

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134609/LO/2022
Date registered valid: 5 August 2022
Proposal: Listed Building Consent for the installation of replacement smoke detection system
Address: Baguley Hall, Hall Lane, Manchester,
Ward(s): Baguley Ward

Applicant: Rebecca Mudd English Heritage Trust 37 Tanner Row, York, YO1 6WP
Agent (if any): Sally Wilson English Heritage Trust 37 Tanner Row, York, YO1 6WP
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 September 2022



Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Standard consultations:

Printed: 11 August 2022 Expired: 1 September 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 23 August 2022 Expired: 13 September 2022

Press advert

Published: 16 August 2022 Expired: 6 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

Listed Building Consent for the installation of replacement smoke detection system.

The proposal is to install new aspirator system in the roof of the 14th century hall, which would connect to a control panel in the 18th century north wing. The proposed aspirator sampling pipe would be 25mm in diameter and finished in grey. It would run through the highest point in the roof space, at the apex. The development is considered necessary to enable the removal of modern (and intrusive) smoke detectors and scaffolding in the 14th century hall.

Consultations & Notification Responses

Local Residents/Members of the Public – No comments received.

Urban Design & Conservation – No objections to the proposed internal alterations to the Grade I listed Baguley Hall, which would, on balance, enhance its exceptional significance. As the proposal complies with paragraphs 189, 197, 199 and 200 of the NPPF, Policy EN3 of the Manchester City Core Strategy and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recommended that this listed building consent is approved.

Historic England (North West) – The proposed works would have no detrimental impact on the fabric or significance of the hall. However, they would allow the removal of the current smoke detection system, and of the scaffold that currently fills most of the hall at the core of the building. The works would therefore better reveal the significance of the listed building.

Recommendation Historic England supports the application on heritage grounds, as we consider that it meets the requirements of the NPPF, particularly paragraph numbers 189 and 199. In determining this application, you should also bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 proposals have been well thought through, with great weight given to the conservation of the Grade I listed building. The proposed new services would be attached to modern plywood, at apex level, and to a timber framed wall, with a modern plaster finish, in the north wing. As such, the works would not cause irreversible material harm to the original/historic fabric that makes an important contribution to the exceptional significance of the listed building.

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 positioning and proposed finish of the new

services. 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.

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.

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 drawings and supporting documents stamped as received on 5 August 2022.

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.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation
Historic England (North West)
National Amenity Societies

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