

REPORT FOR DECISION

MEETING: PLANNING CONTROL COMMITTEE

DATE: 24 MARCH 2009

SUBJECT: ST MARY'S CONSERVATION AREA, PRESTWICH.
MANAGEMENT PLAN.

REPORT FROM: ASSISTANT DIRECTOR, PLANNING, ENGINEERING,
AND TRANSPORTATION SERVICES.

CONTACT OFFICER: M NIGHTINGALE, CONSERVATION OFFICER

TYPE OF DECISION: Executive key decision

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

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 proposed content of the management plan.
- (b) To accept the proposed content of the management plan.
- (c) To amend the proposed content of the management plan.

Option (b) is recommended for the following reasons:

- (1) The management plan proposals are the result of further work undertaken by a working group of councillors, officers and local residents.
 - (2) This option is consistent with the results of the community consultation.
 - (3) This option was supported by the Prestwich LAP meeting on the 13 January 2009.
 - (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 budget of £6.2k, to support work in conservation areas, in addition to the conservation officer post. There is also an annual capital budget of £15k for listed buildings and conservation areas. In recent years this budget has been supplemented by Planning Delivery Grant which cannot be assumed to be ongoing funding.

The work covered in this report has mainly involved existing staff time, with support from specialist consultants. Further work where required, including legal support and any grant aid, will need to be funded from the available budgets and/or any available external funding. Works to council owned land will be dependant on the availability of funding in the relevant service budgets for the works and their subsequent maintenance.

Equality/Diversity implications Considered by Monitoring Officer:

No

Are there any legal implications?

No

The report recommends conservation area boundary extensions and the implementation of an Article 4 Direction. Both require the implementation of detailed legal processes.

Staffing/ICT/Property:

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

The development of detailed proposals and their implementation, at the same time that the conservation officer is also progressing management plans for other conservation areas, has implications for staff resources in those services expected to plan, design and undertake the works.

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/LAP since September 2006	Community consultations and interest groups since September 2006
Scrutiny Commission	Executive	Committee	Council
Process included in reports to Economy, Environment and Transport Scrutiny Commission in 2004 and 2006	No	Previous report 27 March 2007, and this report	

1.0 BACKGROUND

- 1.1 St Mary's 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. Consultants were engaged in 2006 to produce an initial 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, and approved by Planning Control Committee on the 27 March 2007. Since that time a small working group has developed the detail of the management plan and further community consultation has taken place. Committee is now being asked to approve the key elements of the final management plan.
- 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 The report to committee in March 2007 outlined additional work that was required to complete the management plan. In 2007 a local group of councillors, council officers and interested residents was set up to complete the study work and to recommend the detail of the plan. The plan is aimed at providing policies and proposals to protect and enhance the conservation area. Some of these had been established in 2006/07, and the group has developed the detail of these and addressed additional issues.
- 2.2 The consultation in 2006 involved letters, flyers, a questionnaire, a drop-in at Prestwich Library, and information on the Council's website. During November 2008 the residents and businesses in the conservation area were contacted by letter and flyer to confirm the previous proposals and to introduce the proposals for the management plan, and feedback was requested. In both 2006 and 2008 the scale of response has been disappointing. The 2006 responses have been incorporated into the later work. Two written responses have been received to the 2008 consultation, and these covered the physical connections between the village centre, the conservation area, and the parkland around Irwell Valley. Some messages of support for the proposals have been received. The very limited response has been seen as there being no objections to the recommendations for the management plan.

3.0 SUMMARY OF MANAGEMENT PLAN

The management plan will be a very detailed document. The current draft text for the final document and other supporting documents can be found in full on the Council's website. The link is www.bury.gov.uk/conservation (then find conservation areas and conservation area appraisals). The list below is a broad outline of the proposals put forward by the working group.

- A. That the conservation area boundary be adjusted to include the whole of the valley of Prestwich Clough, including Gardner's Mount and the former 18th century bleach works site at Buckley Lane. A broad proposal of the management plan should be to seek the long term upgrading and restoration of elements of the Clough and the bleach works. Also, in the vicinity of Hamilton Road and St Ann's Close, it is proposed that the conservation area boundary is adjusted to include the walls and gateposts that remain from the 19th century development in the area, together with the street trees, in order that they can be protected. A plan of the proposed boundary will be attached to this report.
- B There is potential for overlap between the conservation area management plan proposals and the overall town centre regeneration plans proposed by the Love Prestwich Village Town Development Strategy still to be considered by Members. Where these initiatives come together they should be fully co-ordinated and mutually supportive, aiming to meet both regeneration and conservation objectives.
- C The group has considered the detail of the additional controls over the alteration and extension of dwellings and changes within each dwelling's

curtilage. The need for action was accepted at committee in 2007. The conclusion confirms that additional controls are reasonable to protect the character of the streets and the area. Therefore, buildings, elevations, land and walls within the conservation area which can be seen from and front onto St Ann's Road, Prestwich Park Road South, Church Lane, Lowther Road, Butterstile Lane, Shrewsbury Road, Rectory Lane, Clarks Hill, and Bury New Road, should be the subject of additional control. This should apply to buildings of all ages and sizes, and buildings/structures currently screened by planting should not be excluded. The additional controls should cover;

- § Replacement of windows and doors
- § Removal or concealment of architectural detail
- § The enlargement or creation of new exterior openings
- § Demolition or lowering of chimney stacks
- § Alterations to roof shapes and changes to roofing materials
- § The rendering or cladding of external walls, and the painting of brick and stone
- § The erection of satellite dishes
- § The demolition or erection of boundary walls, railings, fences and gates
- § The creation of hardstandings
- § The addition of extensions, porches or outbuildings.

There is a formal legal process that should be followed to correctly introduce these additional controls and these will be developed in detail with the Council's legal advisors. The controls will cover all new work from the operational date, which will, if approved, be the date when notice is served on individual properties. The implementation of an Article 4 Direction brings with it the small risk of a compensation case against the local planning authority if planning permission is refused. A recent national survey of such actions revealed that no such compensation claims have been lodged.

- D The scheme for grant aid for the repair and restoration of buildings in conservation areas has been adjusted in line with the Council's procedures. This is based on the current annual budget for the repair and restoration of listed buildings and building in conservation areas. The scheme is aimed at reducing the burden of additional costs for such works, though not at making large contributions to normal maintenance requirements. Rates of grant will reflect the nature of the work. Subject to a number of conditions and thresholds, grants may be available for the following works –

- § Essential repairs to stone and brick external walls and roof coverings, including chimney stacks
- § Repair and restoration of gutters and downpipes
- § Structural repairs
- § Re-pointing
- § Repair and replacement of window frames and external doors
- § Reinstatement of architectural elements
- § Fees associated with grant-aided works

Applications for grant aid will be made on a standard form and must be accompanied by a clear description of the work, possibly including detailed drawings etc, together with itemised competitive prices/estimates. The full detail of the grant system has recently been reviewed. It is proposed that this scheme of grant aid now applies to St Mary's Conservation Area.

- E In support of both the additional controls and the approved grant system, written advice is to be prepared and issued to assist the area residents in their proposals to extend, alter and repair their properties. It is hoped that this can be produced by late summer/autumn 2009. In the meantime, interim guidance will be included within the published management plan document and the Conservation Officer can be contacted to discuss requests for design advice.
- F Previous feedback to the Council on the original appraisal indicated that additional work was required to fully understand the landscape value of the area and to produce meaningful proposals for protection and enhancement. Additional specialist advice has been sought to provide more detailed information for the management plan. Initial proposals cover the restoration of Prestwich Clough, Church Bank, Church Lane, St Mary's Park, and Clarks Hill. A particular strand of the work is to open up historic views within the area and this will form part of a proposed landscape management plan for the conservation area.
- G It is recommended that Church Lane and Clarks Hill are the subject of an enhancement scheme aimed at fully realising their architectural and historic qualities and their potential to enhance the conservation area. Although a scheme has not been designed at this stage, some thought has been given to such matters as road and pavement surfaces, street lighting, boundary walls and landscaping. The properties along Church Lane may also feature as part of the proposals. This scale of work will require external funding support and the final nature of the works may be determined by the criteria set by the funders. It is considered that the work might be appropriate for a Townscape Heritage Initiative Scheme, which is administered by the HLF. The improvement of Church Lane is also identified as a key town centre regeneration project within the Love Prestwich Village Strategy and monies realised through major developments in the town centre could provide another potential source of funding for the project. If a scheme can be progressed, further consultation will take place with the owners/residents directly affected.
- H That proposals should be prepared for the enhancement of St Mary's Park to the west of Bury New Road, and that these should start with the reinstatement of the formal flower garden as soon as practical. The proposals should be in character with the original designs for the park. Proposals should also be prepared for Prestwich Clough and the Buckley Lane bleach works site. These should combine a mix of heritage restoration, industrial archaeology and interpretation, wildlife and habitat protection/creation, and woodland management. Similar proposals should be considered for the Eagles Nest woodland. A particular theme within these proposals should be the management of woodland to create and recreate important views, making maximum benefit of the area landmarks and topography.

- I For some time the Churchyard Action Group of St Mary's Church has been working with consultants to produce proposals for the enhancement and maintenance of the churchyard and its structures and monuments. The final report for this work is now complete and it is hoped that the implementation of the work will be funded through Heritage Lottery sources. This would combine well with any improvements along Church Lane and within the park. More information about the proposals for the churchyard is available from David Dutton on 0161 253 7667 or via a copy of the report which has been deposited in the reference section at Prestwich Library. The proposals within the churchyard management plan should be incorporated within the wider conservation area plan.

- J The management plan supports the importance of the UDP policies protecting the undeveloped open spaces, valleys, landscapes and habitats of Prestwich Clough, St Mary's Park, and St Mary's churchyard, and considers that the woodland running from west to east from Eagles Nest Wood through to Shrewsbury House should benefit from similar protection against development and damage.

- K All proposals for demolition, re-development, re-building, change of use or other alteration of land and premises in the conservation have to be considered in the light of the statutory duty to preserve and enhance the conservation area. With this duty in mind, there will be a presumption against the demolition of all listed buildings and those referred to within the management plan as significant or making a positive contribution to the area's character.

- L Proposals for the change of use of residential property, for the development of open land, for the over-development of land and garden areas, and for the unnecessary removal of trees, should be resisted.

- M 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, out of character building alterations; loss of historic building fabric; inappropriate shop/office frontages and signage, and the location of satellite dishes in prominent locations.

- N Planning and conservation area consent applications will only be acceptable if the submitted information is clear, complete and comprehensive and includes full drawings of the proposals and a thorough design and access statement. The Council will expect any proposal for a development within the Conservation Area to include a full analysis of the surrounding area. Proposals should respond to the surrounding development in terms of scale, height, massing, detail and materials. All proposals should protect or enhance the character and appearance of the Conservation Area.

- O When considering planning applications and development proposals the duty to enhance the conservation will be addressed through the achievement of the following – the planting of trees and hedges where appropriate; the provision or reinstatement of walls and railings,

reinstatement of doors and windows and other architectural fabric and detail.

- P There is potential to enhance the area by engaging with the owners of the following properties to seek their improvement or redevelopment – electricity transformer on St Ann’s Road, the Scout Hall, the Pensioners’ Club, Shrewsbury House, and the Conservative Club car park.
- R Shrewsbury House has deteriorated significantly over recent years 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.
- S The Prestwich and Whitefield 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.
- T The enhancement proposals outlined above will need to be incorporated within a programme of work, and the initial progression of the programme and the schemes will require some feasibility funding. In support of the programme, and where the proposals meet the grant criteria, the Council will seek financial support from external grant giving bodies. It is normal practice for such grants to be subject to a capital financial contribution from the applicant.
- U As with other conservation area consultations, this consultation has raised issues about the public highway and the Council’s actions in connection with the detail of street lighting, highway repair, highway signage, trees in the highway, the actions of the utilities, and appropriate materials for footways. The matters raised through this process are to be discussed between the relevant parts of the department.
- V The commercial frontages running south along Bury New Road from Church Lane have been subject to a number of authorised and unauthorised alterations, the most intrusive being the use of roller shutters. This addition, together with some shop front alterations, has had a negative impact on the area’s character. It is proposed that a consistent line is taken in enforcing changes to this terrace more in-keeping with the area’s traditional character.

5.0 COMMENTS FROM THE LOCAL AREA PARTNERSHIP

The Local Area Partnership meeting considered broadly the same report as is put to Committee today. The report was supported, and the proposed extension to the conservation area into Prestwich Clough received positive comment. There were a number of questions about the detail of the additional controls and the timing of the enhancement works. Concern was expressed about tree issues in the area and that whilst the mature street and garden trees were seen to be important to area character they also created difficulties for area residents and for the maintenance of footways. Residents requested more understanding from officers in dealing with requests for tree work.

6.0 CONCLUSIONS

There has been extensive research, discussion, and consultation on the factors that make St Mary's Conservation Area special, and worthy of protection and enhancement. The investigation of the area has produced a number of recommended actions and policies which are now put forward for implementation through a management plan. It is anticipated that the plan will be published at the end of March 2009 and be reviewed after a period of 5 years.

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.
3. Report to Prestwich Local Area Partnership 13 January 2009
4. Report of Chris Burnett Associates January 2009
5. Draft Management Plan Document 2009

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