

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Hinton Properties (Midlands) Limited	Demolition of George House George House, Worcester Road, Bromsgrove	29.04.2016	15/1064

RECOMMENDATION: that planning permission be **GRANTED**

Consultations

Worcestershire Highways

Consulted – views received 6 January 2016:

- No objection

North Worcestershire Water Management

Consulted – views received 27 January 2016:

- No objection subject to informative relating to the need to comply with PPG5 pollution prevention guideline for works in/near a watercourse

Conservation Officer

Consulted – final views received 24 February 2016:

- No objection to loss of George House, although it does occupy a prominent site within the High Street, terminating views
- I note that there is now a proposed replacement scheme for this site
- In line with Policy S37, I would expect the applicant to enter into a legal agreement imposing that demolition shall not take place until a contract for the carrying out of works for redevelopment has been made and planning permission for those works has been granted.

Worcestershire Archive and Archaeological Service

Consulted – views received 5 January 2016:

- The demolition works are unlikely to result in significant damage or destruction of any underlying archaeological remains

Worcester Regulatory Services: Noise/Dust

Consulted – views received 21 December 2015:

- No objection
 - The applicant should refer their contractor to the WRS Demolition and Construction Guidance in order to minimise any nuisance from the proposed demolition
 - Any deviation from this guidance should be submitted for approval prior to any works commencing.

Parks and Green Space Development Officer

Consulted – views received 22 December 2015:

- No objection

- It is important that polluted water run-off does not enter the local water courses during demolition. Best practice - Environment Agency Pollution Prevention Guidelines should be utilised to protect downstream Water Vole and other populations.
- A Construction Environment Management Plan (CEMP) will be appropriate in this case to ensure the development of the site does not impact existing local populations.
- To ensure that the demolition of the property does not impact the stream corridor, I endorse the comments made within paragraph 4.5 of the submitted ecological appraisal and require that the demolition and material recycling/disposal plans take full account of the issues elaborated within the appraisal before approval.

Worcestershire County Council Countryside Service

Consulted – views received 23 December 2015:

- No objection
 - Public footpath BM-584 runs immediately to the rear (north-west), I note that the developer has indicated that they intend to seek a temporary closure of this path during the actual demolition phase.

Ramblers Association

Consulted 21 December 2015: views awaited

Relevant Policies

Bromsgrove District Plan

DS13: Sustainable development

ES1: Protection of natural watercourse systems

ES2: Restrictions on development where risk of flooding

ES7: Sites suspected of contamination

RAT12: Support for public rights of way

S35a: Development in Conservation Areas

S37: Demolition in Conservation Areas

Emerging Bromsgrove District Plan

BDP1: Sustainable development principles

BDP12: Sustainable communities

BDP17: Town Centre regeneration

BDP20: Managing the historic environment

BDP21: Natural environment

BDP23: Water management

National Planning Policy Framework

Section 2: Ensuring the vitality of town centres

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Relevant Planning History

15/0994 Erection of a food store (Use Class A1) with associated parking and landscaping works (Phase 1):
Pending

16/0152 Demolition of George House and erection of a retail led mixed use development comprising 2 no. A1 retail units and 1 no. A3/A5 unit (Phase 2):
Pending

Assessment of Proposal

Site Description

George House is located on the corner of Worcester Road and St John Street. The vacant three-storey circa. 1950 office building with a ground floor retail space is located in the designated Town Centre Conservation Area and the Town Centre Zone and a Primary Shopping Street. The building is clearly visible from vantage points on St John Street, Worcester Road and long distance views from the High Street to the north.

Proposal

Given the building is located in the designated Conservation Area, planning permission is required for demolition. The scheme relates to the complete demolition of the building. The proposals has been accompanied by a Method Statement giving details of the proposed works pre-demolition and post-demolition, in addition to the actual demolition method to be employed.

Main Issues

George House occupies a key location in Bromsgrove Town Centre and the designated Town Centre Conservation Area. The main consideration is the resultant impact character and appearance of the Conservation Area and the method of demolition.

Impact on the Town Centre Conservation Area

Paragraph 138 of the NPPF explains that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134 as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. The Conservation Officer is of the view that the proposal to demolish George House should be treated as less than substantial harm and therefore be assessed against paragraph 134 of NPPF and not paragraph 133. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Paragraph 136 states that LPAs should not permit the loss of whole or part of a heritage asset without taking all reasonable steps to ensure new development will proceed after loss has occurred. Paragraph 137 goes on to state that LPAs should look to opportunities for new development within the conservation areas and within setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of

the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Members will note the views of the Conservation Officer and the wording of Policy S37 of the Local Plan. Members will note that the concern of the Conservation Officer arises from the requirement for a replacement scheme and not because either the building contributes positively to the character or appearance of the Conservation Area or that an inappropriate gap would be created.

Members should note that a full planning application for Phase Two of the redevelopment of the Market Hall site (which includes the site of George House) has now been submitted and is currently under consideration (planning application 16/0152). Furthermore, Policy BDP17 of the emerging District Plan contains a detailed draft policy which directs how the market hall site should be developed as part of the regeneration proposals for the Town Centre. The first part of this policy contains the overarching strategy for the Town Centre containing specific requirements for urban design and conservation in the Town Centre. This policy is to ensure that all new development is high quality and reflects the historic nature of many parts of the Town Centre. Specific attention should be focussed on paragraph BDP17.8 TC1 Historic Market Site. This element of the policy details the specific proposals required for the redevelopment of the market hall site. This policy identifies the *scale of development to preserve or enhance the surrounding Conservation Area with protection of notable views including the view to St Johns Church* and also identifies that *design proposals for the north eastern portion of the site (George House) must reflect both its prominence as the termination of the High Street and also as the gateway into the historic market site*. There are also other detailed clauses in this policy which determine the type of development that will be acceptable. This policy has progressed through the examination process of the Bromsgrove District Plan unchallenged and as a result weight can be afforded to it. Therefore on both accounts, as there is a comprehensive plan proposed for the site, the demolition of George House can be justified.

I note the request from the Conservation Officer for a legal mechanism to not permit the demolition of George House until the redevelopment proposals of the site have gained planning approval (as advocated by Policy S37 of the Local Plan). Members will be aware that the Local Plan was adopted in 2004 and does not include the significant regeneration proposals for the Town Centre which are currently being pursued by the District Council. It also pre-dates the publication of the NPPF that references the need to ensure development responds to proactively support economic growth. Whilst I accept that Policy S37 of the Local Plan is not necessarily out of date when compared to the NPPF as the protection of historic assets is a strong element of national policy, there are other elements of the national framework which are designed to bring forward development quickly, including development in Town Centres. The public benefit arising from the removal of George House relates to the importance of the market hall site as a key element in making sure that there are enough sites within the Town Centre. It is important these developments are able to proceed without unnecessary delay to ensure that Bromsgrove Town Centre can continue to develop and strengthen its place in the retail hierarchy of the region. In this respect, I consider there are material planning considerations that should allow the demolition of George House to occur without the attachment of a legal agreement. I am confident this would still permit the timely regeneration of this very important Town Centre development site.

Conclusions

The demolition of George House is considered to be appropriate subject to conditions detailing the demolition process. This will ensure that no harm will result to the character and appearance of the designated Conservation Area and will not unduly impact on the setting of identified Listed Buildings in the vicinity of the application site. The demolition will also not impinge on residential amenity.

The submitted Ecological Survey confirms no bat roosts or bat activity are present in the building. The requested Construction Management Plan and the informatives will serve to protect the adjacent watercourse, including any protected species and their habitat.

I therefore recommend approval of the scheme.

RECOMMENDATION: that planning permission be **GRANTED**

1. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.
Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The works shall be undertaken in strict accordance with the approved Demolition Method Statement (December 2015)
Reason: To protect the character of the Conservation Area in accordance with Policy S37 of the Bromsgrove District Local Plan
3. No development shall take place within each site until there has been submitted to and approved in writing by the Local Planning Authority a Construction Environment Management Plan. The Plan shall include (a) proposals to minimise dust from demolition (b) demolition noise suppression, (c) programme of works (including measures for traffic management and operating hours), (d) provision of boundary hoarding and lighting and (e) a pollution prevention plan that details appropriate pollution control equipment to prevent chemical spillage into the brook course (to include the installation of a surface run off drainage gully and a petrol interceptor to prevent spillages entering the brook as well as emergency oil absorbent booms to contain and absorb hydrocarbon spills into the brook should this occur). The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of adjacent occupiers

Informatives

Demolition Guidance Compliance

The applicant is reminded of the need to comply with the guidance set out in PPG5 Pollution Prevention Guidelines.

Regard shall be paid to the Worcestershire Regulatory Services Demolition and Construction Guidance in order to minimise any nuisance from the proposed demolition.

Public Right of Way

The temporary stopping up, permanent stopping up or diversion of footpath 584(A) under the Town and Country Planning Act should be completed to confirmation stage before any development affecting the public right of way is commenced. If the development cannot be carried out without temporarily closing the public right of way for the safety of the public during works, an application should be made at least six weeks in advance to the Worcestershire County Council Countryside Service Access Team

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