

Application Number 07/2016/0471/FUL

Address St Leonards Church Of England Church
Church Brow
Walton-Le-Dale
PR5 4BB

Applicant South Ribble Borough Council

Development Reconstruction of existing churchyard path, steps and ancillary works to existing churchyard

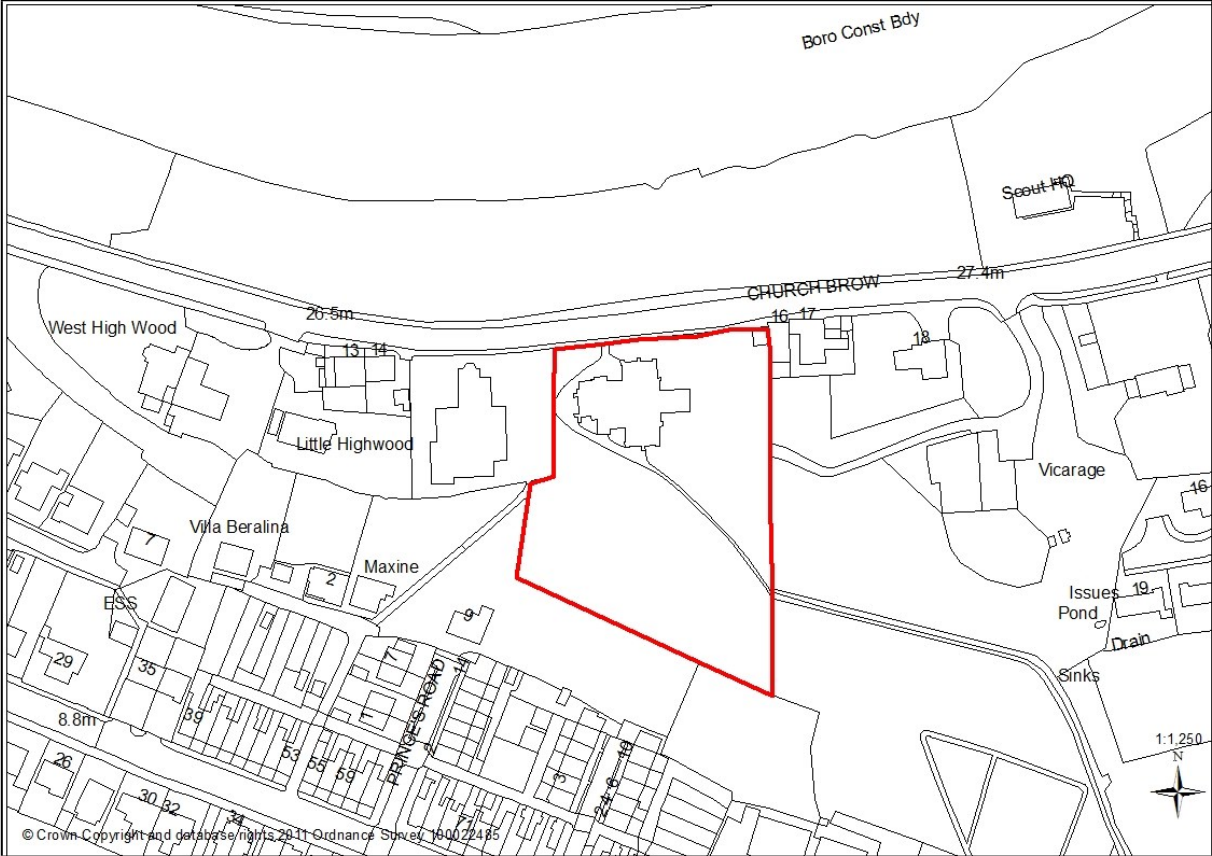
Officer Recommendation **Approval with Conditions**

Date application valid 17.06.2016

Target Determination Date 12.08.2016
Extension of Time

Location Map

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1. Introduction

1.1. This application is presented to Committee because the proposal forms a project put forward by the Council's Neighbourhoods Team.

2. Report Summary

2.1. This application relates to the church/graveyard of St Leonards Church; a Grade II* listed building located on Church Brow, Walton le Dale. Paved areas extend from the northern entrance, around to the west door, skirting the church in a south-easterly direction to the edge of the site. As a closed churchyard, the outside space is the responsibility of South Ribble Borough Council, who seek permission to restore and refurbish the churchyard; thus ensuring its safe use. Proposed changes are appropriate in both material and design, will sit well within the context of both protected structures but useable public space and accord well to adopted national and local policy. It is recommended therefore that planning permission is granted subject to imposition of conditions.

3. Application Site and Surrounding Area

3.1. St Leonards Church is a Grade II* listed church, located on Church Brown, Walton le Dale (c. 1162), and within the Church Brow Conservation Area. To the east, south and in a small area in the west is the grave yard which is now closed (see below). In the west is also a small car park, and within the graveyard itself are two structures listed in their own right; a sundial – the base of which sit 8m to the south of the church (Grade II), and a Grade II watchtower located in the north-eastern corner of the site adjacent to Church Brow (c 1835). Paved areas extend from the northern entrance, around to the west door, skirting the sundial in a south-easterly direction to the edge of the site.

3.2. *Background Information:* ‘Closed’ churchyards and ‘disused’ burial grounds are those belonging, but not necessarily physically attached to a parish or cathedral church of the Church of England, which have been closed by order of the Privy Council; these are no longer used or intended to be used for burial purposes. Once closed, the Local Government Act 1972 passes responsibility for maintenance to the Parish Council who may within prescribed timescales pass this responsibility onto the District Council. The District Council from that time onwards (reversion is not possible) must *‘maintain paths which cross a churchyard up to the standard of decent order, ... as well as cultivated and uncultivated areas, memorials to ensure that they do not topple over, walls fences and gates, trees and the general health and safety of those working or visiting the churchyard’*. In addition access to the area must be clearly maintained. The responsibility for St Leonard’s churchyard now lies with South Ribble Borough Council.

4. Site History

4.1. There are three applications on the Borough Council’s planning history of this site:

- 07/2000/0219 – Listed building consent for formation of new entrance. Approved May 2000
- 07/2003/0704 - Alterations to existing pedestrian entrance to form steps. Platform lift and new guard fence. Approved September 2003
- 07/2005/0389 - Formation of disabled access together with handrails and railings. Approved July 2005

5. Proposal

5.1. The application proposes restoration of pathways and other external areas in accordance with the Council’s responsibility as guardian of the graveyard, and following deterioration and subsidence of the same. This includes:

- 5.1.1. Replacement of existing tarmac, rough stone and concrete flagged pathways with ‘Amber Gold’ aggregate, resin bond gravel – similar to that successfully used to

repave Worden Park. The ramped access to the western side would also be resurfaced in the same material.

- 5.1.2. Reinstate or replace to the minimum necessary sandstone edging kerbstones
- 5.1.3. Small areas of edging to be installed on the northern side where currently there are none
- 5.1.4. Uneven grave stones to be lifted and re-laid level to reduce steep drop at the edge of the path (south east corner). Protection of other grave stones and the sundial base will be undertaken in line with standard conservation practices
- 5.1.5. Grave stones abutting the southern side of the church to be re-laid to suit surrounding ground levels – 2 small stoned areas would be grassed to aid future maintenance.
- 5.1.6. Sandstone flags to northern side to be re-laid using lime mortar
- 5.1.7. Stepped entrance (western side) to be rebuilt to current dimensions, replacing concrete kerbs with similar but in stone, and minor works to reset stone pillars into their original location.

Note: this application is for planning permission only. Under normal circumstances, Listed Building Consent would also be required, but listed churches of certain denominations are exempt from this requirement which is instead regulated by the Church of England Diocese (a 'faculty').

6. Representations

6.1. Summary of Publicity

- 6.1.1. A site notice and newspaper advertisement have been posted and sixteen neighbouring properties consulted.

6.2. Letters of objection or support

- 6.2.1. None received

6.3. Town/Parish Council Response

- 6.3.1. None received

7. Summary of Responses

- 7.1. **Historic England (formerly English Heritage)** have no objection

8. Material Considerations

8.1. Policy Background

- 8.1.1. The site is designated under Local Plan Policy G7 as Green Infrastructure, but is also a designated heritage asset from two perspectives; its location within Church Brow Conservation Area, and as a Grade II* listed property in its own right.

8.1.2. *Site allocation* - Local Plan Policy G7 (Green Infrastructure) allows development within these areas where alternative provisions are similar or better in nature, and where change will not detrimentally affect the amenity value of the site. This scheme proposes restoration of the churchyard; fully supporting policy objectives of a sustainable future.

8.1.3. *Heritage Asset Protection* - in addition, Core Strategy Policy 16 (Heritage Assets) and Local Plan Policy G17 (Design) promote developments which are appropriate in design, which fit in with, and enhance the character and setting of a heritage asset, yet which also offer positive benefits to users of the facility. This is echoed by the National Planning Policy Framework (NPPF) which states that '*Local Planning Authorities should take into account the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring*' (Para 126). Proposed development would not appear to detrimentally alter the character of the churchyard, but will enable its full and continued use. Materials used are subtle in visual appearance but substantial in terms of longevity and heavy duty use. Final development is expected to be sensitively undertaken whilst retaining elements of that which we aim to preserve.

8.2. Relationship to Neighbours

8.2.1. This area is already in full public use, and although there are residential properties within 50m of proposed development, it is not anticipated that these will be affected.

8.3. Highways & Parking

8.3.1. Access to pathways approaching the car park would be upgraded, but impact as a result of development upon either parking or highways safety is not anticipated.

9. CONCLUSION

9.1. The ageing state and closed nature of the churchyard is such that inevitably it has deteriorated. As a consequence, some restoration work is necessary, and following transfer of responsibility to the Borough Council, a scheme to upgrade the facility to full and safe use is presented for determination. This is the minimum necessary to preserve the existing asset, whilst allowing its optimal viable use in line with the NPPF, and Historic England requirements.

9.2. Proposed changes are appropriate in both material and design, will sit well within the context of both protected structures but useable public space and accord well to adopted national and local policy. It is recommended therefore that planning permission is granted subject to imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the Decision Notice.
REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the approved plans Dwg STLCY2016/05-001 and Heritage, Design & Access Statement (South Ribble: June 2016).
REASON: For the avoidance of doubt and to ensure a satisfactory standard of

development.

3. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around the sundial remains to the south of the church in line with proposals detailed in the approved Heritage, Design & Access Statement (South Ribble: June 2016). Within this fenced area no storage of materials or plant, may take place. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.

REASON: To prevent damage to the Grade II listed sundial in accordance with Core Strategy Policy 16 and Policy G17 in the South Ribble Local Plan 2012-2026

RELEVANT POLICY

NPPF National Planning Policy Framework 16

Heritage Assets (Core Strategy Policy)

POLG7 Green Infrastructure Existing Provision

POLG17 Design Criteria for New Development

Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £97. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk