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**MEETING:** PLANNING CONTROL COMMITTEE

**DATE:** 27 MARCH 2007

**SUBJECT:** ST MARY'S PARK CONSERVATION AREA,  
PRESTWICH. APPRAISAL AND MANAGEMENT PLAN

**REPORT FROM:** BOROUGH PLANNING, ENGINEERING, AND  
TRANSPORTATION SERVICES OFFICER

**CONTACT OFFICER:** M NIGHTINGALE, CONSERVATION OFFICER

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**TYPE OF DECISION:** Executive key decision

**FREEDOM OF INFORMATION/  
STATUS:** This paper is within the public domain

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**SUMMARY:**

This report presents an appraisal of the St Mary's Park Conservation Area and the main proposals for a management plan. This action is in line with Best Value Performance Targets and good practice guidance in community consultation.

**OPTIONS AND RECOMMENDED OPTION (with reasons):**

The options are as follows:

- (a) To reject the consultant's report and the core proposals listed in 5.3 of the report.
- (b) To accept the consultant's report and the core proposals listed in 5.3 of the report.
- (c) To accept the consultant's report and to amend the core proposals.

Option (b) is recommended for the following reasons:

- (1) Further work is necessary to ensure that a relevant and complete management plan is produced.
  - (2) This option is consistent with the results of the community consultation.
  - (3) This option was supported by the Prestwich Area Board on the 29 January 2007.
  - (4) This option meets the Council's Best Value targets.
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## IMPLICATIONS -

**Corporate Aims/Policy Framework:**

Do the proposals accord with the Policy Framework? Yes

**Financial Implications and Risk Considerations**

Director of Finance and E-Government to advise re risk management

**Statement by Director of Finance and E-Government:**

The Council's revenue budget includes a limited amount of funding (£6k) for works in conservation areas, in addition to the officer posts. In recent years this budget has been supplemented by Planning Delivery Grant which cannot be assumed to be ongoing funding. The work proposed in this report to develop a management plan for the conservation area will mainly involve existing staff time. However any implications for work to be done by the Council included in the management plan needs to have due regard to the level of resources in those services expected to undertake works.

**Equality/Diversity implications Considered by Monitoring Officer:**

No

Are there any legal implications?

No

**Staffing/ICT/Property:**

There are no implications for the Council's land and property holdings arising directly from this report.

**Wards Affected:**

St Marys

**Scrutiny Interest:**

Appraisals and management plans have previously been discussed at scrutiny committee.

## TRACKING/PROCESS

## EXECUTIVE DIRECTOR:

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
No		Directly and through Area Board since September 2006	Community consultations and interest groups since September 2006
Scrutiny	Executive	Committee	Council

Commission			
Process included in reports to Economy, Environment and Transport Scrutiny Commission in 2004 and 2006	No	This report	

## 1.0 BACKGROUND

- 1.1 St Mary's Park Conservation Area was designated in 1993. Between 2001 and 2005 the commercial part of the area benefited from a Council and English Heritage funded Heritage Economic Regeneration Scheme, and preparation for this involved an assessment of the character of this part of the area and proposals for enhancement. It is considered by Government and English Heritage to be good practice to undertake such an assessment for the whole of the Borough's conservation areas. This is done in two phases for each area, a character appraisal followed by a published management plan. From 2005/06 this area of work has contributed to the Council's Best Value Performance Indicators. Consequently, the Council has established a programme of appraisals and management plans. Consultants have been engaged to produce an appraisal and to put forward recommendations for a management plan for St Mary's Park. The local community was consulted on the consultant's report from September to December 2006, and the results of the appraisal and the consultation were put forward for comment to the Area Board on the 29 January 2007. The Best Value performance targets include for the completion of part of this work for St Mary's during 2006/07.
- 1.2 The Council's current priority is to produce appraisals and management plans in line with the current programme. Unfortunately, this means that there is not the officer resource to implement the plans quickly and comprehensively. However, every effort will be made to protect and enhance the conservation area within the resources available.

## 2.0 ISSUES/BACKGROUND/CONSULTATION

- 2.1 This report summarises the results of the area consultation that took place during September, November and December 2006 and which sought feedback on the conservation area appraisal and action plan report prepared by consultants. A course of action is now recommended in response to the consultant's report and the consultation comments received.
- 2.2 The consultant's report has been placed on the Council's website since September 2006. Please consult this for a full version of the report ([www.bury.gov.uk/environment/landandpremises/conservation/conservationareas/conservationareaappraisals](http://www.bury.gov.uk/environment/landandpremises/conservation/conservationareas/conservationareaappraisals)).
- 2.3 On the 4 September 2006 the Council wrote to every property within the St Mary's Park Conservation Area summarising the appraisal and action plan and explaining the proposed arrangements for consultation. A questionnaire accompanied the letter. In addition to the information on the website, copies of the consultant's report were made available in Prestwich Library, and two

drop-in sessions were arranged for residents to discuss the report with the Council's Conservation Officer at the library.

- 2.4 The area residents were asked to complete and return the questionnaire, and/or to give any comment verbally or via letter or e-mail. In total 4 responses were received from a total of 140 properties in the conservation area. In addition, separate responses were received from the Prestwich Heritage Society and the Parochial Church Council of St Mary's Church.
- 2.5 Due to the limited response to the initial consultation and questions as to whether letters had been received, further consultation was carried out in late November and December 2006. This involved the production of an A5 flyer, printed in colour, which outlined the main elements of the report and the key recommendations. This was delivered to all residents/businesses in the conservation area, together with some properties on the outer edge of the area where specific proposals had a wider impact. This generated a limited additional response, giving 18 responses in total.
- 2.6 The submission of the draft of this report to the Area Board is another part of the consultation on the consultant's work. The conservation area residents have been provided with a copy of this report.

### **3.0 SUMMARY OF APPRAISAL AND ACTION PLAN**

- 3.1 The following is a summary of the main points of the consultant's report, which is the same as given in the letter to the area residents.

The report is divided into a number main parts.

- A. The report assesses the area's history and the detail of its special architectural character. It considers the origins and development of the area and the particular elements of the area that make it special. These issues are considered in some detail. Within this, the boundary of the conservation area is checked to see if it correctly reflects the area of special interest and character. The consultants have recommended areas to be deleted from the current conservation area boundary. These are parts of Rectory Lane, Eagles Nest Wood/Shrewsbury House, and a number of sites on Bury New Road and Prestwich Park Road South. Plans showing the proposed changes are in the consultant's report.
- B. Based on the assessment of the area's character, it considers factors, which have a positive, negative and neutral impact on the conservation area. From this overall assessment come policies and proposals for the control of development and alterations to building, and ideas on how the public areas could be enhanced. This is referred to as the Action Plan.
- C. A summary of the main conclusions and recommendations for action is as follows.
  - § The negative features which act against the area's special character are seen to be

- poor maintenance of some of the open space and wooded areas
  - pockets of out of character building development
  - the out of character extension and alteration of buildings
  - damage and alteration to important boundary walls
  - loss of traditional paving materials
  - visual clutter created by poorly designed and located highway signage
  - the visual impact of traffic calming measures
  - the appearance of the electricity sub-station on St Ann's Road
- § General policies are put forward to protect important buildings, open spaces and trees and hedges. These also cover the future use of land and buildings and the density of future development.
- § The action plan addresses the issue of extending and altering existing properties and explains the damage to the character of the area that has resulted from some alterations. It puts forward policies covering extensions, cladding, satellite dishes, dormer windows, and windows and doors. It raises the question of planning control and recommends that some extensions and alterations that would not normally require permission from the Council should be brought under control. This is covered in the section headed Article 4 Directions and relates to dwellings within the area.
- § The consultant's recommendations also cover policies for area improvement. These aim to restore and reinforce the area's character and cover the replacement of trees, hedges and boundary walls, and the reinstatement of traditional features and details in buildings. Recommendations also put forward a strategy to deal consistently with the maintenance of public areas and the repair of paving and lighting and the provision of highway signs.
- § Finally, certain sites and buildings have been highlighted for special consideration and comment. These are St Mary's Churchyard and hearse house, Prestwich Clough, and some buildings and land on Church Lane.

## 4.0 CONSULTATION RESPONSE TO APPRAISAL AND ACTION PLAN

4.1 The questionnaire asked both general and specific questions and also requested any additional detail and comments that the residents wished to make. The areas covered were, the broad proposals put forward by the consultants; the stricter planning controls proposed; detailed design guidance; the format and usefulness of the report, and the appropriateness of the consultation process. The responses were as listed below. Questions were also raised and these will be addressed in a further letter to area residents etc after the full consideration of this report.

4.2 Individual **comments from the community** covered –

- the need to stop the redevelopment of detached properties
- that modern buildings could be acceptable if appropriately designed
- that the consultant's report is too downbeat and negative about the area

- support for stricter control over building alteration
- that any stricter controls over alterations and extension of properties should be realistically set
- significant concerns and a strong response over the possible removal of Beech Tree Bank, the Red Lion, Eagles Nest Wood and Shrewsbury House and lands from the conservation area
- one comment in support of the proposed boundary alterations
- the Council should be more proactive in improving the conservation area
- the need to protect the ecological value of Eagles Nest Wood
- the importance of views across from Butterstile Lane over Prestwich centre and beyond
- concern over the loss of control in those areas recommended for removal from the conservation area
- the need to take into account the impact of development proposals outside the boundary on the setting of the conservation area
- not to be too concerned over the visual impact of traffic calming proposals
- support for the production of design guidance
- support for retaining and enhancing trees and landscaping
- the Council needs to reinstate traditional highway materials and details which are totally under the Council's control
- looking forward to the production of enhancement proposals
- some problems with receiving communication on the initial consultation
- concerns over the quality of development that has been allowed in and around the conservation area

4.3 The **Prestwich Heritage Society** has submitted extensive comments, a large number of which are corrections of fact, pointing out contradictions, adding to the area assessment and clarifying the area's history. In addition the Society objects strongly to the removal of the Red Lion, Clarks Hill, Beech Tree Bank, Shrewsbury House and Eagles Nest Wood from the current conservation area, and also recommends the inclusion of Prestwich Clough. Detailed justification is given for the retention and inclusion of these areas. The society supports the wish to resolve the future of the two huts on Church Lane and the possibility of shared use for a better permanent building. It also agrees that there should be a tree replacement and management strategy for the area. Many of the issues raised require further discussion.

4.4 The **St Mary's Church Parochial Church Council** also submitted extensive comments. Its view is that the consultant's report is poorly structured and contains omissions and shortcomings in terms of both research and proposals. The PCC suggests that the analysis and area appraisal is incomplete and incorrect, and that this has led to the wrong assumptions and proposals. It is suggested that there is only a limited management strategy, no understanding of the relationship between the conservation area and the wider area, and that the proposals are incomplete, weak and lack detail. There is no support for the reduction in the conservation area boundary. The PCC refer to their own work being progressed by the churchyard action group. Again, a number of matters raised require further discussion.

## 5.0 OFFICER COMMENTS AND PROPOSALS

5.1 The consultant's report has had the benefit of raising issues but its shortcomings are clearly identified in the comments made in 4.3 and 4.4 above. Officers broadly agree with the many of the points made by the

community, the Prestwich Heritage Society and the St Mary's Church PCC, but also point out that the comments of these groups are not in total agreement. There is also a need to take into account the guidance from English Heritage on these matters, part of which is that appraisals are not expected to be comprehensive and all encompassing; they are the beginning of a continuing process. It is expected that they will be reviewed every 5 years so that they can be refined and added to over time. However, there are issues that need to be addressed now before work can lead to a worthwhile management plan.

- 5.2 There is still some discussion to be had and work to be undertaken before a satisfactory outcome can be achieved. It is proposed that this is undertaken by a small group made up from representatives of the Prestwich Heritage Society, the St Mary's PCC and appropriate Council members and officers. This group should be given the task of turning the work so far carried out into a management plan for the conservation area. This should be based on a core of proposals supported by the Area Board and then approved by Planning Control Committee. The approval by Planning Control Committee would act as the formal approval of a broad appraisal.
- 5.3 From the report itself (and in part supported by the explanation within the report) and the consultation responses, the following are put forward as the core proposals –
- (i) That The Red Lion, Beech Tree Bank, Clarks Hill, Eagles Nest Wood and Shrewsbury House are retained within the conservation area. All these areas and buildings are a valuable part of the area's history and contribute to the area's character and appearance, and justify protection and enhancement. Minor boundary adjustments should include the deletion of the Methodist Church and 405/407 Bury New Road, and numbers 27 to 37 (odd) Prestwich Park Road South. Most of these are modern buildings that do not form part of the area's traditional character. 405/407 are much altered and do not make a positive contribution to the area.
  - (ii) There should be a presumption against the demolition of all listed buildings and those referred to (within the consultant's report) as significant or making a positive contribution to the area's character.
  - (iii) Proposals for the change of use of residential property, for the development of open land, for the over-development of land, and for the unnecessary removal of trees should be resisted.
  - (iv) Where planning permission is required, the following proposals should be resisted - over-large, prominent, or out of character extensions; out of character dormer windows; non-traditional materials; the external cladding of walls, and the location of satellite dishes in prominent locations.
  - (v) The consultants have made the case for the extension of planning controls for certain types of building work and alteration to dwellings. This would be aimed at resisting changes that would diminish the area's special qualities. The Council has powers to extend control through Parts 1 and 2 of Schedule 2 of the Town and Country Planning

General Development Order 1995. Using these powers could bring the following work under control – the enlargement, improvement or other alteration of a dwelling house; the erection or construction of a porch; the building or enclosure of a swimming pool; the construction of a hard surface; all works to walls and fences, and the construction of an access to the highway. In these circumstances planning permission would be required for any of the above proposals and those that would be detrimental to the area's character should be resisted. Guidance from government states that such powers should be carefully used and should be directed at real threats to area character. It is considered that some additional control is required to protect the area's character but that more survey and development work is required to identify a detailed and balanced proposal for additional control.

- (vi) Through the consideration of planning applications and development proposals the following should be achieved – the planting of trees and hedges where appropriate; the provision or reinstatement of walls and railings, reinstatement of doors and windows and other architectural detail. The implementation of these aims requires an understanding of the impact of such actions and therefore some further work on area character, views and vistas etc. is also required.
- (vii) The Council operates a grant system that is primarily designed to support the repair of listed buildings at risk. The annual budget is currently £15,000. Small grants can help to reduce the difference between a basic cost for building work and the additional cost required due to the nature of materials, bespoke construction or the standard of workmanship involved. In response to the proposal in principle to increase the level of control over the extension and alteration of dwellings, it is proposed that this grant is also made available for work to property in the conservation area. This is possible through the same legislation as for listed buildings. However, it may be that grants should be available in all the Borough's conservation areas. There are also matters of detail such as the level of grants, priorities, grant conditions and criteria, and selection of work and standards, that will need to be clear and approved. Subject to approval in principle and further detailed approval, officers should draw up a grant scheme for all of the borough's conservation areas.
- (viii) The consultant's proposal for the preparation of a public realm strategy is supported. This will consider woodland, the Clough and park, green and landscaped areas as well as highways and the streetscene. This work should commence with the survey and recording of land within the area. The resulting proposals should be the subject of further consultation and be submitted to the Prestwich Area Board and the Council in due course.
- (ix) The consultants raise the issue of St Mary's churchyard, the hearse house and the condition of the rectory boundary. The PCC has already begun to address these and other issues through the St Mary's Churchyard Action Group, which is working on proposals with consultants and aided by assistance from Heritage Lottery grant support. The work of the group should be recognised within the area



management plan and the group should continue to be supported by Council officers.

- (x) There is potential to enhance the area by engaging with the owners of the following properties to seek their improvement or (in the case of the Church Lane huts) redevelopment – electricity transformer on St Ann’s Road, the Scout Hall, the Pensioners’ Club, Shrewsbury House, and the Conservative Club car park.
- (xi) Shrewsbury House has deteriorated significantly over recent months and is now partially open to the elements and in danger of being beyond economic repair. With the approval of the Secretary of State, the Council has powers to require owners to undertake urgent work for the preservation of unoccupied buildings in conservation areas, and, in the absence of action, to undertake those works and recover the costs from the owner. It is proposed that this action is investigated and proposals prepared. As a necessary first step measure, action to achieve the improvement of the site and elements of the building’s external condition and appearance is being undertaken through Section 215 of the Town and Country Planning act 1990.
- (xii) The Prestwich Heritage Society and the Greater Manchester Archaeological Unit have in the past undertaken archaeological investigations and excavations in the conservation area. It is proposed that a programme of priority work is researched and established and supported by the Council from existing resources. This may assist in investigations to identify the origins of Prestwich and support proposals for interpretation.
- (xiii) The HERS Implementation Programme approved in 1999 outlined a number of proposals for the repair and restoration of buildings and land. Many of these have been achieved. The main proposal not achieved at that time was the selective restoration and enhancement of St Mary’s Park and Prestwich Clough. However, enhancement work has commenced in The Clough through the work of the Council’s Wildlife Officer in partnership with the local community. This work will tie in with viii above and should continue to be supported.
- (xiv) Comment has been made about the setting of the conservation area and how sites outside the area can affect its character. The proposed redevelopment of Tulle Court is one example of this. This issue requires further investigation with recommendations made covering the future planning of the area. Previous appraisals have already raised the need for design guidance for the Borough’s conservation areas and this is to be prepared when resources allow.

## **6.0 COMMENTS FROM THE PRESTWICH AREA BOARD**

6.1 The Area Board meeting of the 29 January 2007 supported the recommendations of the report and added the following comments.

- § That concern was expressed about the condition of Shrewsbury House and the need to take action to save the property.

- § That officers be asked to look at the condition of numbers 257/259 Bury New Road and investigate appropriate action to secure the properties and bring them back into use. Since the area board meeting a planning application (47616) has been submitted for the redevelopment of these buildings.
- § That there should be resident involvement in the proposed working party and that the meeting should be open to public discussion and any relevant matters be discussed further at the Area Board.
- § That efforts be made to improve communication with the area residents and to resolve problems of erratic delivery of information.

6.2 On the day of the Area Board meeting representations were made by solicitors acting for the co-owners of Shrewsbury House. These were not received in time to mention at the meeting. The solicitors requested that the Council support the deletion of Shrewsbury House from the conservation area. Their view is that the building is beyond economic repair and should be removed. No supporting evidence was submitted with this request. Dialogue is continuing between the Council and the representatives of the owners. The owners are awaiting the outcome of this Committee meeting before they make decisions about the development options. Committee is requested to support the action outlined in 5.3(xi) above in the event that agreement cannot be reached on the future of the building and site.

## 7.0 CONCLUSIONS

It is recommended that the consultant's report, adjusted by the core proposals listed under 5.3 and the comments of the Area Board, be accepted as the appraisal for St Mary's Park Conservation Area. This should be used as the basis for a detailed management plan to be prepared by a group consisting of representatives of the Prestwich Heritage Society, St Mary's Church PCC, area residents and Council members and officers. The management plan should develop the detail of the core proposals and be published during 2007/08 in line with the Council's Best Value programme. Some of the proposals within the management plan will require additional approval from the Council before they can be taken forward.

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### List of Background Papers:-

1. Report to Prestwich Area Board at its meeting on the 29 January 2007.
2. Report of Woodhall Planning and Conservation on St Mary's Park Conservation Area Appraisal and Study, 2005.

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