

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135021/LO/2022
Date registered valid: 28 September 2022
Proposal: Listed Building Consent for the repair works to eliminate water ingress at roof level; installation of limecrete floor and stone flags, repair works to stained glass window.
Address: Baguley Hall, Hall Lane, Manchester, M23 1JA
Ward(s): Baguley Ward

Applicant: Mr Peter Barlow, Historic England
Agent (if any): Mrs Samantha Gill, Seven Architecture
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 2 February 2023



Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 14 October 2022

Standard consultations:

Printed: 29 September 2022 Expired: 20 October 2022

Neighbour notifications

Printed: 29 September 2022 Expired: 20 October 2022

Site notice

Posted: 14 October 2022 Expired: 4 November 2022

Press advert

Published: 4 September 2022 Expired: 25 September 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Baguley Hall is a Grade I listed building and a scheduled monument, located to the south of the city centre. Dating back to the mid-14th century, it is one of the oldest surviving buildings in Manchester and considered one of the oldest timber great halls in the whole of England. The main hall, constructed in timber with wattle and daub walls, was built for Sir William de Baguley. The north wing was added in the 15th century, and rebuilt in brick in the 18th century, with the south wing added in the late 17th century. The structure was converted into a farm use in the early 20th century. The building has been vacant since the late 1940s, restored in the 1970s. It is currently included on the Historic England's Heritage at Risk Register, identified as being in poor condition, with no obvious new use/user identified.

To the rear of the hall lies Nethercote Avenue, while to the front, beyond the formal lawned area is Hall Lane and Sir Williams Court. The area is predominantly residential in area.

Listed building: Grade 1

Conservation area: No

Tree Preservation Order: No

Description of development

- Repair works to eliminate water ingress at roof level.
- Installation of limecrete floor and stone flags.
- Repair works to stained glass window.

Consultations & Notification Responses

Local Residents and Businesses – No comments received.

Urban Design & Conservation – Very supportive of the principle of the proposed works to the Grade I listed Baguley Hall. However, these should include repair/reinstatement works to the existing outbuildings and the stonework to the main hall. Contingent on other amendments, safeguards and further information, the proposal would enhance the exceptional significance of this listed building, enabling a viable reuse of this long-term vacant asset at risk.

Recommended that the following aspects of the scheme are conditioned:

- Scaffolding (design and methodology);
- Brick sample;
- Mortar sample/panel;
- Flagstone sample and confirmation of laying pattern (detailed floorplan);
- Lime plaster/lath and plaster/render samples/product specs
- Detailed specification of grate to heating duct;
- Detailed repair schedule for stonework and windows;
- Detailed specs of the new stone sill to north elevation;
- Full details, including engineers drawings and product specs, of proposed works to chimney places in 0.23 and 1.12;
- Full details, including engineers drawings and product specs, of proposed splice repairs to east doorway;
- Full details of the access hatches/rooflights (1:5/1:10 scale elevation and cross-section drawings) including material schedule;
- Full details of the proposed plywood panels to windows/doors (including affixing detail and external appearance).

Historic England – Have made the following comments:

- Overall the scheme is welcome. Most of the works are unlikely to cause any heritage harm. Indeed they are beneficial for the preservation of the building.
- The proposals are for the repair of the building to enable meaningful progress to be made on finding a new use. They include repairs to make it accessible, in terms of providing flooring, as well as ensuring that the roof covering and rainwater goods are working effectively. Provision is also being made to ensure that it should be possible to service the building appropriately, particularly potential for appropriate heating.
- The need for a French drain to encircle the building is stated but not justified, nor is here any clear indication of the details. Whilst it may be necessary it could cause some archaeological harm, and no provision has been made to guide its construction from an archaeological perspective.
- There is insufficient detail on a number of issues in a building of this importance. Appropriate conditions should be imposed, including a requirement for a WSI. This can deal with the need to record archaeological disturbance and to ensure that any discoveries regarding the fabric are recorded during the works. There may be a need for further recording of the areas which will be hidden by new plastering, and where further stripping of more recent finishes is being undertaken. For example, the main beam supporting the staircase in the south wing is a reused timber, probably medieval in date, and needs to be recorded at the same time as its future is assessed. Your own archaeological advisers should be able to advise further on these matters.
- An issue which is not mentioned is the fate of the panelling, doors and other items which were retained when the building was stripped out during the last major repair programme. This material is of historic significance and has been analysed and placed as near as possible to its former location. That needs to be taken into account as the interior finishes are reinstated and consideration given to replacing it wherever possible.

Greater Manchester Archaeological Advisory Service – Have made the following comments:

- The current application allows for the repair works to be completed, which is most welcome.
- The proposed scheme of works concerns repairs to the building's historic fabric and, as such, there will be no impact on any below-ground archaeological remains. As such, and given the comprehensive archaeological record that was generated from work carried out in the 1970-80s, GMAAS is not seeking any further archaeological investigation at this stage

Greater Manchester Ecology Unit – Have made the following comments:

- GMEU is aware that an emergence survey was undertaken in 2019, which does not appear to have been submitted with the current application. However, it is reported that 3 species of bat utilised the structure(Hibernation Report para 1.1; common pipistrelle, brown long-eared and Myotis species). It is reported that in 2019 (3 years ago) that the bats were *“largely used the east facing wall tops as exit and entry points.”*
- The 2022 inspection was undertaken in January to inform winter works to install fire detection equipment in similar locations to that which previously existed. This reported that there was clear evidence that bats had been using the roof roost during the preceding summer.
- The property is considered to be a confirmed roost for 3 species under the provisions of the legislation(Conservation of Habitats & Species Regulations (Amendment) (EU Exit) 2019).
- The current proposed works (Heritage Impact Statement plans/photomontage) shows that works will include works to the roof, verges, replacement brickwork around windows and replacement guttering. This is much more extensive than that previously proposed and may affect bat egress/entry points.
- The missing report (2019) is now considerably out of date and bats may be utilising other points to access roost spaces. It would be an offence to block any such points even if work were to be undertaken outside the summer roosting period. Best practice (Collins et al 2016) indicates that bat surveys are time limited or 1 – 2 years as the condition of buildings can change over time. This is particularly important in this case as the reports indicate that the building is highly permeable to bat species.
- Therefore, GMEU recommend that further activity survey work is required to identify emergence/re-entry points and that depending on the results, a mitigation plan will be required to undertake this specific suite of works. It is likely that this may also require supervision by an Ecological Clerk of Works.
- As there is a known presence GMEU are satisfied that this matter can be dealt with via a condition to require an updated survey which can then address the additional impacts of the works. It will also need to consider the need for any Protected Species Licence. The survey should be undertaken in the bat active season and prior to the commencement of any works.
- As a prior to commencement condition it is advised that the planning department seek agreement for this from the applicant.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be

applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. The relevant sections are as follows:

- **Para 189** - Heritage assets should be conserved in a manner appropriate to their significance.
- **Para 197** - In determining applications, LPA's should take account of, the desirability of sustaining and enhancing the significance of heritage assets.
- **Para 199** - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- **Para 200** - Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Core Strategy Development Plan Document – 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.

A number of 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. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, *Heritage*, - This policy states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

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 scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this case are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- Effects on amenity.
- Effects relating to biodiversity, landscape, archaeological or built heritage.

Saved UDP Policies – Policy DC19.1, *Listed Buildings*, states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a) not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b) not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c) not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d) seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e) permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f) not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

Issues

Impact on the Listed Building – The proposed works centre around the desire to make this Grade 1 listed building waterproof and to rectify any damage that has occurred in the past. As a result, the works to the listed building and provision of suitable drainage within its grounds are considered acceptable and welcomed.

The proposals would inevitably have some visual impact on the designated asset. However, the harm to the aesthetic and architectural interest is considered to be on the lower scale, reduced and mitigated to a large degree through the careful use of replacement materials, the way they are to be affixed and the repair work that is to be undertaken. Moreover, the benefits that the scheme would deliver would outweigh the less than significant harm to the Grade I listed hall, which in any case is considered justified.

Notwithstanding the above, Urban Design and Conservation have requested that a condition be attached to any approval granted which would require the submission of further information, as listed above. Following the receipt of additional information submitted by the applicant it is now proposed to only request, via condition, the following further details:

- a) Samples/specifications of the plaster to be used on the walls
- b) Full details, including engineers drawings and product specs, of proposed works to chimney places in 0.23 and 1.12.

Residential and Visual Amenity – Given the nature of the proposal, it is not considered that it would have a detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site.

Ecology – The comments of GMEU, in relation to potential bat habitation, are noted and the condition suggested by them would be attached to any consent granted.

Archaeology – Given the concerns of Historic England, the applicant has decided to withdraw the French drain element of the proposal.

Notwithstanding this, given their others comments, a condition requiring the submission of a Written Scheme of Investigation is suggested in this instance. It is considered that this should allay the concerns of Historic England and enable the repair work to continue.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a) BGH-SEV-XX-ZZ-DR-A-1000-P01 Location Plan, stamped as received on 23 September 2022
- b) BGH-SEV-XX-ZZ-DR-A-1001-P01 Site Setup Plan, stamped as received on 23 September 2022

- c) BGH-SEV-XX-ZZ-DR-A-2010-P01 French Drain Details, stamped as received on 23 September 2022
- d) BGH-SEV-XX-ZZ-DR-A-3000-P01 Elevations 1 of 3, stamped as received on 23 September 2022
- e) BGH-SEV-XX-ZZ-DR-A -3001-P01 Elevations 2 of 3, stamped as received on 23 September 2022
- f) BGH-SEV-XX-ZZ-DR-A-3002-P01 Elevations 3 of 3, stamped as received on 23 September 2022
- g) Revised hatch location and photograph, stamped as received on 11 January 2023
- h) BGH-SEV-XX-XX-RE-A-09001-P04 - Heritage Impact Statement, stamped as received on 27 January 2023.
- i) BGH-SEV-XX-ZZ-DR-A-4100-C01 Valley Gutter Detail A, stamped as received on 27 January 2023.
- j) BGH-SEV-XX-ZZ-DR-A-4101-C01 Valley Gutter Detail B&C, stamped as received on 27 January 2023.
- k) BGH-SEV-XX-ZZ-DR-A-5100-C01 Limecrete Floor Detail, stamped as received on 27 January 2023.
- l) Supporting information, stamped as received on 9 February 2023.

3) Prior to the commencement of the repair work on the chimneys and the application of plaster and/or render to the walls, details of the following shall be submitted to and be approved by the City Council as Local Planning Authority. The development shall then be implemented in accordance with the approved details.

- c) Samples/specifications of the plaster to be used on the walls
- d) Full details, including engineers drawings and product specs, of proposed works to chimney places in 0.23 and 1.12.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) Prior to the commencement of the approved works to the roof and/or eaves, a further bat activity survey to identify emergence/re-entry points, along with mitigation plan if required, shall be submitted to and be approved by the City Council as local planning authority. The development shall then be implemented in accordance with the findings of the approved activity survey and mitigation plan.

Reason – To ensure the protection of species or their habitat that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

5) Prior to the commencement of development groundworks, the applicant or their agents or successors in title shall secure the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) prepared by the appointed archaeological contractor and submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of archaeological investigation to include:
 - i - archaeological strip, map and record exercise
2. A programme for post investigation assessment to include:
 - production of a final report on the significance of the below-ground archaeological interest.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, pursuant to the guidance contained within the NPPF and Policy EN3 of the Manchester Core Strategy.

Informatives

1) Stonework Repairs - Detached stonework and disrepair to current stonework, particularly around the porch, have been observed. These are noted in the English Heritage Quinquennial Survey Written Report (ref. 052/2019) undertaken by Purcell. It is advised that the issue of the stonework needs to be addressed (through appropriate repairs, repointing etc.) prior to the installation of the proposed floor.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation

Greater Manchester Archaeological Advisory Service

National Amenity Societies

Greater Manchester Ecology Unit

43 Nethercote Avenue, Manchester, M23 1LL

55 Rissington Avenue, Manchester, M23 1LN

53 Rissington Avenue, Manchester, M23 1LN

51 Rissington Avenue, Manchester, M23 1LN

49 Rissington Avenue, Manchester, M23 1LN

45 Rissington Avenue, Manchester, M23 1LN

58 Nethercote Avenue, Manchester, M23 1LL

47 Rissington Avenue, Manchester, M23 1LN

112 Hall Lane, Manchester, M23 1DJ

110 Hall Lane, Manchester, M23 1DJ

Hall Lane Resource Centre, Hall Lane, Manchester, M23 1WD

190 Hall Lane, Manchester, M23 1DL

Flat 89, 190 Hall Lane, Manchester, M23 1DL

Flat 86, 190 Hall Lane, Manchester, M23 1DL

Flat 83, 190 Hall Lane, Manchester, M23 1DL

Flat 81, 190 Hall Lane, Manchester, M23 1DL

Flat 78, 190 Hall Lane, Manchester, M23 1DL

Flat 75, 190 Hall Lane, Manchester, M23 1DL

Flat 72, 190 Hall Lane, Manchester, M23 1DL

Flat 69, 190 Hall Lane, Manchester, M23 1DL

Flat 66, 190 Hall Lane, Manchester, M23 1DL

Flat 63, 190 Hall Lane, Manchester, M23 1DL

Flat 60, 190 Hall Lane, Manchester, M23 1DL

Flat 57, 190 Hall Lane, Manchester, M23 1DL

Flat 55, 190 Hall Lane, Manchester, M23 1DL

2A Gatwick Avenue, Manchester, M23 1NE

10 Paulden Avenue, Manchester, M23 1PD

Flat 88, 190 Hall Lane, Manchester, M23 1DL

Flat 87, 190 Hall Lane, Manchester, M23 1DL

Flat 85, 190 Hall Lane, Manchester, M23 1DL

Flat 84, 190 Hall Lane, Manchester, M23 1DL
Flat 82, 190 Hall Lane, Manchester, M23 1DL
Flat 80, 190 Hall Lane, Manchester, M23 1DL
Flat 79, 190 Hall Lane, Manchester, M23 1DL
Flat 77, 190 Hall Lane, Manchester, M23 1DL
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Flat 59, 190 Hall Lane, Manchester, M23 1DL
Flat 58, 190 Hall Lane, Manchester, M23 1DL
Flat 56, 190 Hall Lane, Manchester, M23 1DL
Flat 54, 190 Hall Lane, Manchester, M23 1DL
6A Gatwick Avenue, Manchester, M23 1NE
4A Gatwick Avenue, Manchester, M23 1NE
12 Paulden Avenue, Manchester, M23 1PD
8 Gatwick Avenue, Manchester, M23 1NE
6 Gatwick Avenue, Manchester, M23 1NE
4 Gatwick Avenue, Manchester, M23 1NE
2 Gatwick Avenue, Manchester, M23 1NE
12 Gatwick Avenue, Manchester, M23 1NE
10 Gatwick Avenue, Manchester, M23 1NE

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 45M
Area Team Boundary - Name: SOUTH AREA