

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128322/VO/2020

Date registered valid: 16 October 2020

Proposal: CITY COUNCIL DEVELOPMENT - Repairing church boundary wall including - rebuilding section of parapet wall and repairing retaining wall at boundary of Fletcher Moss Park and St James Church.

Address: St James Church , Stenner Lane, Manchester, M202RQ

Ward(s): Didsbury East Ward

Applicant: Mr Mark Lister Manchester City Council Level 8 Town Hall Extension, Manchester, M60 2LA

Agent (if any): Mr Robert Hutchinson Manchester City Council Level 8 Town Hall Extension, Mount Street, Manchester, M6 01LA

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 December 2020

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 16 June 2020

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 October 2020 Expired: 11 November 2020

Site notice

Posted: 26 October 2020 Expired: 16 November 2020

Press advert

Published: 27 October 2020 Expired: 17 November 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to two boundary walls; the boundary wall formed between St James Church churchyard and Fletcher Moss botanical gardens, and part of the eastern section of the boundary / retaining wall between Parsonage Gardens and Stenner Lane, both within the Didsbury East ward.

The St James churchyard wall, which is both a retaining and parapet wall, lies in the churchyard to the west of the church. It is comprised of sandstone copings bed on a brick parapet, which forms the top of the retaining wall to Fletcher Moss Botanical Gardens.

The retaining wall is of postulated gravity masonry construction, approximately 4725mm high with an 1100mm tall English garden wall bond solid masonry parapet. The wall has been more formatively remedially buttressed with raking masonry piers.

Invasive vegetation protrudes from the front elevation of the upper level of the retaining wall (base of the parapet wall) in two locations. This vegetation was identified as Goat Willow and in August 2020 this was cut back and treated with Ecoplugs to prevent further growth.

Stepped full height parapet mortar cracking is noted within the inner face of the structure corresponding to the prominent vegetation growth. Lateral brick unit deformation is noted to the outer elevation for the entire lineal North West higher parapet length. Ground settlement within the adjacent graveyard tarmac paved footpath finishes is noted, consequential of localised historic and progressive parapet wall movement. The stem has been cut back and treated but will require removal prior to the wall being repaired and the parapet being rebuilt.

The walls are not designated as listed structures, but St James Church is a Grade II* listed building designated on the 25 February 1952, and the boundary, Church and Parsonage Gardens are all located in the Didsbury St James conservation area.

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

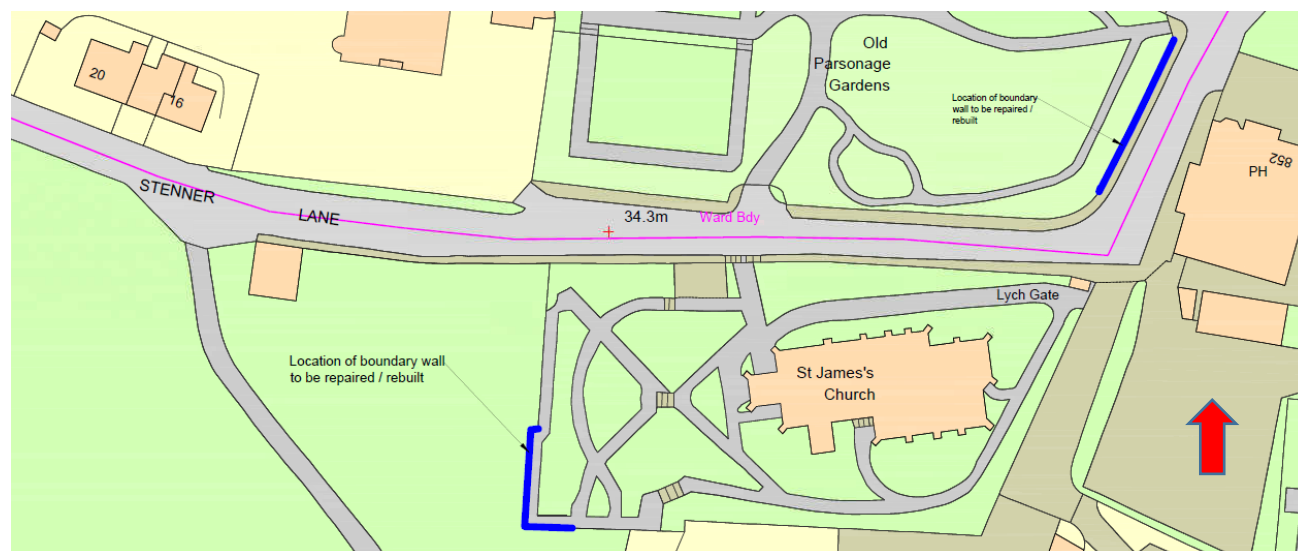
Stenner Lane is a single lane highway running between Wilmslow Road to the north and Fletcher Moss playing fields and the Mersey flood basin to the south west.

The lane is bounded on the north side by Parsonage Gardens, a private dwelling known as Dene House and a terrace of three cottages, whilst the church and Fletcher Moss park lie to the south.

The junction of Stenner Lane and Wilmslow Road is defined by three buildings; the Grade II listed Didsbury pub to the east and two older low-rise buildings falling within the A3/A4 use class to the west. The north side of Wilmslow Road contains a mix of historic and new buildings which are in residential use on the former Manchester Metropolitan University campus.

Description of development

Repairing church boundary wall including - rebuilding section of parapet wall and repairing retaining wall at boundary of Old Parsonage Gardens and St James Church.



Sections of wall affected highlighted blue

The works have been identified as essential to prevent further ongoing damage occurring to the walls and to safeguard the public.

Consultations & Notification Responses

Neighbour notifications and Site Notice – No comments received.

Church of England Approvals

The church has no responsibility for the boundary wall within its curtilage, however, because the land was not conveyed to Manchester City Council, a faculty is required to be agreed by the Church of England Archdeacons.

This project was identified as requiring List B approval from the Archdeacon due to it being carried out within the curtilage of the church.

List B works can be carried out once the written permission of the Archdeacon has been obtained following consultation with the Diocesan Advisory Committee (DAC) or appropriate DAC officer for advice before giving written permission. The Archdeacon may also set

conditions on the way the works are to be carried out. Any permissions given under this scheme are then lodged with the DAC and the Registry for record keeping purposes.

Issues

Policy

National Planning Policy Framework – June 2019

The NPPF was introduced in March 2012 and reviewed in 2019. It is the overarching policy framework for England. It sets out the Government's priorities for the Planning system and is a material consideration in the decision-making process. It places emphasis on the three strands of sustainable development and its social, environmental and economic functions.

Chapter 16, paragraphs 193-202 require applicants and local planning authorities to identify and assess heritage assets and the impacts on them from development proposals with an emphasis on the preservation and enhancement of heritage assets.

Core Strategy 2012 - 2027 (adopted July 2012)

Manchester Core Strategy - The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Several UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy EN3 - Heritage

States that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including listed buildings and conservation areas.

Policy SP1 - Spatial Principles

This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 - Development Management

This policy seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. Issues relevant to this scheme are: siting, layout, scale, form, massing; impact on surrounding area in terms of design, scale and appearance and effects on amenity.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995 but has been largely replaced by the Manchester Core Strategy. A Saving Direction has retained several policies which are material in the assessment of planning and listed building applications. The relevant policies, which have been given due weight in the consideration of this Listed building application, are saved policies DC18 'Conservation Areas' and DC19 'Listed Buildings'.

Policy DC18 - Conservation Areas

Saved policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
- ii) the effect of major changes to the appearance of existing buildings;
- iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- iv) the effect of signs and advertisements;
- v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance or character of the area.

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

This policy document establishes the Council's principles in relation to design across the city and is a material consideration in the assessment of planning applications. In relation to development within conservation areas, the SPD advises that it should:

"preserve or enhance the character of the conservation area...[...]. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development."

Proposed works & impact on the listed building and conservation area

All works are required to have cognisance to the listed status of the Church and conservation area in accordance with the above policy framework.

The application follows a site visit in August 2020 with the applicant, the Council's Conservation Officer, structural engineers and case officer where the requirements of the application were discussed.

The proposals detailed in the net section, include rebuilding and repairing two sections of wall; a section of 2.2 metre high brick boundary wall fronting Stenner Lane immediately south of the entrance to Parsonage Gardens, and a section of the parapet / retaining wall within the churchyard which forms the retaining wall visible within Fletcher Moss Gardens.

The proposals will have a positive impact on the structures and will thus contribute towards the policy objective of preserving and enhancing heritage assets within the setting of listed buildings and within the designated conservation area.

The works will also have a public benefit in that they will safeguard against the further demise of sections of wall and enable them to perform their proper function in retaining the bulk of the churchyard from collapsing into the adjacent park, and of the wall adjacent to Parsonage Gardens entrance from collapsing onto the pedestrian footpath.

Stenner Lane / Parsonage Gardens boundary

The wall fronting Stenner Lane exhibits the stepped cracking and significant movement of the brick wall. This section of wall is to be carefully dismantled down to pavement level and rebuilt using the same bricks or like-for-like replacements where bricks are either beyond repair or missing. The wall will be rebuilt back to its original line, pointing up of all joints to brickwork and copings will also be undertaken to match existing.

The works are recommended to proceed on the basis whereby the appointed contractor will repoint a 1 metre² trial patch on the existing wall which will be required on condition of any approval and will be referred to the Conservation Officer for approval prior to commencing the rebuild of the parapet wall and undertaking further repair work.

St James Church / Fletcher Moss boundary wall

The boundary wall at St James has suffered from neglect in its most recent history and the lack of maintenance has resulted in its current poor state of repair. The damage has been caused by a willow goat growing through a brick mortar joint at the retaining wall side of the structure, therefore this was not deliberate neglect. As a local authority, the Council has a duty to preserve and enhance its heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution of life of this and future generations.

The works to remedy this would include dismantling the section of wall around the stem and reinstating to match the existing whilst taking into consideration the removal of the stem and reinstatement of the adjacent graveyard path.

Where the Goat Willow has grown through the mortar joint, this will include for removing required copings for the section of rebuild, all remaining copings are to remain in situ and repointed with a lime based mortar, and re-installing removed copings in a hydraulic lime based mortar.

Materials

In carrying out the repair works, the materials used to rebuild and repair sections of the wall will match the existing in both colour, appearance and texture to minimise the visual impacts as they will be visible both from within Fletcher Moss Botanical Gardens and the churchyard. Samples of the materials, including the repointing trial patch, are required to be submitted prior to works commencing to ensure their appropriateness in the context of the heritage assets.

Methodology

In both cases, a heritage contractor will be chosen to undertake the works which will ensure delivery of the appropriate conservation-led approach with respect to the choice of method and materials and quality of workmanship.

A detailed Schedule of Works accompanies the application which sets out the methods and materials for undertaking the works which follows the advice given by the Conservation Officer during the August 2020 site visit.

Trees

Should any trees need to be pruned, lopped or felled as a result of further detailed investigation at the time that works commence, a Notice of Intent to carry out works to trees protected under statutory designation, will be required to be submitted to the City Council for approval prior to those works commencing. An Informative is appended at the end of this report advising the applicant of this statutory requirement.

Conclusion

The rebuilding and repairing of the walls are considered vital to safeguard the general public using Stenner Lane and visiting the churchyard and Fletcher Moss Gardens. The proposals will also restore a part of the original fabric within the conservation area and associated with the listed St James Church.

Due to the recent growth of the Goat Willow tree through the brick joint this wall has become vulnerable to collapse. Best efforts will be made to reduce the visual impact that the repair and rebuilding of this parapet and retaining wall will have on key lines of sight or approaches to the area.

The Church is inside Didsbury St James Conservation area, therefore, proposals to reuse the existing bricks and coping stones and to best match the existing mortar in appearance should not affect the significance of the local listed asset. The proposals set out in this statement will ensure the repair works will have an acceptable impact on the designated heritage assets.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report. The application did not raise any objections on publication and notification.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received on the 16th October 2020:

Application Form

Location Plan AMP44657.1 - TC01

Proposed Scaffold / Mat Foundation

Proposed Repairs AMP44657.1 - TC02

Schedule of Works

Heritage Statement

Photos

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to saved UDP policy DC18 'Conservation Areas' and policies SP1, DM1 and EN3 of the Core Strategy for Manchester.

3) No development that is hereby approved shall also commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as Local Planning Authority.

The samples shall include a timetable for and elevation drawing showing the location and section of walls where a 1 metre² repointing trial patch on the existing walls, is to be provided.

The approved materials, methods and finishes shall then be implemented as part of the development.

Reason - To ensure that satisfactory interventions and the appearance of the development is acceptable to the City Council as Local Planning Authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, DM1 and EN3 of the Core Strategy, saved policy DC18.1 of the Unitary Development Plan and Chapter 16 of the NPPF.

Informative

Should the works hereby approved at any time incur the need to carry out works to trees within the application site, including their pruning, lopping or felling, a Notice of Intent to carry out works to trees in a conservation area shall be made to the City Council as Local Planning Authority prior to the commencement of development.

Appendix 1 – List of consultees & neighbours notified

High Bank, Stenner Lane, Manchester, M20 2RQ
The Old Parsonage, Stenner Lane, Manchester, M20 2RQ
Flat At, Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG
Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG
Newlands, Stenner Lane, Manchester, M20 2RQ
Stenner Brow, Stenner Lane, Manchester, M20 2RQ
Fernbank, Stenner Lane, Manchester, M20 2RQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Didsbury St James Conservation Area 1970
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH