

**Proposed development: Full Planning Application (Regulation 3) for Relocation of free-standing bronze statue of Barbara Castle from Jubilee Square to the land on Cathedral Square**

**Site Address:  
Land at Cathedral Square  
Blackburn  
BB1 1FB**

**Applicant: Blackburn with Darwen Council**

**Ward: Blackburn Central    Councillor Samim Desai,  
Councillor Mahfooz Hussain  
Councillor Zamir Khan**



## **1.0 SUMMARY OF RECOMMENDATION**

1.1 APPROVE – Subject to conditions, as set out in paragraph 4.1.

## **2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE**

2.1 The application is reported to Committee on account of the Council's interest in the development, as the applicant, the land-owner and the developer, under Regulation 3 of the 1992 Town & Country Planning Regulations.

2.2 Assessment of the application finds that the proposal corresponds with the Council's strategic approach to built and cultural heritage, which signifies the history of the Borough, and enhances the Cathedral Square Public Realm and Cathedral Conservation Area and the setting of the Darwen Street Conservation Area, within Blackburn Town Centre. All relevant issues have been addressed through the application, subject to standard planning conditions.

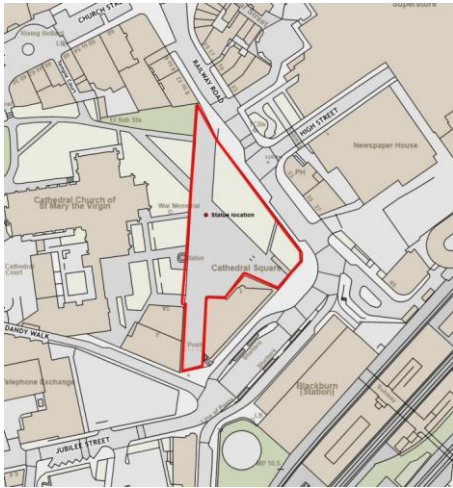
## **3.0 RATIONALE**

### **3.1 Site and Surroundings**

3.1.1 The application site is located at Cathedral Square in Blackburn, set to the front of One Cathedral Square and the East elevation of the Cathedral Church of St Mary the Virgin. The proposed position of the statue is to be on the broad paved area, close to the junction of the Boulevard and Railway Road.

3.1.2 Cathedral Square is a large open public space with a selection of high-quality granite paving, flanked on the Railway Roadside with a grass banking and on the Boulevard side by the precinct of the Cathedral and the newly established Cathedral Gardens.

3.1.3 The proposed Development is to be located towards the Railway Roadside of the Square along the central pavement demarcated by smaller granite sets. It is proposed the statue would face North towards the town centre as if walking from the Railway Station. The proposed statue location is shown below in Figures 1 and 2:



Figures 1 and 2 (above): The proposed statue location

- 3.1.4 To the rear (East) of the site is One Cathedral Square and the Grade II Listed Railway Station. To the east sits the Grade II\* Listed Cathedral Church of St Mary the Virgin and the Grade II Listed statue of Queen Victoria.
- 3.1.5 The site is in close proximity to four notable buildings which are the Boulevard Public House, 35-37 Railway Road, the Adelphi Public House and the former Tram Office.
- 3.1.6 The site sits on the outer edge, just within the boundary of the Cathedral Conservation Area, and close to the Darwen Street Conservation Area, as shown in Figures 3 and 4 below:



Cathedral Conservation Area



Darwen Street Conservation Area

Figures 3 and 4 (above): Cathedral and Darwen Street Conservation Areas

- 3.1.7 The site is also within close proximity to other cultural and heritage assets including the Grandmother and Child sculpture at Railway Road, the War

Memorial within the Cathedral precinct and the art installation, and The Healing of the Nations on the East gable at the Cathedral.

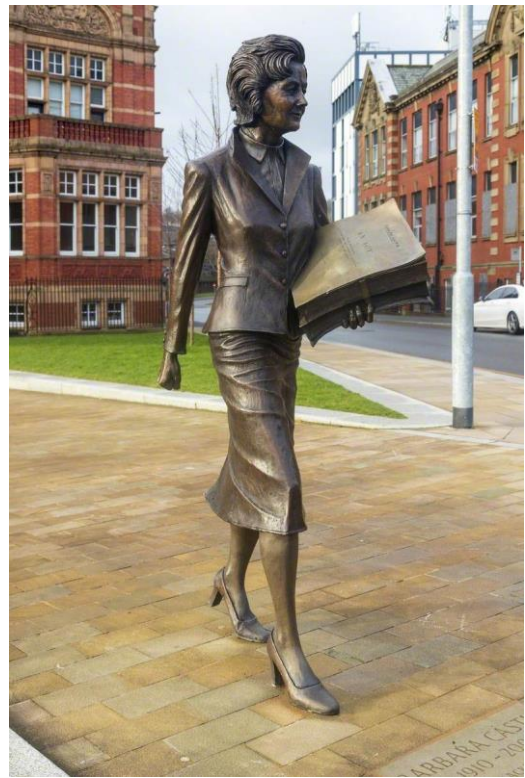
### 3.1.8 Site photos



## 3.2 Proposed Development

3.2.1 Full planning permission is sought for the (temporary) re-location of the existing free-standing bronze statue of Barbara Castle and stone memorial, which presently sits within Jubilee Square, Blakey Moor, in the town centre of Blackburn, that has been recently been removed as part of the ongoing refurbishments works to the Victoria Building at Blackburn College.

3.2.2 The statue is 150% life size, 6ft 4 inches tall and 200kg. Photos of the statue in its current location are shown in Figures 5 and 6, below:



Figures 5 and 6 (above): The Statue in its present location at Jubilee Square, Blakey Moor, Blackburn

- 3.2.3 The statue sits flush on the paving, anchored to a 1200mm x 1200mm x 30mm 3:1 sand cement mortar base topped with 75mm sandstone paving.
- 3.2.4 To the front of the statue is a 600mm x 450mm x 30mm integrated memorial stone, hand engraved with the following inscription:

*“Barbara Castle, 1910–2002  
MP for Blackburn 1945-79 and  
bold campaigner for equal rights.”*

- 3.2.5 The image below (Figure 7) shows the dimensions of the statue:

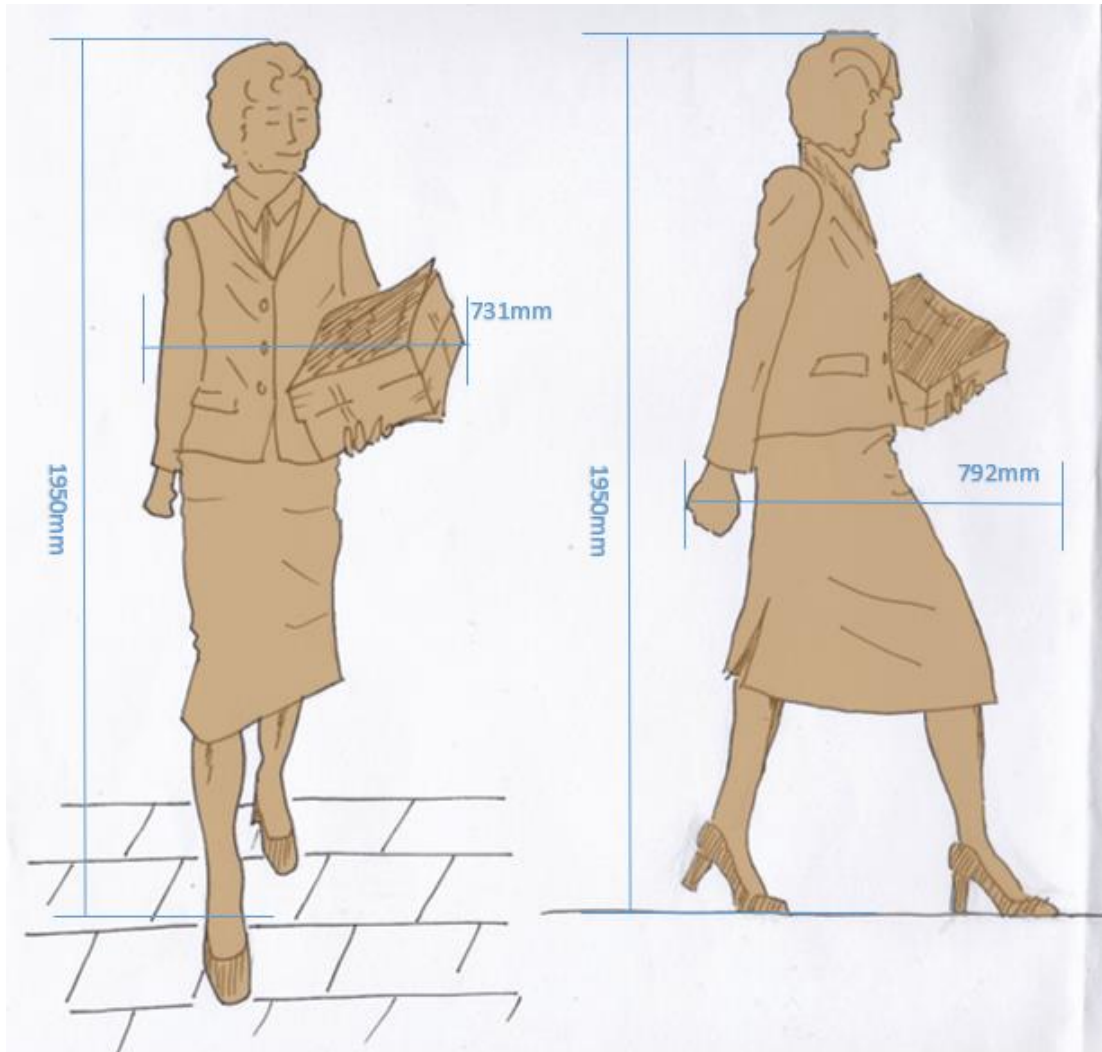


Figure 7 (above): Statue dimensions

3.2.6 Recognising the context to the proposal; Barbara Castle, Baroness Castle of Blackburn, (6 October 1910 – 3 May 2002), was elected to Parliament as MP for Blackburn at the 1945 election. She remained an MP until 1979 making her one of the longest serving female MPs in British history and one which was regarded as one of the most significant Labour Party politicians.

3.2.7 The statue is being temporarily relocated from Jubilee Square to Cathedral Square due to the current road closures on Blakey Moor as a result of the work on the Victoria Building. Whilst the road is closed the statue of Barbara Castle will be temporarily relocated to Cathedral Square for 3 years. Once the work has been completed and the road is back open the statue will then be moved back to its original place on Jubilee Square.

### 3.3 Development Plan

3.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3.2 The Development Plan comprises the BwD Local Plan 2021-2037. In determining the current proposal the following are considered to be the most relevant policies:

### 3.3.3 Local Plan 2021-2037

- Core Policy 2 (CP2): The Spatial Approach
- Core Policy 6 (CP6): Natural Environment
- Core Policy 7 (CP7): The Historic Environment
- Core Policy 8 (CP8): Securing High Quality and Inclusive Design
- Core Policy 9 (CP9): Transport and Accessibility
- DM Policy 2 (DM02): Protecting Living and Working Environments
- DM Policy 15 (DM15): Protection and Enhancement of Wildlife Habitats
- DM Policy 26 (DM26): Heritage Assets
- DM Policy 27 (DM27): Design in New Developments
- DM Policy 29 (DM29): Transport and Accessibility

## 3.4 Other Material Planning Considerations

### 3.4.1 Cathedral (and Darwen Street) Conservation Area Character Appraisals (both June 2009)

These appraisals were produced following a detailed study and assessment of the Cathedral (and Darwen Street) Conservation Areas, in recognition of the areas' historical development and archaeological significance. The appraisals identify important features (such as buildings, streets, views and open spaces) and explains why the conservation areas are special. They also identify and consider issues which detract from these important features and / or are threatening to harm the areas' unique character.

### 3.4.2 Cathedral (and Darwen Street) Conservation Area Development Guides (both June 2009)

The purpose of these development guides are to outline how the buildings, streets and places within Cathedral (and Darwen Street) Conservation Areas can be conserved, improved and developed to enhance the areas' special qualities. They note the integration of art and that it should be encouraged.

### 3.4.3 Blackburn Town Centre Supplementary Planning Document (SPD)

The SPD adds targeted detail, guidance and clarification to the suite of documents comprising the Blackburn with Darwen Development Plan, where it applies to Blackburn Town Centre.

### 3.4.4 National Planning Policy Framework (The Framework)

The Framework provides the Government's national planning policy, including a very strong emphasis on conserving and enhancing the historic environment. In determining planning applications LPA's 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.

NPPF Paragraph 205 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

NPPF Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

#### 3.4.5 National Planning Policy Guidance (NPPG)

### 3.5 **Assessment**

3.5.1 The Development Plan reaffirms The Framework's principles of sustainability which includes support for development which conserves and enhances the built environment, subject to the principles of high-quality design.

3.5.2 In assessing this application, the following important materials considerations have been taken into account:

- Principle of the development
- Biodiversity Net Gain (BNG)
- Trees
- Built and Cultural Heritage Impact
- Design / Layout / Character / Appearance / Accessibility

#### 3.5.3 Principle of the development

In land use terms, the principle of the development is accepted, in accordance with The Framework's presumption in favour of sustainable development, which should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of a proposal are identified; subject to assessment of the following matters:

#### 3.5.4 Biodiversity Net Gain (BNG)

Notwithstanding the requirements of Local Plan Policy CP6, whilst BNG became mandatory for all major planning applications in February 2024, there is a temporary exemption in national legislation for non-major developments until April 2024. In any case, there are also certain exemptions from



mandatory BNG, which include development impacting on habitat areas of below 25sqm, or 5m for linear habitats (de-minimis). The proposal therefore meets BNG requirements.

### 3.5.5 Trees

Policies CP6 and DM17 of the Local Plan seek to protect the environment, and it is expected that development will incorporate existing trees into the design and layout of the scheme.

3.5.6 Although there are some trees located in relative close proximity to the proposed statue, these would be far enough away so as to be unaffected by the proposed development. The closest tree is a semi-mature Maple tree situated in the pavement surface, which would be several metres off the statue. The proposed statue would have no detrimental impact on the existing tree, but conversely, future growth of the tree could extend towards and over the statue as the tree matures. To ensure suitable visual clearance for the statue, future pruning would be required to maintain a high canopy, which would mean the tree cover in the square would not conflict visually with the statue. No objections were raised by the Council's Arboricultural Officer.

### 3.5.7 Built and Cultural Heritage

Core Policy 7 (CP7) and DM Policy 26 (DM26) seek to ensure buildings and features of local importance are protected from inappropriate change or development, requiring development to sustain or enhance the significance of heritage assets, including setting. The NPPF places great value on preserving or enhancing the significance of heritage assets, and where harm is identified, this should be weighed against the public benefits of the proposal.

3.5.8 A Heritage Statement was submitted with the application, required by virtue of the site's position within the Cathedral Conservation Area, and its close proximity to the Darwen Street Conservation Area and various listed buildings, including the nearby Grade II\* and Grade II listed buildings. The statement provides an overview of the heritage assets, their significance, and the impact of the proposal on the character of the conservation areas and the setting of the Listed Buildings. The Framework defines a Heritage Asset as:

*"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest."*

3.5.9 Policies CP7 and DM26 requires development with the potential to affect designated or non-designated heritage assets to sustain or enhance the significance of the asset. To aid assessment, the proposal is supported by submission of a Heritage Statement. The key heritage issues to consider are:

1. Whether the proposal will harm the character or appearance of the Cathedral Conservation Area
2. Whether the proposal will harm the setting of the Darwen Street Conservation Area

3. Whether the proposal will harm the contribution made by the setting to the nearby Grade II\* and Grade II listed buildings.
4. In the respect of Paragraph 209 of the NPPF (P 209.), the significance of the NDHA and the potential and scale of any harm or loss to their setting.

#### **3.5.10 Impact on the character/appearance of the Conservation Area (CA)**

The location of the proposed statue is close to the eastern boundary of the Cathedral Conservation Area, in an area containing significant and open views of the Cathedral. The modern public space (Cathedral Square/Boulevard) is not only surrounded by the Cathedral, but also modern glazed buildings located in and outside the CA, all of which contribute positively to the CA. In this regard, although the area contains some modern additions, overall this part of the CA has historic value; and is of moderate to high significance. Whilst this part of the CA has altered significantly since the publication of the CAA and accompanying Development Guidance, this area consists primarily of architecturally interesting and attractive nineteenth and twentieth buildings.

3.5.11 The Cathedral Conservation Area Development Guide notes the integration of art and that it should be encouraged. As such, the proposal for a statue, a notable addition to the street scene, will clearly be viewed as a memorial and a piece of artwork with important historic and social links to the area. Additionally, other statues (war memorial and of Queen Victoria) are located in this area, contributing to its significance and visual appearance, therefore the proposed bronze statue will not appear out of place. In this context, the introduction of the statue will not cause any harm to the character and appearance of the Cathedral Conservation Area.

#### **3.5.12 Impact on the setting of the Darwen Street Conservation Area**

In respect of the setting of the Darwen Street CA, it was designated in 1994. The character and appearance of the conservation area is defined by the special interest of its distinct plan form and growth attributable to early industrialisation. The conservation area is located almost immediately adjacent to the town's earliest historic centre and includes the course of a Roman road that historically ran northwards between Manchester and Ribchester. It is considered that the conservation area is of moderate significance.

3.5.13 The proposal site lies on the west boundary of the Darwen Street CA in its northern section, which has also been improved with the modernisation of the area noted above and altered since the publication of the CAA and accompanying Development Guidance. Visually, this area is seen within the same context as the Cathedral CA and therefore there will be no impact/harm as a result of the proposal.

#### **3.5.14 The setting of nearby Grade II\* and Grade II listed buildings & Non Designated Heritage Assets (NDHAs)**

The issue from a heritage viewpoint is whether the proposal would harm the setting of the Grade II Listed Buildings/structures, which should be regarded

as being of high significance. Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surrounding's in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access.

3.5.15 Mindful of the above guidance, the proposal site lies adjacent to the Grade II\* listed Cathedral Church of St Mary the Virgin and the Grade II Listed Railings, Piers, Lampholders and Statue at East End of Cathedral Churchyard; with more distant views of the Grade II listed Blackburn Railway station. Whilst visiting the site, it is clear that the proposal site and the listed buildings are visually connected, and the proposed statue and listed buildings will be experienced in the same context.

3.1.16 The wider setting of the listed buildings has seen substantial change since the publication of the CA Appraisal, with the construction of modern glazed buildings and the upgraded modern public realm and new buildings. Whilst the new square forms part of the views to the listed buildings, it provides a visually interesting and cohesive setting. In this regard, the new statue (albeit temporary) seems to be an appropriate introduction into the public space and the significance of the setting will be retained. Subsequently, the proposal will have no negative impact on the contribution made by the setting on the significance of any of the heritage assets (including the NDHA).

### 3.1.17 **Summary (Heritage)**

In conclusion, the proposal would meet the statutory test 'to preserve' and would cause no harm to both the character and appearance of the Cathedral Square Conservation Area, nor to the contribution made by the setting to the significance of the Grade II listed buildings. Similarly, there will be no harm to the setting of the Darwen Street CA or to the setting of the NDHA. Therefore, no balancing exercise is required as per NPPF P.196. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

### 3.5.18 Design / Layout / Character / Appearance / Accessibility

In more general terms, Policy CP8 and DM27 require development proposals to secure high quality sustainable design, consistent with context, identity, and built form. Policy CP9 and DM29 also seek to ensure the safe, efficient and convenient movement of all highway users is not prejudiced.

3.5.19 Considered in the context of the Local Plan's design objectives relating to the Public Realm, as set out in Development Plan, the proposal is considered to make a significant visual contribution to the space that would stimulate public interest, without prejudice to functionality or legibility. There are some underground services in the vicinity of the proposed statue, but the proposed siting, combined with the free-standing nature of the development, means these are unlikely to be compromised, and the applicant has been made aware of this particular constraint. In terms of design / layout / character /

appearance / accessibility, the proposal is considered acceptable, and does not conflict with the Development Plan in this regard.

### 3.5.20 Summary

This report assesses the full planning application for the erection of a free-standing bronze statue of Barbara Castle and stone memorial. In considering the proposal, all necessary material considerations have been taken into account, including the statutory duty imposed by s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as to the desirability of preserving listed buildings and CA's.

3.5.21 This report finds that the proposal meets the policy requirements of the Blackburn with Darwen Local Plan 2021-2037, supporting Planning Documents and the National Planning Policy Framework.

## 4.0 RECOMMENDATION

### 4.1 Approve.

**Delegated authority is given to the Strategic Director of Growth & Development/Deputy Chief Executive to approve planning permission, subject to the following conditions:**

1. The development hereby approved shall be removed on or before a period of no more than 3 years from the date of this consent, and the land returned to its former condition.

REASON: In order to ensure that, upon removal of the statue, this part of the Cathedral Square/Boulevard is returned to its previous condition, given its highly prominent location within Blackburn Town Centre, the Cathedral Conservation Area, and its close proximity to the Darwen Street Conservation Area and various Listed Buildings, in accordance with Policy CP7, CP8, DM26 and DM27, and the National Planning Policy Framework.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposal received 28th February 2024, including drawing numbers:

Location / Site Plan

Barbara Castle Amended Foundation Base Design

Base Calculations and Fixing Details

Barbara Castle Statue Design

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

## 5.0 PLANNING HISTORY

- 5.1 No relevant planning history exists for the site. However, the statue itself was granted planning permission in its previous location under 10/21/0646, by the Committee at the meeting in July 2021.

- 10/21/0646 – Erection of free standing bronze statue of Barbara Castle and stone memorial (at Jubilee Square, Blakey Moor, Blackburn) - Approved 15/07/2021

## 6.0 CONSULTATIONS

### 6.1 Tree Officer

No objection:

Designations:

DM Policy 17 (DM17): Trees and Woodland.

TPO. 1991. Ld. 37. A2.

Cathedral Conservation Area.

Assessment:

Section 2 of the Heritage Statement states, 'the proposed position of the statue is to be on the broad paved area, close to the junction of the Boulevard and Railway Road'. It is estimated the position of a semi-mature Maple tree situated in the pavement surface would be several metres off the statue. It is noted there are unground services in the vicinity of the tree. Future growth of the tree could extend towards and over the statue as the tree matures. Pruning in the future to maintain a high canopy would ensure suitable visual clearance for the statue.

Conclusions.

It is not envisaged that the existing tree cover in the square would conflict visually with proposed positioning of the statue.

### 6.2 Heritage

No objection:

Site / Building / Location

The application site is located at Cathedral Square, in the broad paved pedestrianised area opposite Blackburn Cathedral. The proposed position of the statue is close to the War Memorial, to its east, close to the junction of the Boulevard and Railway Road. The site is located to the southeast of Blackburn Town Centre in an area which contains a mix of period and modern glazed buildings and modern public realm, comprising of a broad central granite sets pavement and grassed areas. Designations The site lies within the Cathedral Square Conservation Area and close to the boundary of the Darwen Street Conservation Area. The proposal site lies within close proximity to the Grade II\* Listed Cathedral Church of St Mary the Virgin (List Entry: 1239147): <https://historicengland.org.uk/listing/the-list/list-entry/1239147> the Grade II Listed Railings, Piers, Lampholders and Statue at East End of Cathedral Churchyard (List Entry: 1239153): <https://historicengland.org.uk/listing/the-list/list-entry/1239153> and the Grade II Listed Blackburn Railway Station (List Entry: 1261389): <https://historicengland.org.uk/listing/the-list/list-entry/1261389> Therefore, the proposal will be assessed in relation to the impact on the listed buildings setting. The proposal site is located within close proximity to Blackburn St Michael's and All Angels War Memorial, which should be considered as a Non-designated Heritage Asset (NDHA).

## Legislation

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should, in coming to decisions, consider the principle Act. Which states the following; 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. Conservation areas – Section 72(1) In undertaking its role as a planning authority, the Council should in respect to any buildings or land in conservation areas, pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In relation to conservation areas decision makers should consider the impacts on the character and appearance of a conservation area separately, and development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable. Whilst there is no statutory duty to pay special attention to preserving or enhancing the setting of conservation areas, the NPPF requires local planning authorities (under P.201, P.206 and P.212) to consider the impact of development on the setting of heritage assets in the development management process. Paragraph 58 of the Historic England Advice Note 1 (Second Edition), Conservation Area Appraisal, Designation and Management (2019) states heritage assets can gain significance from their relationship with their setting whilst views from within or outside an area form an important way in which its significance is experienced and appreciated. The Levelling Up and Regeneration Act 2023 came into force on the 26 October. The new LURA 2023 introduces a new duty under s58B in considering whether to grant planning permission or permission in principle for the development which affects a relevant asset or its setting, the local planning authority must have special regard to the desirability of preserving or enhancing the asset or its setting. For the purposes of the act a 'relevant asset' means Ancient Monuments, Historic Parks and Gardens (under section 8C of the Historic Buildings and Ancient Monuments Act 1953), Protected Wreck sites and World Heritage Sites. The new duty does not include the setting to a designated conservation area. Further secondary legislation is required to fully enact the new law.

Planning Guidance and Policy NPPF In determining planning applications LPA's 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.

P.205 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance. P 209. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Local Plan Blackburn Local Plan 2021-2037

Core Policy 7 (CP7): The Historic Environment DM Policy 26 (DM26): Heritage Assets Cathedral Square Conservation Area Character Appraisal, June 2009 Cathedral Square Conservation Area Development Guide, June 2009 Darwen Street Conservation Area Character Appraisal, June 2009 Darwen Street Conservation Area Development Guide, June 2009 Assessment I have reviewed the supporting documents, which includes the site plan, statue design details, foundation stone details and a Heritage Statement, prepared by the Townscape Heritage Project on behalf of Blackburn with Darwen Borough Council and the Barbara Castle Statue Campaign Group. The key heritage issue for the LPA to consider is: 1. Whether the proposal will harm the character or appearance of the Cathedral Square Conservation Area 2. Whether the proposal will harm the setting of the Darwen Street Conservation Area 3. Whether the proposal will harm the contribution made by the setting to the nearby Grade II\* and Grade II listed buildings. 4. In the respect of P.209, the significance of the NDHA and the potential and scale of any harm or loss to their setting.

#### The Proposal

The proposal seeks to relocate and temporarily erect (approximately 3 years) the bronze statue of Barbara Castle, MP for Blackburn and campaigner for equal rights. The statue is to be 150% life size, at 1950mm in height and 731mm width. The statue is to be installed flush to the pavement and anchored to a 1200mm x 1200mm x 30mm base. The proposed statue will be located on the paved area at Cathedral Square, set to the front of One Cathedral Square and the east elevation of the Cathedral Church of St Mary the Virgin, close to the War Memorial and the junction of the Boulevard and Railway Road. It is proposed the statue would face North towards the town centre as if walking from the Railway Station.

#### Impact to the Conservation Area and Setting

The issue from a conservation perspective is whether the proposal will harm the character and appearance of the Cathedral Conservation Area or the setting of the Darwen Street Conservation Area. Cathedral Conservation Area was originally designated in 1992 and its special interest is centred on the Cathedral Church of St Mary the Virgin and includes the surrounding nineteenth and twentieth century buildings and the site of Blackburn's medieval marketplace. The location of the proposed statue is close to the eastern boundary of the Cathedral Conservation Area, in an area containing significant and open views of the Cathedral. The modern public space (Cathedral Square/Boulevard) is not only surrounded by the Cathedral, but also modern glazed buildings located in and outside the CA, all of which contribute positively to the CA. In this regard, although the area contains some modern additions, overall this part of the CA has historic value; and for the purpose of this assessment is of moderate to high significance. Whilst this part of the CA has altered significantly since the publication of the CAA and accompanying Development Guidance, in my view, this area consists primarily of architecturally interesting and attractive nineteenth and twentieth buildings. The Cathedral Square Conservation Area Development Guide notes the integration of art and that it should be encouraged. As such, the proposal for a statue, a notable addition to the street scene, will clearly be viewed as a memorial and a piece of artwork with important historic and social links to the area. Additionally, other statues (war memorial and of Queen Victoria) are located in this area, contributing to its significance and visual appearance, therefore the proposed bronze statue will not appear out of place. In this context, I do not feel the introduction of the statue will cause any harm to the character and appearance of the Cathedral Square Conservation Area. In respect of the setting of the Darwen Street CA, it was designated in 1994. The character and appearance of the conservation area is defined by the special interest of its distinct plan form and growth attributable to early industrialisation. The conservation area is located almost immediately

adjacent to the town's earliest historic centre and includes the course of a Roman road that historically ran northwards between Manchester and Ribchester. It is my view that the conservation area is of moderate significance. The proposal site lies on the west boundary of the Darwen Street CA in its northern section, which has also been improved with the modernisation of the area noted above and altered since the publication of the CAA and accompanying Development Guidance. Visually, this area is seen within the same context as the Cathedral CA and therefore there will be no impact/harm as a result of the proposal.

#### Impact on the Setting of the Listed Buildings

The issue from a heritage viewpoint is whether the proposal would harm the setting of the Grade II Listed Buildings/structures, which should be regarded as being of high significance. Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surrounding's in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Mindful of the above guidance, the proposal site lies adjacent to the Grade II\* listed Cathedral Church of St Mary the Virgin and the Grade II Listed Railings, Piers, Lampholders and Statue at East End of Cathedral Churchyard; with more distant views of the Grade II listed Blackburn Railway station. Whilst visiting the site, it is clear that the proposal site and the listed buildings are visually connected, and the proposed statue and listed buildings will be experienced in the same context. The wider setting of the listed buildings has seen substantial change since the publication of the CA Appraisal, with the construction of modern glazed buildings and the upgraded modern public realm and new buildings. Whilst the new square forms part of the views to the listed buildings, it provides a visually interesting and cohesive setting. In this regard, the new statue (albeit temporary) seems to be an appropriate introduction into the public space and the significance of the setting will be retained. Subsequently, the proposal will have no negative impact on the contribution made by the setting on the significance of any of the heritage assets (including the NDHA).

#### Conclusion / recommendation

As I am required to do so, I have given the duty's imposed by s.66(1) and s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments and in relation to the setting of the CA and NDHA, I have provided a balanced judgement in order to meet the general aim of the national guidance to preserve heritage. I consider the proposal would meet the statutory test 'to preserve' and would cause no harm to both the character and appearance of the Cathedral Square Conservation Area, nor to the contribution made by the setting to the significance of the Grade II listed buildings. Similarly, there will be no harm to the setting of the Darwen Street CA or to the setting of the NDHA. Therefore, no balancing exercise is required as per NPPF P.196. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

#### 6.2 Public consultation

Consultation was carried out by means of 2 neighbour letters on 4<sup>th</sup> March 2024, site notices displayed on 6<sup>th</sup> March 2024, and publication of a press notice on 12<sup>th</sup> March 2024. No comments were received.

#### 7.0 **CONTACT OFFICER: Tom Wiggans, Planning Officer**

**DATE PREPARED:  
28<sup>th</sup> March 2024.**