

GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	7th APRIL 2015
ADDRESS/LOCATION	:	ST MARY DE CRYPT CHURCH, SOUTHGATE STREET, GLOUCESTER
APPLICATION NO. & WARD	:	15/00044/FUL WESTGATE
EXPIRY DATE	:	6th MARCH 2015
APPLICANT	:	RICHARD WEBB, GLOUCESTER CITY COUNCIL
PROPOSAL	:	REFURBISHMENT/REPAIRS TO EXISTING STONE BOUNDARY WALLS AND REINSTATEMENT/ INSTALLATION OF RAILINGS TO BOUNDARY OF CHURCH
REPORT BY	:	FIONA RISTIC
NO. OF APPENDICES/ OBJECTION	:	1. SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The application site is located to the south-east of Southgate Street. The building is St Mary De Crypt Church which is a designated heritage asset and is grade 1 listed. It dates from the 12th Century. The school room dates from 1539 and is grade 2*. The site is located within the City Centre Conservation Area. The churchyard is in council ownership and the proposal is to repair and refurbish the current stone boundary wall and reinstate the historic railings in a traditional form. The present Heritage Lottery funded Southgate Street Townscape Heritage Initiative scheme proposes to enclose the churchyard with traditional railings to create a safe and secure environment which also retains managed public access.

1.2 The churchyard is identified as positive open space within the townscape appraisal map and is one of the only areas of green space within the conservation area. The proposed railings are based on historical research which the archive photos demonstrate. The proposal includes new gates to be installed. These will match the reinstated railings. It is proposed that neighbourhood management would lock the gates from dusk until dawn.

2.0 RELEVANT PLANNING HISTORY

- 2.1 97/00617/FUL-Installation of 3 dormer windows at rear – granted – 20/11/97
97/00591/LBC-Re-instatement of 3 no. dormer windows at rear of schoolroom. – granted – 20/11/97
96/00581/FUL-Change of use to restaurant and open area seating and single storey
Extension – granted – 10/03/97
96/00580/LBC-Internal alterations to old schoolroom, single storey extension and railings. - granted – 10/03/97
94/03216/LBC - Reglazing of leaded light windows and provision of wire guards - withdrawn

3.0 PLANNING POLICIES

- 3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework (NPPF) has been published and is also a material consideration.
- 3.2 For the purposes of making decisions, the NPPF sets out that policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the NPPF. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 3.3 The policies within the 1983 Local Plan and existing County Structure Plan remain the statutory adopted policies for the City and policies within the 2002 Local Plan are a material consideration where they are consistent with the NPPF.
- 3.4 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils and published its Submission Document which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration. The weight to be attached to them is limited by the fact that the Plan has not yet been the subject of independent scrutiny and does not have development plan status. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.

3.5 **RELEVANT DEVELOPMENT PLAN POLICIES:**

BE.21 – Safeguarding of amenity

BE.22 – Alterations to and development within the curtilage of listed buildings

BE.29 – Development within Conservation Areas

TR.31 – Road safety

- 3.6 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; Gloucestershire Structure Plan policies – www.gloucestershire.gov.uk/index.cfm?articleid=2112 and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 **CONSULTATIONS**

4.1 *Highways*

St Mary de Crypt is located on the edge of the main shopping centre; there is street lighting and a network of pedestrian routes. The site is adjacent to a Class 4 and Class 3 highway. The proposal will not incur vehicular trips. No objection is raised subject to a condition requiring a construction method statement.

4.2 *Conservation*

St Mary de Crypt is a designated heritage asset, Grade I listed dating from the 12th century and is one of the most significant historical assets in Gloucester. The School room dates from 1539 and is Grade II*, the school was founded by Joan Cooke and later used as a Sunday school founded by Robert Raikes. The Church, school room and associated church yard occupies a prominent location on the corner of Greyfriars Lane and Southgate Street.

- 4.3 The site is located within the City Centre Conservation Area; this was reviewed in September 2007. The updated Conservation Area Appraisal and Management Recommendations were adopted in as interim planning guidance. The church yard is identified as positive open space within the townscape appraisal map and is one of the only areas of green space within the conservation area.

- 4.4 The church yard is in City Council ownership and the proposals to repair and refurbish the current stone boundary wall and reinstate the historic railings in a traditional form are welcomed. The present Heritage Lottery Funded Southgate Street Townscape Heritage Initiative (THI) scheme proposes to enclose the church yard with traditional railings to create a safe and secure environment which also retains public access but this will be managed. It is important that this green space is enhanced, enjoyed and managed for use by the City's residents and visitors to the city, as well as, part of any use which is created through the Discover DeCrypt scheme currently being developed.

- 4.5 It is important that any works are undertaken in a traditional manner and utilise traditional materials, Planning Policy Statement 5 Planning for the Historic Environment Guidance notes state – “...*The fabric will always be an important part of the asset’s significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion, together with the use of appropriate materials and methods of repair...*” Therefore a condition is required to ensure that all of the works are agreed in advance of taking place, this should be in the form of a method statement from the contactor appointed. The contractor should have knowledge and experience of dealing with designated assets and traditional materials.
- 4.6 The proposed railings are based on historical research, which the photograph from Gloucestershire Archives, demonstrates in-situ. The railings will need to be a precise replica of these original railings identified. Further detailed information will be required via condition prior to works commencing.
- 4.7 *Section 66 of the planning (listed Buildings and Conservation Areas) Act 1990 states that development which affects a listed building or its setting, the local authority “shall have special regard to desirability of preserving the building or its setting or any features of special architectural or historic interest it possess”. Section 72 of the Planning (listed Buildings and Conservation Areas) Act 1990 states that where an area is designated as a conservation area “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area”.*
- 4.8 The National Planning Policy Framework (NPPF) paragraph 131 in relation to the historic environment states that in determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.9 The recently published Joint Core Strategy (draft July 2014), has been produced in partnership between Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council, and sets out a planning framework for all three areas. Policy SD9 in the Joint Core Strategy concerns the historic environment –
- *The built, natural and cultural heritage of Gloucester City, Cheltenham town, Tewkesbury town, smaller historic settlements and the wider countryside will continue to be valued and promoted for their important contribution to local identity, quality of life and the economy.*

- *Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment.*
- *Designated and undesignated heritage assets, and their settings, will be conserved and enhanced as appropriate to their significance and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy. Development should aim to sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate.*
- *Proposals that will secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats will be encouraged. Proposals that will bring vacant or derelict heritage assets back into appropriate use will also be encouraged.*

4.10 *English Heritage*

The Church of St Mary de Crypt is a Grade I listed Church in the centre of Gloucester. The Church was first recorded in the C12; however the existing structure mainly dates back to C14 with later alterations visible in the fabric from the C15 and C16. Some earlier fabric appears to have been incorporated into these later works. Extensive restoration works were undertaken on the building in the mid C19 by SW Daukes and JR Hamilton and subsequent restoration works continued into the C20.

4.11 The church sits within a prominent position just off Southgate Street in the centre of the City. Its heritage significance relates to the survival of early fabric, together with the development and alteration of the church alongside that of the city of Gloucester. The church also has historical value through its association with national figures such as Robert Raikes, founder of the Sunday School Movement, who was baptised in the church and George Whitefield, one of the founders of Methodism, who spoke his first sermon from the church pulpit. The communal value of the church is evidenced by the continuing investment in the building, which clearly continues today.

4.12 This application proposes the refurbishment and repair of the existing stone boundary walls and reinstatement/installation of railings to the boundary of the church grounds. The scheme to improve the visual aesthetics of the boundary wall around this important heritage asset is considered positive and will improve the way in which the building and its surrounding area functions.

4.13 While the general principle of reinstatement is considered acceptable,

and indeed positive, the application as submitted is relatively light in detail. We would therefore request further details regarding the construction methods and design of the railings and further details regarding the materials to be used in the reconstruction of the pillar identified in Elevation F-F.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

4.14 *Environmental Health*

No issues to raise and therefore no objection to this application

4.15 *Civic Trust*

The panel fully endorses this project as part of the town heritage scheme which will begin the restoration of the environs of one of the city's finest medieval churches to its appearance 100 years ago. It will improve the appearance of the church from Southgate Street and provide an upgraded access to the redeveloped "Technical College" site.

4.16 *Urban Design*

No objection

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 A Site Notice was erected and a press notice issued and 26 neighbours were notified by letter – 1 letter of objection has been received from Café Rene with the following points –

"We would like to raise an objection to the fencing and lockable gates for the area - we are big supporters of open spaces and can not see any benefit of closing off the area and especially locking it at night time.

The new housing development has left a large area of open space facing onto to the Greyfriars area so it would seem counter productive to then close off this side.

The stonework on the Greyfriars Road is very positive and we are highly supportive of that work especially as it involves the local colleges and improving the existing masonry."

- 5.2 One letter of support has been received from the rector of St. Mary de Crypt with the following points –

It is crucial to enhance this important area of Gloucester. The street needs to be safe, attractive and economically vibrant. Enhancing the locality will give confidence in the area to visitors, tourists and residents. Putting the railings around the churchyard will ensure that a

green-space is maintained within a central urban area. Aware of the increase in visitor numbers to the church since the opening of the linkage scheme. The THI proposals will add to the regeneration of this area.

Details of the application can be viewed online at:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/00044/FUL>

6.0 OFFICER OPINION

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The aim of this application is to improve the visual aesthetics around the churchyard which would protect this green space and in turn enhance the Conservation Area. The suggested works link back to historic photos of the churchyard. With the conditions recommended by the Conservation Officer it is considered that the correct standard of work could be achieved. It is considered that the proposal would enhance the appearance of the Conservation Area and the setting of this listed building.
- 6.3 One objection has been received from the nearby Café Rene with the main concern being the locking of the gates from dusk till dawn thereby preventing access to the churchyard after dusk. The locking of the gates should ensure a safer environment and reduce litter etc from being dropped. It also means the churchyard can be used for school groups during the day as and when necessary. It is therefore considered that this would not be a reason to refuse permission.
- 6.4 It is considered that the proposal enhances the setting of the Listed Building and the appearance of the Conservation Area. It is therefore recommended that the application is granted.

7.0 RECOMMENDATION OF THE DEVELOPMENT CONTROL MANAGER

- 7.1 That permission be granted with the following conditions:

Condition 1

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development hereby permitted shall be carried out in accordance with the application form, drawing numbers 000-01,02, 100-01 D and 100-02 A received by the Local Planning Authority on 9th January 2015 as well as a method statement received 11th February 2015 and any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within Second Deposit City of Gloucester Local Plan (2002).

Condition 3

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. specify the intended hours of construction operations;
- vi. measures to control the emission of dust and dirt during construction

Reason

To reduce the potential impact on the public highway in accordance with policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 4

No development shall take place until details or samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials do harm the setting of the listed building or the character of the Conservation Area in accordance with policies BE.22 and BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 5

Notwithstanding the approved drawings, details of the following shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works. The development shall be carried out in accordance with the approved details:-

- (a) Design of the railings from specialist contractor appointed
- (b) Further details regarding the materials to be used in the reconstruction of the pillar identified in Elevation F-F.

Reason

To safeguard the character and appearance of this building of architectural and historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

A method statement shall be submitted to and agreed in writing by the Local Planning Authority before construction commences. This shall include the proposed materials, details on the installation of the new railings and the mix of lime mortar.

Reason

To safeguard the character and appearance of this building of architectural and historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

National Planning Policy Framework Compliance

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucester City Council Building Control Team on 01452 396771 for further information.

Decision:

Notes:

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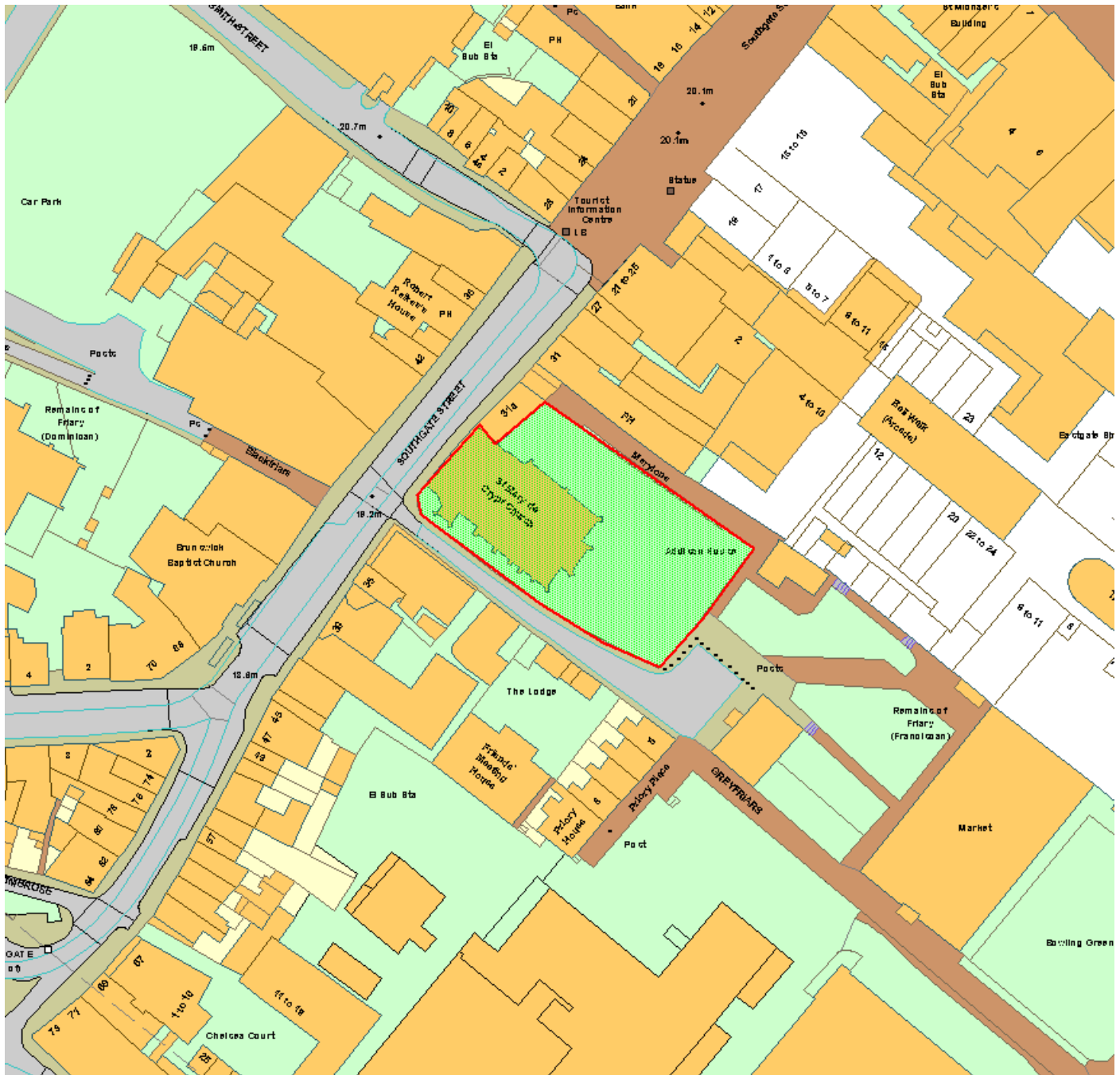
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Person to contact: Fiona Ristic
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15/00044/FUL

St Mary De Crypt Church
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Planning Committee 07.04.2015



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