Dear Kathryn,

I’m writing to you about the planning decision concerning the repair of the boundary wall at St Andrew’s Church, Kirkby Malzeard.

The wall is alongside the Highway. It is 4m above ground level at its highest point and is the boundary wall for the church yard, which is roughly 3m above ground level. 10 m of the wall has collapsed but 30m of remaining wall is considered by the consultant engineers as ‘vulnerable to sudden collapse’. This is a problem because the vulnerable part of the wall is alongside a highway, opposite the main Primary School entrance, and below the Church tower, which is only 2 meters away from the edge of the wall, positioned on ground that is approximately 3m above the road that is enclosed by the vulnerable wall. A collapse could be extremely dangerous because of the wall’s height and the amount of church yard, and church, sitting behind it, high above the road.

I am sure you are aware that this issue has been causing a lot of consternation in our village. Firstly, we are concerned about the length of time the road has been closed and the consequent impact on diverting large farm vehicles along a very narrow road and onto the Main Street. Secondly, we are alarmed that the 30 m of wall that is ‘vulnerable to collapse’ (Mason Clark Heritage Statement, 26th February 2021) is now not going to be restrained and therefore presents a danger to people who use the adjoining highway and the main entrance of the Primary School, which is directly opposite the vulnerable part of the wall.

We support plans to rebuild the 10m of collapsed wall, but we are concerned that plans to restrain the additional 30 m of vulnerable wall have been shelved in favour of monitoring that part for evidence of movement. We understand this decision was made in order to provide evidence to Historic England that visible restraints are necessary, in the mistaken assumption that Historic England’s advisory comments were official ‘objections’ to the plan. We understand the decision to monitor rather than restrain is against the advice of the structural engineers. We consider this could lead to further road closures in the near future and also that it creates a potential danger to those using the highway and the primary school entrance.

We are concerned that the Planning Officers have not appreciated that the potential danger to residents and people using the highway comes from the risk of the wall collapsing. The Planning Committee Minutes (October 2020) state:

“3.11 Highway Safety

3.12 The boundary wall has suffered a collapse following a road traffic incident leading to the closure of the highway to vehicles.

3.13 Concerns have been expressed due to the overall stability of the remaining wall and thus the road is liable to remain closed until this matter is addressed due to highway safety concerns.

3.14 The proposed rebuilding and stabilisation works will enable the road to be reopened and remove a potential risk to public safety.”

This shows clearly that safety concerns arise from the vulnerability of the remaining wall.

 The Planning Officer’s Report in February 2021 states:

2. Highway Safety

The boundary wall has suffered a collapse leading to the closure of the highway to vehicles.

The proposed rebuilding works will enable the road to be reopened and remove a potential

risk to public safety."

This implies that removing the debris will remove the risk to public safety - but this is wrong.

The risk to public safety will remain because 30m of vulnerable wall will remain unrestrained along the Highway.

I am now writing to ask if you could help us respond to these questions which have been posed by residents and by the Parish Council:

1. Now that the misunderstanding over the status of Historic England’s comments has been cleared up, why is HBC not reverting to the original plan, considered by the Planning Committee in October last year, to restrain the vulnerable part of the wall?

2. Has the council taken advice from the structural engineers about monitoring the wall? Is the Council confident that monitoring the wall will offer sufficient warning to avoid a sudden collapse?

3. In what form will monitoring be done, how regularly and for how long?

4. What is the cost of temporary supports to the vulnerable part of the wall that will be temporarily supported during works to rebuild the collapsed section (cost of works and plan design)?

5. Could you reassure us that you have looked into the Minutes of the Planning Committee on 27th October 2020 and the Planning Officer’s Report in February 2021, and that you are confident the proper process has been followed?

6. Is there any possibility that the Council could revert to the plan considered by the Planning Committee in October last year, and repair and restrain the wall?

Our notes on the decisions made in this process are posted on our community website here:

<http://www.kirkbymalzeardarea.org.uk/MAP.aspx?pid=GNewsEvents_en-GB&aid=ny_326467707_290367434>

You may have also seen the Stray Ferret article, here: <https://thestrayferret.co.uk/mothers-safety-fears-over-wall-near-kirkby-malzeard-school/>

Unless you request otherwise, this letter and your reply will also be added to the correspondence on our community website, so that we can ensure the residents are kept informed of any developments.

Best wishes,

Jane Aksut

Kirkby Malzeard, Laverton and Dallowgill Parish Council