

Agenda Item 14

PL/2015/51466/LBC
Warwick Court 6 The Square

Proposal:	Demolition of rear extension, construction of new plant room extension and associated internal and external works to facilitate the interface of the Touchwood extension structure and fabric.
Case Ref:	PL/2015/51466/LBC
Location	Warwick Court 6 The Square Solihull B91 3RB
Ward:	St Alphege
Parish:	Non-Civil Parish Or Community
Applicant:	Lend Lease Retail Partnership
Date Registered:	06.07.2015
Case Officer:	Julia Sykes

Reason for Referral to Planning Committee:	Application relates to Council owned land or property and there has been at least one objection on land use planning grounds
---	---

Recommendation:	APPROVAL
------------------------	-----------------

PROPOSAL

This application seeks Listed Building consent for the demolition of a 1980s-built rear extension to the rear of the Grade II Listed Building, construction of a new plant room extension, and internal and external works to the primary fabric to facilitate the above. The internal layout is to remain as existing. This demolition is associated with the extension of Touchwood under planning application PL/2015/51464/MAJFOT.

As well as the planning application above, two further Listed Building applications are to be considered under PL/2015/51465/LBC (136 – 144 High Street) and PL/2015/51467/LBC (158 High Street). These applications are reported elsewhere on the agenda.

The building to be demolished at 6 The Square is around 21 metres deep and between 7.0 and 8.2 metres in height. This compares to 9.6 metres high at the principal roof ridge of the historic building facing The Square. The widths of the two bays of 7.9 and 5.6 metres and their lengths of about 12 metres illustrate the significant scale of the current additional block.

CONSULTATION RESPONSES

Historic England	No objection subject to conditions to secure details for repairs and materials plus a Method Statement
SMBC Conservation Planner	No objection subject to conditions

REPRESENTATIONS

40 objections have been received (although most refer only to impacts of the planning application to extend Touchwood and not to listed building consent issues), plus a petition containing 54 signatures to the application, in summary, on the following grounds:-

- Demolition of building will destroy long term business earnings and investments.
- Older buildings and their heritage can never be replaced.
- The top of High Street and The Square is the last remaining unspoilt part of the town.
- Exposed parts of listed building to be supported and protected against inclement weather during and after deliberations. Monitoring for movement or consequential damage as a result of demolition and construction.

POLICY

National Planning Policy Framework (2012)

The NPPF advises that there is presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that

reflect the community's needs and support its health, social and cultural well-being; and

● **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF also carries forward the thrust of Government guidance in the Ministerial statement “Planning for Growth” by attributing significant weight in the need to support economic growth through the planning system. The following sections are relevant to this application:

12. Conserving and enhancing the historic environment

Planning Practice Guidance (2014)

The advice contained within the Government's Planning Practice Guidance, issued on 6 March 2014, has been taken into account in reaching a decision.

Solihull Local Plan (2013)

P15 – Securing Design Quality

P16 – Conservation of Heritage Assets and Local Distinctiveness

Guidance from Historic England (2015)

The advice contained within the guidance issued by the adviser on historic environment matters to the Government has been taken into account together with their direct responses to consultation. This advice includes Good Practice Note (GPN) 2 ‘Managing Significance in Decision Taking’, and GPN 3 ‘The Setting of Heritage Assets’.

PLANNING HISTORY

Two storey additions approved later 1977

SITE DESCRIPTION

The building is an important component of the conservation area and of the setting of numerous other designated heritage assets (listed buildings) and undesignated heritage assets (positive buildings within the conservation area). Its significance lies in its survival as an imposing and important town house in a prime location on The Square, at the civic heart of the town and opposite the church of St. Alphege (listed grade 1).

The National Heritage List description follows:

C16 or C17, much rebuilt C18. Red brick, some timber framework, tiled roof. 2 storeys sash windows. Gable on left. Doorway has Doric pilasters, entablature, cornice hood. Numbers 2 to 6 (even) and No 158 Solihull High Street form a group.

The group value includes 158 High Street described in the LBC application report under PL/2015/51467/LBC.

MAIN ISSUES

- Policy Considerations
- Impact of the proposed demolition of the rear extension to 6 The Square (Warwick Court) and works to make good fabric upon the significance of the designated heritage assets
- Impact of the proposed addition to form a plant room upon the significance of the designated heritage assets

APPRAISAL

Policy Considerations

When making a decision on all listed building consent applications a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings. A 2014 Court of Appeal decision *Barnwell Manor Wind Energy Ltd* made it clear that in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1) Parliament's intention was that 'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings' when carrying out the balancing exercise'.

The NPPF, Planning Practice Guidance and guidance from Historic England all emphasize that decisions in relation to heritage assets must be taken on a fully informed basis. It is essential to establish the significance of heritage assets directly affected by proposed works or whose setting would be affected by them and explain this together with the impact of proposals upon it. This is to ensure a decision making process that is 'demonstrably compliant with legislation, national policies and objectives' (Historic England, 2015). The conservation of heritage assets in a manner appropriate to their significance is a core planning principle as they are acknowledged as an irreplaceable resource. However, conservation is noted as a dynamic process of maintaining assets and managing change with active and viable use as an important requirement, and not one of simply preserving heritage assets without wider thought. Heritage assets do not need to be visible in their setting to the public, particularly as settings can change over time.

The NPPF notes that when considering change to listed buildings it is necessary to consider three important factors. One is the 'desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Other aims include ensuring 'the positive contribution of the conservation of heritage assets to sustainable communities including their economic vitality' and 'The desirability of new development making a positive contribution to local character and distinctiveness' is promoted in the framework too.

NPPF paragraph 132 states that great weight should be given to the conservation of assets. 134 states that less than substantial harm is to be weighed against public benefits arising, including securing optimum viable use. 135 encourages the consideration of the effect of an application on the significance of a non-designated heritage asset. Paragraph 136 cautions local planning authorities not to permit loss of part of a heritage asset unless reasonable steps have been taken to ensure that the development occurs. 137 states that within the conservation area and setting of heritage assets development should enhance or better reveal their significance

Substantial harm can only arise if proposals seriously affect a key element of its special architectural or historic interest. Removing inappropriate modern extensions is one example of partial destruction that is not harmful, and that may be positive. Public benefits can follow from development and deliver economic, social or environmental progress.

Impact of the proposed demolition of Warwick Court attached to 6 The Square and works to make good fabric upon heritage assets

This application for listed building consent relates only to the physical works proposed to remove the built office building attached in the 1980s to the west end elevation of 6 The Square, to make alterations and repairs to the exposed western wall and to add the new plant room. Considerations of the impact upon the setting of other heritage assets are matters for the planning application to extend Touchwood, reported earlier in this agenda.

6 The Square is of significance to the conservation area and to the setting of adjacent and nearby listed buildings. The Design and Access and Heritage Statement analyse the building and establish its significance to the degree proportionate to its significance as required. Its significance lies in its survival as an important town house in a prime location on The Square at the civic heart of the town and displaying timber framing, design and materials typical of the period and representative of an important stage of the development of the town.

As a post war office building with some design regard for its historic context Warwick Court is of no historic significance. Indeed it could be considered to have a negative impact upon the significance of 6 The Square through its obscuring of parts the historic building and disproportionate scale. It also alters the designed appearance from Church Hill and to the south in Manor Square continuing the roof ridge line and facade further west than was previously the case. Due to these factors the extension can also be considered to detract from the character and appearance of the Conservation Area. The removal of the extension is considered acceptable subject to conditions as noted by Historic England. These would secure important further details to demonstrate the intended careful dismantling of the extension and the means proposed to protect 6 The Square against structural failures and weather ingress during and after those works.

In addition, a Method Statement would be required prior to demolition to secure details of the means of making good the exposed walls, seeking the use of traditional materials, methods and skills in repairing elements that may be discovered, such as

historic brickwork and joinery. An opening within the west end gable wall is proposed to be closed, or part infilled and fitted with a new timber window to reflect any emerging evidence that this is a historic opening.

The removal of these previous additions of no architectural or historic interest from the listed buildings will better reveal the significance of this designated heritage asset. The demolition would not represent harm, and would be beneficial. Any repairs subsequently identified as important and carried out in an appropriate manner would represent a further enhancement of the heritage asset. The NPPF notes that sustainable development can also involve this type of positive improvement in the quality of the historic environment through the removal of such buildings that have a negative impact upon the character and appearance of the conservation area. The proposals would also increase views through to the rear of other listed buildings in the group and this would be a positive change.

Impact of the proposed plant room upon the significance of the designated heritage asset

The addition of the small plant room to replace that demolished in these proposals is considered to be entirely reasonable for the building. It would be of minimal scale and the materials proposed to be used are clearly appropriate. Precise details of materials and finishes would be secured by appropriate conditions and the submission of samples. The impact of the extension upon the special interest of the listed building would cause only a very minimal amount of less than substantial harm that would verge on no harm at all, regardless of whether the Touchwood extension applied for was approved and built out. It would not adversely affect the special interest of the wider group of listed buildings.

CONCLUSION

The NPPF, Practice Guidance and Historic England good practice guidance all seek to ensure that proposals are prepared with a full understanding of the significance of the heritage assets concerned and avoid, minimise or mitigate impacts upon heritage assets. Using appropriate opportunities to better reveal or to enhance the significance of heritage assets is also encouraged. The proposals in this application for listed building consent comply with these requirements and guidance and as such can be approved with suitable conditions to secure further important details, some of which will only be possible to determine once the two storey addition is carefully dismantled and historic fabric exposed again. Recording is not necessary as nothing of historic importance is to be removed and the buildings to be demolished make no positive contribution to the significance of the designated heritage assets (listed building and conservation area). This application is a sufficient and proportionate public record of the proposed changes. The proposal therefore complies with Policies P15 and P16 of the Solihull Local Plan 2013.

RECOMMENDATION

For the reasons outlined above I recommend approval subject to the following conditions:-

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 140129-A-Si-00-D-130A; 140129-A-Si-00-D-131A; 140129-A-Si-00-D-132A; 140129-A-Si-00-D-133A; 140129-A-Si-00-D-134A

To ensure compliance with the approved plans and details to safeguard amenity and the quality of the environment in accordance with Policy P14 and P15 of the Solihull Local Plan 2013

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

Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Before development hereby approved commences details must be submitted to and approved in writing by the Local Planning Authority showing:

- (a) all elevation materials including traditional pattern cast iron rainwater goods.
- (b) 1:10 drawings of all external frames including details of their enclosing openings (cills, jambs, arches etc.) plus full size joinery sections, glazing details and confirmation of the depth of all door and window recesses.
- (c) full details of bricks for repair works.
- (d) 1:10 details and full size sections of all external ironwork.
- (e) details of external ironmongery.
- (f) decorative finishes and colours used externally.
- (g) details of the brick bonding, mortar mix and proposed joint.

Thereafter the development shall be carried out in full accordance with the approved details and maintained for the lifetime of the development.

To ensure that the character and appearance of the listed building is preserved in accordance with Policy P16 of the Solihull Local Plan 2013.

4. A description of the action and works to be taken and carried out under this consent shall be submitted to the Local Planning Authority as a comprehensive Method Statement before any work of demolition is begun, or at such later time as may be agreed in writing with the Local Planning Authority, and no work of demolition shall be commenced until the Local Planning Authority has given its approval in writing to the proposed actions and works. Such actions and works shall include, in relation to the historic building to be retained, measures to strengthen any wall or vertical surface; to support any floor, or horizontal surface; and to provide protection for the building against the weather and theft or vandalism during the progress of the works. The Method Statement shall also include clarification in writing and on a suitable floor plan and elevations the precise extent of the proposed demolition.

To safeguard the stability of the listed building which is to be retained in accordance with Policy P16 of the Solihull Local Plan 2013.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Solihull Local Plan 2013 set out below together with all

other relevant material considerations, including Supplementary Planning Guidance, and the particular circumstances and reasons summarised below.

Solihull Local Plan (2013)

P15 – Securing Design Quality

P16 – Conservation of Heritage Assets and Local Distinctiveness

Government Guidance

NPPF

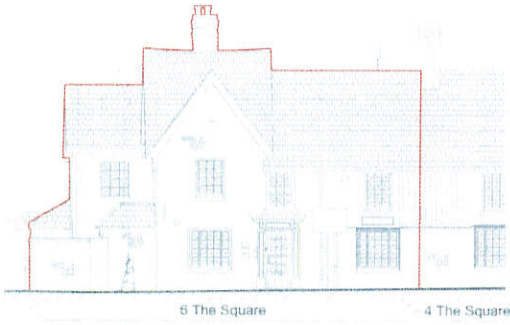
Planning Practice Guidance

Historic England

The advice contained within the guidance issued by the adviser on historic environment matters to the Government has been taken into account together with their direct responses to consultation. This advice includes Good Practice Note (GPN) 2 'Managing Significance in Decision Taking', and GPN 'The Setting of Heritage Assets'.

In reaching this decision the Council is mindful of the particular circumstances and reasons set out below, namely:

The demolition of the modern two storey office extension, repair of the historic fabric revealed, and addition of a replacement plant room in an appropriate position and style would not harm the special interest of the listed building or the setting of the adjacent listed buildings subject to appropriate conditions.



01 No. 6 THE SQUARE ELEVATION AA - Existing
SCALE 1:100



02 No. 6 THE SQUARE ELEVATION BB - Existing
SCALE 1:100



03 No. 6 THE SQUARE ELEVATION CC - Existing
SCALE 1:100



04 No. 6 THE SQUARE ELEVATION DD - Existing
SCALE 1:100

NOTES

DO NOT SCALE FROM THIS DRAWING.
ALL DIMENSIONS ARE TO BE CHECKED ON SITE
CONTRIBUTOR RESPONSIBLE



0m 1m 2m 3m 5m 10m
1:100

Key

Site Boundary

PROJECT NO: 140129 A VA VA D 133 A
DATE: 05/06/15
DRAWN BY: ALS

PLANNING

STATUS: APPROVED



SCALE: 1:100
DATE: 05/06/15
DRAWN BY: ALS
CHECKED BY:

PROJECT: Touchwood Extension
Solihull

DRAWING: No. 6 The Square
Existing Elevations

3D REID
www.3d Reid.com
LONDON W10 7SE
T +44 (0)20 7 291 9600
F +44 (0)20 7 291 9601
W www.3d Reid.com

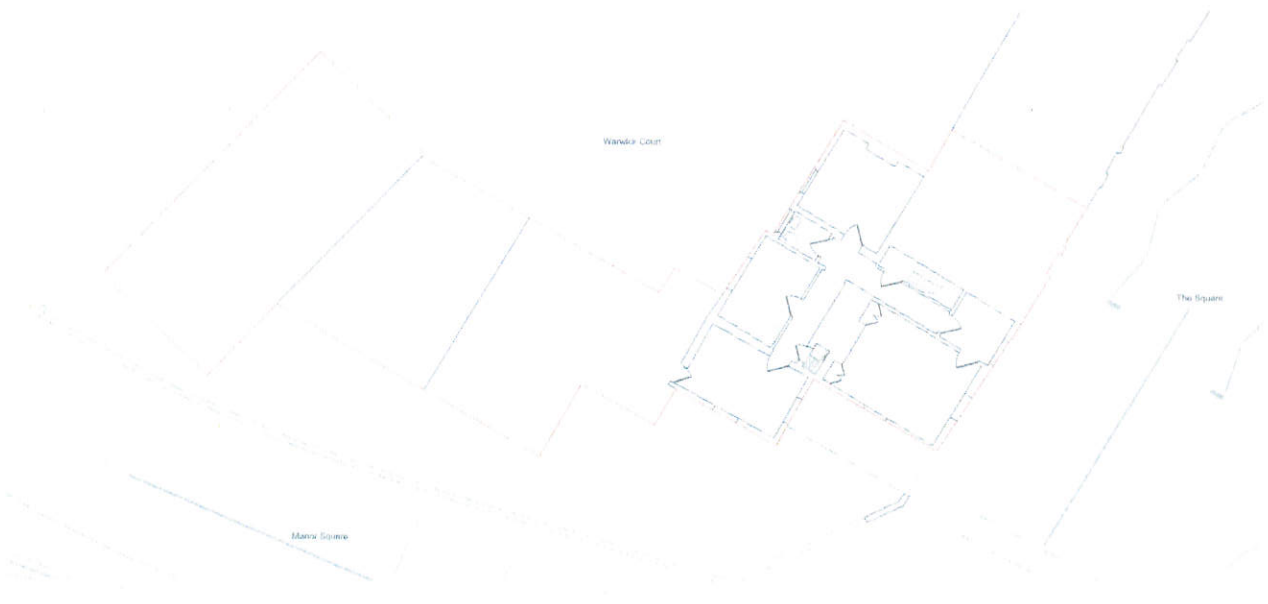
Benjamin Ellough | 1001
| Design | Listen | Measure

DRAWING NO: 140129 A VA VA D 133 A

This page is intentionally left blank



01 No. 6 THE SQUARE GROUND FLOOR PLAN - Existing
SCALE 1:100



02 No. 6 THE SQUARE 1st FLOOR PLAN - Existing
SCALE 1:100

NOTES

DO NOT SCALE FROM THIS DRAWING
ALL DIMENSIONS TO BE PROVIDED ON SITE
COORDINATE TO GRID

0m 1m 2m 3m 5m 10m
1:100

Key

Site Boundary

PLANNING

STATUS

TOUCHWOOD

CLIENT

SCALE DATE DRAWN CHECKED

1:100 05/06/15 ALS

PROJECT

Touchwood Extension
Solithul

DRAWING

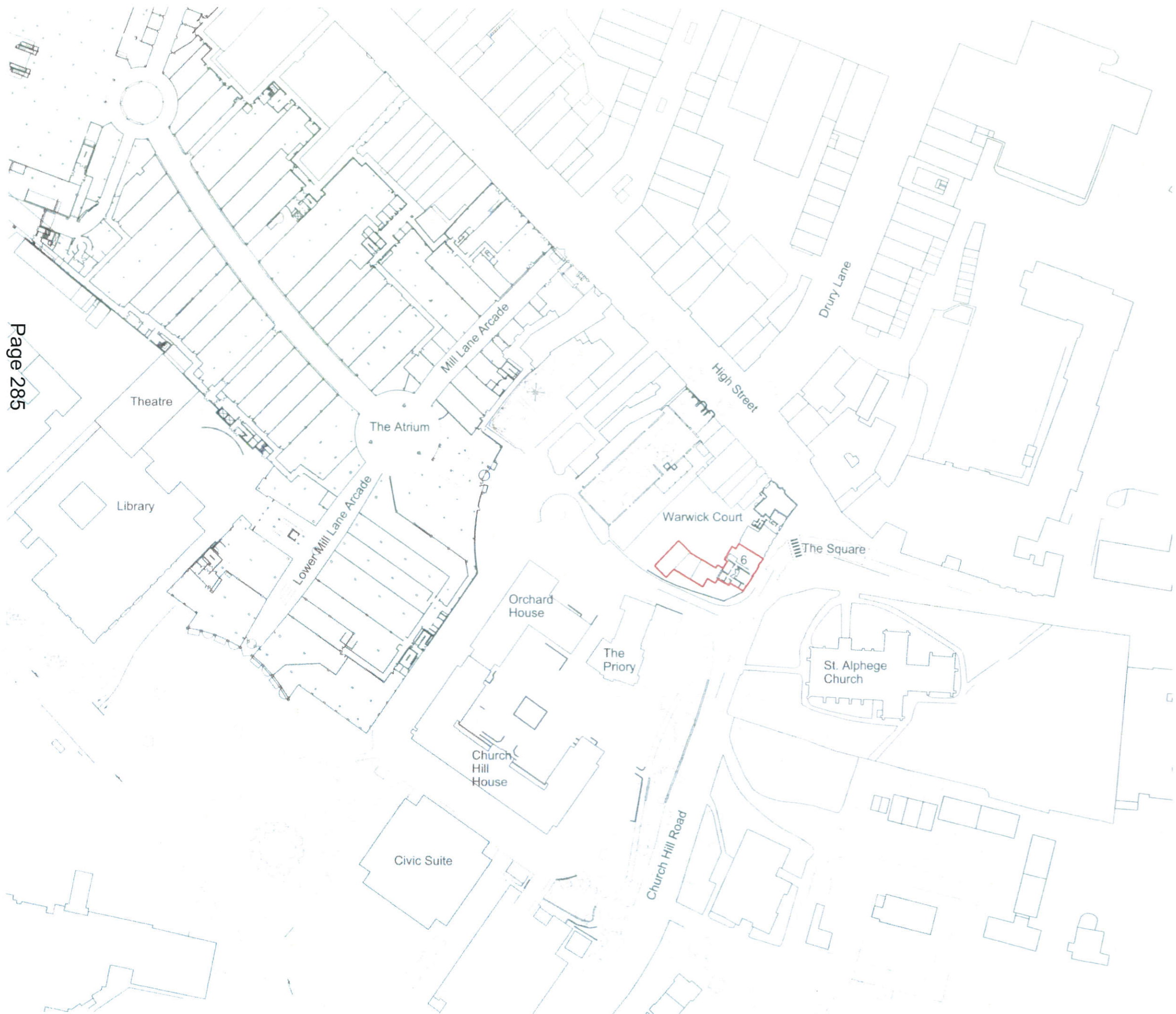
No.6 The Square
Existing Floor Plans

3DRD

DRAWING NO.

140129 A P VA D 131 A

This page is intentionally left blank



Page 285

NOTES

DO NOT SCALE FROM THIS DRAWING
 ALL DIMENSIONS TO BE CHECKED ON SITE
 COPYRIGHT RESERVED

ORIGINAL A3



0m 10m 20m 40m 80m

Application Boundary

A 25/06/15 Issued for Planning
 - 09/06/15 Issued for Information

ALS

REVISIONS

PLANNING

STATUS



TOUCHWOOD

CLIENT

SCALE	DATE	DRAWN	CHECKED
1:1250	05/06/15	SG	SB

PROJECT

Touchwood Extention
 Solihull

DRAWING

6 The Square
 Existing Location Plan

3DReid
 West End House
 London W1F 7SE
 T +44 (0)207 297 5600
 F +44 (0)207 297 5601
 W www.3DReid.com

Birmingham Edinburgh Falkirk
 Glasgow London Manchester



DRAWING No
 140129 A Si 00 D 130 A

This page is intentionally left blank

This page is intentionally left blank

This page is intentionally left blank