

Application Number:	2026/0194	Application Type:	LBC
Proposal:	LBC: Retention of safety fencing around boundary of former Waterbarn Baptist Church.	Location:	Former Waterbarn Baptist Church, Rakehead Lane Stacksteads Bacup OL13 0PD
Report of:	Head of Planning and Building Control	Status:	For publication
Report to:	Development Control Committee	Date:	1 st September 2026
Applicant:	Gateside Ltd	Determination Expiry Date:	21.07.2026 EOT agreed to 05.09.2026
Agent:	Sheila Wright Planning		

Contact Officer:	Claire Bradley
Email:	clairebradley@rossendalebc.gov.uk

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	Yes
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

Approval subject to the Conditions in Section 10

2. APPLICATION SITE

The site is the former Waterbarn Baptist Church located on the corner of Brandwood Road and Rakehead Lane in Stacksteads. It comprises the former Church the attached Sunday school and the small on-site graveyard.

The site is bounded by a round-capped stone wall which runs along the Brandwood Road, and the Rakehead Lane frontages and the boundary with the former cricket club to the east of the site. The surrounding area is predominantly residential.

The buildings are in a derelict and dangerous condition.

The building is Grade II listed as follows:

Baptist chapel, dated 1847 in gable. Sandstone ashlar facade, otherwise coursed rubble, slate roof. Rectangular plan (school attached at south end not included in the item). Two storeys; symmetrical facade in simple classical style has pilastered corners, 1st floor sill band, string course, moulded cornice and pedimented gable: at ground floor 2 doorways with panelled doors, rectangular fanlights, cornices on brackets, and between them 2 round-headed windows; at 1st floor a Venetian window flanked by round-headed windows, and in the pediment of the gable a tablet lettered BAPTISTCHAPEL1847 protected by a cornice on brackets. Side walls have 7 windows on each floor, rectangular at ground floor and round-headed at 1st floor, all with altered glazing. Interior: horseshoe-shaped gallery supported on slim iron columns with palm capitals (but now ceiled); segmentally-curved box pews.

3. RELEVANT PLANNING HISTORY

2014/0392: Demolition of extension at rear and full restoration of former church: Withdrawn

2022/0560: Erection of safety fencing to the boundary: Approved 26.04.2023 - Temporary permission for 3 years (Expired 26.04.2026)

4. PROPOSAL

This application is a retrospective application for the retention of the mesh fencing erected as a security measure to prevent access to the former Waterbarn Baptist Church following a catastrophic fire. The proposed fencing and posts are galvanised steel and polyester coated green. The fencing is mesh panels and post secured to the boundary wall in places, and free standing on other elevations to a maximum height of 2m.

5. POLICY CONTEXT

Policy Considerations

National Planning Policy Framework

Section 4 Achieving Sustainable Development

Section 3 Decision Making

Section 12 Making Effective Use of Land
Section 14 Achieving Well Designed Places
Section 20 Conserving and Enhancing the Historic Environment

Development Plan Policies

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
ENV1 High quality Development in the Borough
ENV2 Historic Environment

Other Material Planning Considerations

National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1999.

6. CONSULTATION RESPONSES

Consultee	Response
LCC Highways	No objection
Growth Lancashire	Incorrect information submitted in relation to the previous railings at the site. I recommend that, if the LPA were to approve the application, a condition similar to Condition 3 in the previous application (2022/0560 and 2022/0561) is considered in order to ensure that either the original railings are reinstated or new railings of the same material and design are installed.

7. REPRESENTATIONS

In order to publicise the application a site notice was posted on 03.06.2026 and neighbour letters were sent out on 03.06.2026 and a press notice was published on 12.06.2026. The application was also available for viewing on the Council's website.

3 objections have been received to the development as follows:

- To agree to retaining the fencing is agreeing to leaving the building to deteriorate for another 3 years
- The visual appearance of the church is having a detrimental effect on mental health.
- It needs to be removed, and the church needs to be demolished to make the area safe and for the appearance of the area to be improved
- It remains to be extremely dangerous, a complete eyesore, and a noise nuisance (complaint made to environmental health dept Rossendale)
- The applicant now deems that there is no need to reinstate original cast-iron railings, stipulated as a condition in the 2023 approval, and only requests a further (simple) approval on this basis
- The applicant has lied in saying there was no fencing in place when they purchased the building in 2018.

- Submitted JPEG file (Fire 2022) as an aerial photograph from March 2022 which shows the immediate aftermath of the fire referenced by the applicant, as can clearly be seen by the attendance of the Fire Service and effects from the fire. Please note the photo incorporates blown-up and annotated sections from the original, which highlight the front boundary wall of the Chapel. The original cast-iron railings are clearly visible on this date

8. ASSESSMENT

The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to *preserve the special character of heritage assets, including their setting*. LPAs should, in coming to decisions, consider the Principle Act.;

Listed buildings – Section 66(1) *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 NPPF states at Policy HE4.1 that “*Heritage assets, as an irreplaceable resource, should be conserved in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:*

- Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and*
- Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.”*

NPPF Policy HE6.1 states that “*When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.”*

NPPF Policy HE6.4 identifies that “*Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.”*

The revised NPPF (2026) in Policy DP3 includes a list of key principles for well-designed places and states

BP3: 1 Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

Policy ENV1 of the Local Plan seeks to promote high quality design in the Borough, and includes a varied set of criteria with which development proposals need to comply. These include that proposals take account of the character and appearance of the local area including scale, design and materials and will be sympathetic to surrounding land uses.

It is considered by the LPA that the proposal is a temporary measure to prevent access to the building which is fire damaged and derelict and in a dangerous condition. The fencing provides a solution that does not impact further on the building whilst allowing time for proposals for the building to come forward.

The proposed fencing allows for views of the building. It is considered that the works do not detract from the significance of a heritage asset and whilst the fence does not contribute to local character and distinctiveness, it is serving a purpose in preventing access to the site for a temporary period.

Within the updated Planning & Heritage Statement, in relation to the condition included for the reinstatement of the railings, it is stated:

For the record, when Gateside Ltd bought the site in 2018 there were no railings in place and this was the situation when the fence was erected. It would be impossible therefore to fulfil Condition 3.

Furthermore, Condition 3 would contradict Condition 2 which requires the site to be “restored to its former condition”.

However, a photograph following the aftermath of the fire in 2022 clearly shows the railings to the front of the site in place.

A condition will be included that requires re-instatement of the original railings or railings in the original design within three months of the removal of the temporary fencing.

The proposal meets the duty to preserve and would cause no harm to the character or appearance of the Listed Building or the Bacup Conservation Area. As such the scheme is in accordance with Section 20 of the NPPF and Policy ENV1, and ENV2 of the Rossendale Local Plan.

The fencing, due to its design which allows for views through, whilst ensuring access to the derelict and dilapidated structure is prevented in the interests of public safety and in the interest of preserving what is left of the Grade II listed building.

9. CONCLUSION

The proposal has been assessed to cause no harm to the Listed Building.

On this basis it is considered that the proposal is in accordance with Section 16 of the NPPF and does meet the statutory duty ‘to preserve’ the character and appearance of the Listed Building.

10. CONDITIONS

1. The development is hereby permitted in accordance with the following drawings, unless otherwise required by the conditions below:

Reason: To ensure the development complies with the approved plans and submitted details.

2. The fencing hereby permitted shall be removed from the site and restored to its former condition on or before 3rd September 2027 in accordance with a scheme of work submitted to and approved by the local planning authority.

Reason: In the interests of visual amenity of the site, the area and to protect the significance of the listed building.

3. Within three months of removal of the temporary fencing permitted by this development, the original railings or new railings of the same material and design shall be erected in the original position on the north elevation facing Brandwood Road. The railing shall be retained in a good state of repair at all times thereafter.

Reason: In the interests of visual amenity of the site, the area and to protect the significance of the listed building.

11. INFORMATIVES

1. 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 and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Policy DM3 of the National Planning Policy Framework.

Location Plan

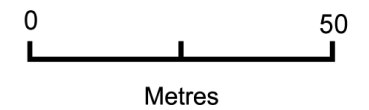
Site Address: Easting: 384586 Northing: 421628

Date Produced: 26-May-2026

Scale: 1:1250 @A4



Planning Portal Reference: PP-14955582v1



Waterbarn Baptist Church – Photographs



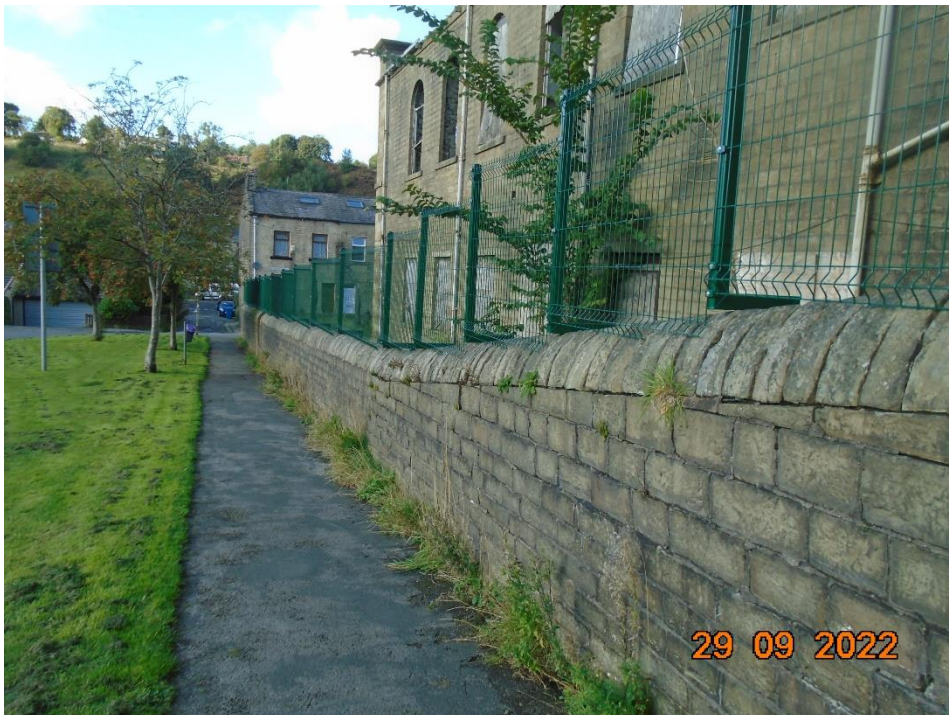
View along Brandwood Road looking towards Rakehead Lane, showing the return towards the former cricket ground.



View of gates on Brandwood Road



View along Brandwood Road including gates.



View down Rakehead Lane. Courtesy of Enforcement Officer



View along Brandwood Road. Courtesy of Enforcement Officer.



View from the graveyard behind the Rakehead Lane Wall. Courtesy of Enforcement Officer.





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Keep
Out