

| Name of Applicant Type of Certificate | Proposal | Map/Plan Policy | Plan Ref. Expiry Date |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------|
| Mr. S. Dudley 'A' | Amendment to application 11/0266 to include demolition of half brick gable wall for reconstruction to Wharf Cottage, Alcester Road, Tardebigge, Bromsgrove, B60 1NF | GB CA LB2 LPA | 11/0709-SG 05.10.2011 |

RECOMMENDATION: that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the expiration of the publicity period on **16th September 2011**.

In the event that further representations are received, **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services in consultation with the Chairman of Planning Committee to assess whether new material considerations have been raised and to issue a decision after the expiry of the statutory publicity period accordingly.

Consultations

| | |
|-----------------------|-------------------------------------------------------------------|
| WH | 16.08.2011 expire 30.08.2011 - no comments received to date |
| Tutnall and Cobley PC | 16.08.2011 expire 06.09.2011 - no comments received to date |
| EHM | 16.08.2011 expire 30.08.2011 - no comments received to date |
| SPM | 16.08.2011 expire 30.08.2011 - no comments received to date |
| TO | 16.08.2011 expire 30.08.2011 - no comments received to date |
| CO | 16.08.2011 expire 30.08.2011 - no objection subject to conditions |
| ENG | 16.08.2011 expire 30.08.2011 - no comments received to date |
| BW | 16.08.2011 expire 06.09.2011 - no comments received to date |
| WWT | 16.08.2011 expire 06.09.2011 - no comments received to date |

Publicity: Neighbour notification
2 letters sent 16.08.2011 & 26.08.2011 expires 06.09.2011 & 16.09.2011
Site notice posted 24.08.2011 expire 14.09.2011
Press notice 25.08.2011 expire 15.09.2011

1 comment received - please note that the majority of the gable wall has already been demolished, I believe by the contractor using a mechanical digger.

The site and its surroundings

This application relates to Wharf Cottage and Warehouse which are Grade II Listed. Wharf Cottage and Warehouse are located within New Wharf which consists of a hamlet of cottages and wharf buildings. The site is located north of the Worcester and

Birmingham Canal in Tardebigge. The site is access via a communal driveway off Alcester Road which is shared by the other cottages and wharf buildings in the complex.

Wharf Cottage and Warehouse are officially listed as "Workshops 75m SW of Tardebigge Tunnel". The building dates back to the early 19th century with some mid 19th century alterations. The building is made of sandstone ashlar with low-pitches slate roof. The south gable end to the canal has moulded stone cornice, stone coped verge above, a central vertical opening which was formally the loft door and is now blocked over with a 3 light casement. A 20th century lean-to was added to the west side of the building which is not of any special architectural interest. A small cottage and privy were added to the north-northwest elevation of the warehouse before 1876.

The warehouse has remained largely redundant for commercial use for almost 60 years. At present, Wharf Cottage and Warehouse are empty and appear in need for a renovation.

Proposal

Members will note that application 11/0266 was approved on 21st July 2011 for the extension and restoration of the existing 2 bed cottage and conversion of the Warehouse into two 3 bed dwellings with hard and soft landscaping and integrated car parking. The previous approval included a 1st floor extension to the rear of the cottage and a new roof.

When the applicant attempted to implement the permission granted, by virtue of removing the defective render on the gable end wall of the cottage, the wall became unstable and was permitted for removal by the Conservation Officer for safety reasons. This application is seeking the reconstruction of this gable wall and represents an amendment to the 11/0266 consent.

Relevant Policies

WMSS QE1, QE5, QE6
WCSP SD.2, CTC.1, CTC.19, CTC.20, CTC.21, D.38, D.39
BDLP DS2, DS13, C27, C10A, S35A, S36, S39, TR11, ES5, C1, C4,
TARD1
DCS2 CP3, CP16, CP17, CP20
Others PPS1, PPG2, PPS5, PPS7, PPS9, Circular 06/2005, SPG1, SPG4

Relevant Planning History

11/0266 Refurbishment and extension of Wharf Cottage and Conversion of Warehouse into 2 dwellings with removal of modern lean-to and internal staircase (as amended by plans received 19.04.2011, 17.05.2011, 25.05.2011, 01.07.2011. As augmented by plan received 17.05.2011, Structural Report and calculations received 26.04.2011, Bat Survey and Mitigation Strategy received 06.04.2011, Bat Emergence Survey received 10.05.2011, Third Bat Survey received 12.07.2011, external material samples received April and May 2011, email received 03.06.2011 and letter received 23.06.2011 (drainage details)). Granted 21.07.2011

11/0268 LBC. Refurbishment and extension of Wharf Cottage & Conversion of Warehouse into 2 dwellings with removal of modern lean-to and internal staircase (As amended by plans received 19.04.2011, 17.05.2011 and 25.05.2011. As augmented by plans received 19.04.2011, 17.05.2011, 27.05.2011 and 27.06.2011, external material samples received April and May 2011, Photographic Record dated 26.05.2011, Structural Report and calculations received 26.04.2011, Nullifire Fire Protection Document and Primers & Top Seals Document and email received 27.05.2011, email received 23.06.2011 (timber treatment)). Granted 21.07.2011.

Notes

The main issues in the consideration of this application are whether the reconstruction of the gable wall is appropriate development in the Green Belt and whether it would constitute major works. Consideration must also be given to the impact of the new wall on the special interest of the Listed Building.

The principle of the development was established in the previous approval (11/0266) and the proposal was considered acceptable in terms of residential amenity, highways, landscaping, design, ecological matters and its impact on the Listed Building and Tardebigge Conservation Area.

Green Belt issues

Policy DS2 of the Bromsgrove District Local Plan 2004 is in general accordance with the provisions of PPG2: Green Belts in setting out the instances where development may be considered appropriate in the Green Belt. One such instance is proposals for the re-use of rural buildings in accordance with Policy C27. Policy C27 sets out a number of criteria against which proposals for the re-use of rural buildings are assessed. Criterion a states that proposals must not have a materially greater impact than the present use on the openness of the Green belt and the purposes of including land in it. Criterion b states that extensions to any re-used rural building and associated land surrounding the building will be strictly controlled, where this would conflict with the openness of the Green Belt and the purposes of including land in it.

Under the previous approval (11/0266), conversion of the warehouse and cottage included a small first floor extension to the cottage to create an additional 9.3m² of floor space. Demolition of the lean-to extension to the front of the warehouse (with an area of 44.6m²) was accepted under the previous approval to compensate for the first floor addition to the cottage.

The proposed replacement gable wall will be built on exactly the same footprint as the wall which has been removed. However the replacement wall will use blockwork that is thicker than the previous single skin gable end wall to the cottage. In spite of this, the replacement wall will not create any addition floor space to the cottage since the wider blockwork will be built inwards thereby making the internal floorspace smaller than that previously approved.

Criterion C of Policy C27 requires rural buildings for conversion to be of a permanent and substantial construction and capable of conversion without major works or complete

reconstruction. Policy D.16 of the WCSP has a similar requirement. The previous approval allowed for the rear wall of the cottage to be removed to facilitate a first floor extension and a new roof to the cottage. No rebuilding works were required to the principle warehouse which is substantially larger than the adjoining cottage.

The works required in this application include the reconstruction of the end gable wall to the cottage following its demolition for safety purposes. As a result of these works, taken together with those previously approved under 11/0266; the gable end, rear wall and roof of the cottage will need to be re-built to allow for the re-use of the cottage. However; having regard to the wider scheme which includes re-use of the larger warehouse, to which no part of the warehouse requires reconstruction. On balance I do not consider the reconstruction of the gable end wall, together with the previously approved structural works would amount to major structural works or complete reconstruction. I therefore consider the proposal accords with criterion c of Policy C27.

For the reasons above, I consider the proposal constitutes appropriate development in the Green Belt. I do not consider the new use of the building would have any greater harm on the openness of the Green Belt than its present redundant use.

Listed Building

The building has individual special interest as a surviving early industrial building that contributes to the character of the wider Canal Conservation Area. Under the approved LBC (11/0268), it was considered that the active use of the building would benefit the Listed Building since the structural works would deal with extant issues of structural movement and decaying fabric. Removal of the unattractive lean-to extension to the front of the warehouse was also considered to be advantageous because it would improve the appearance of the building. Retention of the historic brick privy was also welcomed.

Methods statements were received by the applicant with regard to the removal of the existing render and its replacement; for the repair to the crack between the gable wall and rear wall; and for the removal of the ivy and associated chemical treatment. These methods statements were considered acceptable for the provision of sympathetic repairs that would not harm the special interest of the building.

On this matter, works were started to remove the defective render from the end gable wall of the Cottage. During this process the wall was found to be of ½ brick thickness with no solid foundations and as such the bricks were friable and loose to the extent that they could be easily removed by hand.

Under section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is an offense to execute any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised. As such, Under Section 9 (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the applicant needed to serve a notice on the Local Planning Authority, to justify in detail why the works are being or were carried out, and in particular needed to explain:

- 1 that they were urgently necessary in the interests of safety or health or for the preservation of the building;

- 2 that the same result could not be achieved by repair works or temporary support or shelter; and
- 3 that the works were limited to the minimum measures immediately necessary.

Following receipt of this notice and a site visit from the Conservation Officer on 4th August, the gable wall was confirmed to be in a dangerous condition with a view to being taken down as soon as possible. As such, the Conservation Officer considered demolition of the gable end wall to be urgently necessary and does not raised any objections to its reconstruction.

Subject to planning conditions; I consider the structural works required for the conversion scheme can be carried out without any impact on the special architectural or historic interest of the buildings.

Conclusion

Re-use of the building is considered acceptable in terms of impact on the Green Belt and reconstruction of the gable wall is not considered to be major works or complete reconstruction. Demolition of the wall was considered urgently necessary and re-use of the Wharf Buildings would benefit the Listed Building.

As per he previous approval, the re-use of the buildings involves sympathetic alterations and an extension that would maintain the historic interest of the buildings, and enhance the character and appearance of the Conservation Area. Re-use of the building is considered acceptable in terms of impact on the Green Belt, and mitigation measures will be provided to compensate for the reduction in available bat roosting sites. I therefore find the proposed development to be acceptable in accordance with Policies DS2, C27, C10A, S35A and S39 of the BDLP, Policy D.16, CTC.20, CTC.21 of the WCSP, PPG2, PPS5, SPG4, PPS9 and Circular 06/2005.

RECOMMENDATION: that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the expiration of the publicity period on **16th September 2011**.

In the event that further representations are received, **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services in consultation with the Chairman of Planning Committee to assess whether new material considerations have been raised and to issue a decision after the expiry of the statutory publicity period accordingly.