the appraisal and supports the character and landscape assessment; also the actions put forward, and looks forward to working with partners where appropriate. It supports the recommendation in this report. The key comments made are –

- That the recreational use of the area has been understated in the report.
- The Trust shares the concern over the loss of traditional farming and the risk that this brings for the long term reversion of land to shrub and woodland, which would impact on area character.
- Support for the actions for the upgrading of Peel Tower and the roadways to the tower; and for the car park on Lumb Carr Road, but with a note of caution to ensure that proposals are fully thought through and the subject of appropriate consultation and involvement.

- Advises that the area should not have too much signage, which could adversely impact on area character.

3.7 The Holcombe Society was also invited to submit some final comments based on the content of this report. Its comment was to fully endorse the appraisal and the recommendations in this report, and to support the proposed conservation area boundary changes and the additional planning controls. The society also asked for priority to be given to further traffic calming, to a scheme to upgrade street lighting and remove clutter in the village centre, to upgrade Moor Road, and for the production of additional design guidance for area residents.

3.8 The MOD welcomes the report and the work being undertaken.

#### **4.0 OFFICER COMMENTS AND PROPOSALS**

4.1 The majority of the consultant's recommendations are consistent with previous conservation area management plans and have not generated community concerns. However, officer comment is required specifically on the proposed boundary extension; the proposals for additional controls over the alteration and extension of dwellings, and on design control.

4.2 The consultants have put forward a boundary extension to the north. This area is open pastureland and moorland, accessed from Moor Road and with two farms, a former toll house and stone field walls within it. This is a large area of land that is not remarkable in its history, architecture or character. Although it is part of the local landscape, it is not an area where heritage is strong, and it differs in appearance from the current Conservation Area. Officers do not support this proposed extension. However, one farm, Harcles Hill, is under consideration for the draft local list of buildings of special architectural or historic interest.

The area to the south and south west of the current boundary is historically and architecturally significant. It contains the steep sided valley of Holcombe Brook (Redisher Woods) together with historic settlements, early industrial structures and archaeological sites.

The valley running up from Holcombe Brook junction has been the site of industrial development, first recorded as a water powered site at the end of the 18<sup>th</sup> century. Development over the centuries has included a corn mill, bleach works, cotton mill and brick works, and the current Redisher Works, now closed. These uses have been supported by a water system of 3 dammed reservoirs, goyts, leats, weirs and sluices; the current system which appears to have originated in the 18<sup>th</sup> or early 19<sup>th</sup> century. Although nature has taken over in some areas, the area reflects similar industrial remains in Pot Green Conservation Area on the other side of the Holcombe Brook junction. The valley has steep sides and is densely wooded, and parts are within the Redisher Wood Local Nature Reserve, with some land owned by the Council. The valley begins to open up in the area of Simon's Farm/Simon's Sundial Cottage by Simon's Lodge, and from this point the area character changes.

On the southern tip of the valley stand the early settlements of Hollingrove and Higher and Lower Redisher, incorporating well preserved building groups spanning the 16<sup>th</sup>/17<sup>th</sup> and 18<sup>th</sup> centuries. They reflect a similar history to Holcombe Village, based on early farming and weaving, once prosperous but falling into decline from the 19<sup>th</sup> century. Two buildings at Hollingrove are nationally listed grade II and are thought to be c1550. The name appears to originate from Hollingreave – the place

where tithes were paid. There are 5 dwellings in this courtyard group. Buildings at Redisher are on the draft local list, and consist of three 17<sup>th</sup> century building groups of 4 dwellings, Higher Redisher farm being an extended long-house type. To the west are Simon's Farm and Simon's Sundial cottage, dating from the 17<sup>th</sup> and 18<sup>th</sup> centuries. The latter is listed. These groups all exhibit impressive coursed stone walls with large cornerstones, lintels and door surrounds, with stone flag and slate roofs and stone mullioned windows. Redisher Lane is itself an ancient highway. The decline in farming has resulted in some ruined farms on the north side of the valley, but there is a tight field system remaining above the wooded valley. As the land climbs up towards the top of Holcombe Hill, views are dominated by Bank Top Farm, standing on the old highway of Moorbottom Road. The road stands on the Haslingden slabs outcrop which forms a natural promontory with the gritstone hillside above. Whilst Bank Top Farm is not itself well preserved, the site and location are important to the area's history and the views across the valley.

A meaningful and logical boundary can be drawn to include the valley, the settlements and associated land, industrial remains, areas of wooded valley side, and archaeological sites, as far west as Simon's Farm and MOD land. The proposed boundary is drawn tightly in the south, to avoid including large areas of farmland. At its eastern end the suggested boundary includes the Victorian terrace at Park Road; the early stone buildings at Holcombe Brook junction, including Holcombe Mews, c 1789 and elevated above Holcombe Brook junction; the line of the old pack horse road behind the Hare and Hounds, and Greystones and Redbrook and Redisher Lane. The latter are included as they visually form part of the Redisher building group. The new dwellings at Redisher Croft are included.

- 4.3 Due to a perceived damage to the special character of the area resulting from the scale of out of character changes, the consultant recommends additional control over the extension and alteration of dwellings. This is supported by the community consultation and comments from other interested groups. There is a formal legal process that should be followed to correctly introduce these additional controls and these will be developed in detail with the Council's legal advisors. The controls are introduced through the making of an Article 4 Direction. They will cover all new work from the operational date, which will, if approved, be the date when final notice is served on individual properties. In support of this, all properties to be covered will need to be clearly identified. It is proposed to introduce the controls to properties located along or accessed via Lumb Carr Road, Helmshore Road, Holcombe Old Road, Moorbottom Road, Moor Road, Cross Lane, Chapel Lane, Rawsons Rake, Little Holcombe and Dundee Lane. If the boundary extension is approved, properties on Redisher Lane and at Holcombe Brook will also be included. A further resolution to confirm the direction will also be required from Committee. The additional controls should cover –

- § Replacement of windows and doors
- § Removal or concealment of architectural detail
- § The enlargement or creation of new exterior openings
- § Demolition or lowering of chimney stacks
- § Alterations to roof shapes and changes to roofing materials
- § The rendering or cladding of external walls, and the painting of brick and stone
- § The erection of satellite dishes and solar/pv panels
- § The demolition or erection of boundary walls, railings, fences and gates
- § The creation of hardstandings
- § The addition of extensions, porches or outbuildings.

The implementation of an Article 4 Direction brings with it the risk of a compensation claim against the local planning authority if abortive expenditure or other loss can be shown to be directly attributable to the withdrawal of permitted development rights. This could be triggered by the refusal of planning permission or a conditional approval. A 2008 national survey of such actions revealed that no compensation claims had been lodged at that time. However, compensation can be avoided if 12 months notice of the making of an Article 4 Direction is given to the residents of the affected area. This action for the making of a non-immediate Article 4 Direction for the Holcombe Village Conservation Area is therefore recommended to Committee. Committee authorised an Article 4 Direction action for St Mary's Conservation Area in 2009. This is continuing to be implemented and there are no operational problems or compensation cases to report.

- 4.4 The feedback from community consultation has questioned the consistency of advice and decision making, and the need to respond to 21<sup>st</sup> century needs. The Council's approach has been pragmatic, not trying to stop change but to guide change to protect or improve area character. Residents do tend to expect that the control of development in a Conservation Area is stronger than legislation and case law allows. However, if the Article 4 proposal is approved, some controls will be strengthened. There is an opportunity through the Article 4 process and the content of the management plan to fully explain the extent of control and offer additional clarification and advice to area residents. This can also cover 21<sup>st</sup> century requirements, for example to accommodate the demand for car parking, double glazing, satellite dishes etc.

## 5.0 CONCLUSIONS

It is recommended that the consultant's report, as adjusted under part 4, be accepted as the appraisal and action plan for Holcombe Village Conservation Area. For clarification, this supports the implementation of an Article 4 Direction and the boundary extension to the south. The management plan will be developed in detail by the Council based on the appraisal, and be published on the Council's website. The final timing on this will be influenced by the final approval of the Article 4 Direction and the availability of resources.

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### List of Background Papers:-

1. Conservation Area Appraisal Report of Kathryn Sather and Associates, dated May 2010.
2. Report on Community Consultation. K Sather and Associates, dated January 2011.
3. Comments from National Trust, dated January 2011.
4. Comments from the Holcombe Society dated November 2011.
5. Comments from the MOD dated 16 November 2011.

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