

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131683/LO/2021

Date registered valid: 17 September 2021

Proposal: Listed Building Consent for the installation of temporary netting to the Tower at HM Prison Manchester to the top of the balustrade

Address: H M Prison, Southall Street, Manchester, M60 9AH

Ward(s): Cheetham Ward

Applicant: Leslie Walker MOJ Property Directorate Prison Maintenance Group, Satellite Office, HM Prison Kirklevington, Yarm, TS15 9PA

Agent (if any): Mr Matthew Dyer Austin-Smith: Lord 40 Berkeley Square, Bristol, BS8 1HP

Case officer: Steven McCoombe
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Recommendation: Approve

Date of recommendation: 10 June 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 7 October 2021

Standard consultations:

Printed: 24 September 2021 Expired: 15 October 2021

Neighbour notifications

Printed: 27 September 2021 Expired: 18 October 2021

Site notice

Posted: 7 October 2021 Expired: 28 October 2021

Press advert

Published: 5 October 2021 Expired: 26 October 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to HMP Strangeways - a large brick built Victorian prison built circa 1868, which is Grade II listed. The building incorporates a panoptic layout and is bounded by Sherborne St to the north, Empire St to the east, Southall St to the south and Great Ducie St to the west. Adjoining the prison to the west is a single storey visitor's centre comprising of a heptagonal building of a more recent architectural design.



The site in this case specifically involves the 71 metre high ventilation tower. The octagonal tower has a square base and connects underground to the prison block and intakes and extracts air via steel ducts.

The tower is predominantly constructed from red brickwork in original English bond and takes on a fluted appearance through the presence of an arched recess. Each arch rests on a sandstone corbel supported on sandstone banding.

The cupola of the tower comprises three stages with a domed roof.

The tower is listed Grade II in 1974 (List Entry No. 1254672). The surrounding prison structures are subject to separate listings. The tower forms a prominent landmark within Manchester designed by the prominent architect Alfred Waterhouse

Listed building: Grade II

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of the prison complex, the site is situated within the 'warehouse district' which is largely characterised by large warehouse buildings, cash and carry businesses and light industry. The city centre is situated a short distance to the south.

Description of development

Listed Building Consent is sought for the installation of temporary netting to the Tower at HM Prison Manchester extending to the top of the balustrade.

Due to weather damage to the brickwork of the tower, a series of conservation repairs are required. While the scope of repairs is being developed, temporary netting is proposed to protect the areas below from falling debris. Due to the height of the Tower, the installation of mast climbers is necessary to provide access for the netting works.

The mast climbers are intended to be in place for the duration of the netting installation works and will be removed at the end of the contract. The netting will be left in-situ for a temporary period pending a capital works project.

As part of the works, brickwork will be cut out labelled and stored to allow the mast climbers to be erected. On disassembly, the bricks will be reinstated. Fixing holes for the netting will be necessary. When creating fixing holes, drills will be fitted with vacuums to collect the resulting dust and stored for use in repair mortar to be used to repair fixing holes on removal of the netting.

Repair works are focussed on works to prevent further water damage and involve the following elements:

- Installation of netting and associated mast climbers;
- Removal of facing bricks locally to facilitate fixing of mast climbers to the inner brickwork;
- Drilling of fixing holes;
- Reinstatement of brick indents on disassembly of the mast climbers;
- Filling of fixing holes on removal of the netting (medium term works on commencement of a capital repairs project).

The application has been accompanied by details of the repointing methodology, fixing details, mortar mix to be used, brick storage, installation of the mast climbers, netting specification and removal of fixings.

The works are proposed for a temporary period expected to last between 12-18 months, pending development of a capital project of conservation repairs to the tower, including the shaft, balustrading, vents, cupola and all decorative elements. These will be subject to a separate listed building consent application.

The mast climbers are proposed to be in place for around 3-4 weeks whilst the proposed temporary netting is installed. There are 5 tie-in levels as per details contained within the submitted specification.

The proposed netting is to be of a finer material, limited to the requirements to catch debris. The netting is to be coloured terracotta (RAL 3016).

The net will be fixed with 6mm galvanised steel wire and aero grade galvanised rope grips with galvanised steel rawbolts and M8 galvanised barrel strainers.

The spacing of the fixings is to be modified to suit the centre line of the brick to prevent fracture.

All brickwork is to be cleaned, labelled and stored for reinstatement.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Historic England - On the basis of the information available to date, it is not necessary to notify or consult HE on this application under the relevant statutory provisions.

Policy

The below policy and guidance is considered relevant to the consideration of this application;

- Policies DM1, EN3 and SP1 of the Manchester Core Strategy;
- Saved policy DC19.1 of the Unitary Development Plan for the City of Manchester;
- National Planning Policy Framework (NPPF) (2021) - Section 16.

Issues

Heritage and Impact to Visual Amenity

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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'.

Policy EN3 of the Core Strategy, likewise refers to the need for the consideration to be given to the impact of new developments on heritage assets, whilst saved Policy DC19.1 of the UDP seeks to preserve and enhance the setting of listed buildings and specifically states that listed building consent will not be granted for external or internal alterations or additions to a listed building, were in its opinion, there would be an adverse effect on its architectural or historic character.

Relevant to this application, Section 16 relates to Conserving and Enhancing the Historic Environment.

Paragraph 195 states that in determining applications:

‘Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal’.

Paragraph 199 states that:

‘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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.

Paragraph 202 advises further that:

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’

The application has been subject to detailed assessment and continued dialogue and is supported by a Heritage Impact Assessment and further, associated information to assess the methodology for the work and consideration of the historic significance of the building and the impact of the proposed works on the historic fabric and heritage value.

The proposed works in this case are believed to have a less than substantial impact when balanced against public benefit that the overall development will deliver in terms of preserving a heritage asset and to prevent its further decline, as well as delivering social benefits for the inmates.

The debris that currently falls from the tower currently causes the closure of the central route through the prison connecting the main prison block and also the use of the exercise yard, due to safety reasons. The closure of the route and exercise yard is disruptive to prison operations and also has security implications, due to now having to exercise Category A prisoners in yards closer to the perimeter of the establishment used by lower risk inmates. The closure of the area is also preventing the cleaning of areas close to the tower which in turn raises health and safety concerns.

The works are therefore not only a priority in terms of prison operations, but also to ensure the long-term fabric of the tower remains intact.

The installation method has been fully considered to cause the least possible harm, both visually and structurally.

Rope access to wrap the tower is considered unsuitable and as such mast climbers are required. These will be removed upon completion of the installation.

Consideration has been given to the methodology for repair works, including the fixing detail and mortar analysis for brick repair works. The options proposed are believed to be the least

intrusive. Relevant planning conditions have been included to ensure the appropriate methodology is adhered to - as set out in the accompanying details.

Whilst the exterior of the tower is of high architectural quality and is highly visible across parts of north Manchester, the form and appearance of the tower will remain largely unchanged.

It is acknowledged that the wrapping of the high will have a visual impact due to the mesh wrapping and the mast climbers will also be visible for a period. However, the netting has been chosen to reduce the visual impact so far as possible and will be coloured terracotta to help in blend in with the brickwork behind. The negative impacts will be temporary and short term, with the majority of the installation reversible on commencement of the wider repair project. The works are highly necessary and will ensure the long-term heritage significance of the structure will be sustained. The works are seen as the first step in works that will secure the asset for years to come and in the meantime will allow the prison to continue to function safely and securely.

In summary, it is considered that the works will have cause a less than substantial impact. The proposed works will meet an established need and will aid the longer term preservation of a heritage asset and the significance of the listed structure for the future. When weighed against the public benefits that the proposal will deliver, the proposed development is considered acceptable and compliant with the aforementioned development plan policy and the National Planning Policy Framework.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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

1) The listed building consent hereby granted is for a limited period only, expiring on 31 December 2024, following which the netting and associated installation equipment is required to be removed and discontinued.

Reason - To safeguard visual amenity and the appearance of the heritage asset, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies EN3, DM1 and SP1 of the Manchester Core Strategy.

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

-Drawings referenced 321040-ASL-XX-00-DR-A-001/P1 and 321040-ASL-XX-00-DR-A-002/P1, received by the City Council as Local Planning Authority on 17 September 2021 and mast climber elevation drawing and tie in position drawing, received by the City Council as Local Planning Authority via e-mail from Austin Smith Lord dated 9 May 2022.

-Netting Repair Specification document prepared by Austin Smith Lord dated May 2022, received by the City Council as Local Planning Authority on 9 May 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Manchester Core Strategy.

3) The facing brickwork shall only be removed by hand, labelled and stored for the duration of the works. Details of the storage arrangements should be submitted to and agreed by the City Council as Local Planning Authority, prior to any brickwork being removed. The works shall only be carried out in accordance with the agreed details.

Reason - To ensure that the reinstatement works are appropriate and are done so in a manner which does not harm the fabric of the listed building and to ensure that the building will be repaired appropriately, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

4) The temporary netting hereby approved shall only be implemented with the netting specification details (Terracotta colour - RAL 3016) received by the City Council as Local Planning Authority via e-mail from Austin Smith Lord dated 9 May 2022.

Reason - To safeguard the appearance of the heritage asset, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

5) The mast climbers shall be removed upon completion of the installation of the temporary netting hereby approved.

Reason - To safeguard the appearance of the heritage asset, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

6) The works hereby approved shall only be implemented in accordance with fixing details and tie-in positions, outlined within the details received by the City Council as Local Planning Authority via e-mail from Austin Smith Lord dated 9 May 2022.

Reason - To safeguard the appearance of the heritage asset, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

7) Mortar analysis shall be undertaken during the works for the reinstatement of the brickwork and a mortar sample to be used for associated brick repair works shall be submitted to and agreed by the City Council as Local Planning Authority prior to such works commencing. The development shall only be implemented in accordance with the agreed details.

Reason - To safeguard the appearance of the heritage asset, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Historic England (North West)

H M Prison, Southall Street, Manchester, M3 1JL

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH1