

PL/2015/51467/LBC
158 High Street Solihull

Proposal:	Demolition of two storey infill extension, construction of new fire escape link to rear elevation and associated internal and external works to facilitate the interface of the Touchwood extension structure and fabric.
Case Ref:	PL/2015/51467/LBC
Location	158 High Street Solihull B91 3SX
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:	The application relates to Council owned land and there has been at least one objection on land use planning grounds
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Recommendation:	Approval
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PROPOSAL

This application seeks Listed Building consent for the demolition of a two-storey with attic infill extension built in the 1960s, formation of a new fire escape door by enlarging a window to the rear elevation, and associated internal and external works to bring it back to its original state and facilitate the interface of Touchwood, whose fabric and structure is to be extended 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/2015/51466/LBC (6 The Square). These applications are reported separately elsewhere on the agenda.

The new fire escape link is not the proposed staircase which would be detached by a minimal distance from 158. The work proposed is to form the new door to allow access to it, using an existing window opening with fabric removed to deepen and widen that. This corner was built in the 1960s scheme slightly beyond the existing wall line. The remodelling of the building to reinstate original features altered or hidden through time is also proposed. This includes the removal of staircases inserted in the 1960s. Alterations shown on the floor plans and elevations include bricking up side openings at first and second floor level, and creating the rear elevation first floor doorway. Full details of this door and frame together with some other proposed work would need to be secured by suitable conditions as described at condition 3. The internal layout is to remain generally as existing with the new external first floor door formed to serve the fire escape. The stair removal would affect access to first floor and an attic space. The new building forming units 94 to 98

would not be attached to 158 High Street and therefore does not require Listed Building Consent.

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

39 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:-

- No. 156 High Street is a three storey building affixed to 158 High Street, designed, constructed and functioning in a complementary and integral relationship to no.158; no site visit or consultation demonstrates lack of respect to listed buildings and wider consideration area.
- Damages the historic and architectural value of a Listed Building, 158 High Street and its ancillary building no.156.
- Harmful to the setting of Listed Buildings, particularly in regard to roof scape, skyline and scale.
- Exposed parts of listed buildings should be adequately supported in-situ and protected against inclement weather. Monitoring for movement or consequential damage as a result of demolition and construction processes should be a minimum requirement.
- 2 The Square ground and first floor and offices above 158 are structurally connected at first floor level. Also connected at first floor level is 156 High Street which is a useable room to which there is no other access.

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 on ‘Managing Significance in Decision Taking’, and GPN 3 on ‘The Setting of Heritage Assets’.

PLANNING HISTORY

Infill extension forming 156 approved in 1965

SITE DESCRIPTION

The National Heritage List description of 158 adjacent to the building to be demolished follows:

One building with numbers 2 and 4 The Square. C16 timber frame with red brick nogging. Partly refaced C18 in red brick. Old tiled roof with oversailing gable on left. 2 storeys and attics, sash windows with glazing bars, canted oriel bay window on right, central canted bay with half glazed door, Ionic pilasters, frieze, cornice. No 158 and numbers 2 to 6 (even) The Square form a group.

The building is an important component of the conservation area and of the setting of numerous other designated heritage assets (DHAs) of the listed buildings including the war memorial and undesignated heritage assets (HAs) as positive buildings within the conservation area. Its significance lies in its survival as an imposing survival of an 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).

MAIN ISSUES

- Policy Considerations
- Impact of the proposed demolition of 156 High Street and works to make good fabric upon the significance of the designated heritage asset
- Impact of the proposed works to allow interface with extension of Touchwood upon the significance of the designated heritage asset

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, requiring work to establish the significance of heritage assets directly affected by proposed works or whose setting would be affected by them. This is to ensure a decision making process that is 'demonstrably compliant with legislation, national policies and objectives' (Historic England, 2015).

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

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

Impact of the proposed demolition of 156 High Street and works to make good fabric upon heritage assets upon 158 High Street (the listed building)

This application for listed building consent relates only to the works proposed to remove the 1960s-built infill structure attached to the west side elevation of 158 High Street, to make alterations and repairs to the exposed western wall and to provide the door to the fire escape proposed to accompany the extension to Touchwood. The consideration of the impact upon the setting of other heritage assets is limited to the benefits from the removal of the poor infill. 158 High Street is of significance to the conservation area and to the setting of adjacent and nearby listed buildings. The Design and Access and Heritage Statement investigates the building and establishes its significance to the degree proportionate to its significance as required.

The existing infill building at 156 measures approximately 3.4 metres in width, and to the front elevation 5.4 metres to eaves and between 9.5 to 9.7 metres high to the sloping roof ridge. The rear of this ridge is of the same height above ground. The building is two storey with a large dormer window to the street, but three storey to the rear, seen across the car park from the south.

As a post war infill with some design discrepancies such as the oriel style windows at ground floor, disproportionately wide bay window at first floor and bulky roof dormer at odds with its context 156 High Street is of no historic significance. Indeed it is considered to have a negative impact upon the significance of 158, other designated heritage assets and the conservation area by obscuring the historic west wall (the fabric within which is currently unknown but which may contain surviving timber frame hidden beneath roughcast render before the 1960s addition), and through the placing of a less than suitably designed building against the listed building in the setting of other DHAs.

The removal of the building is considered acceptable subject to conditions as advised by Historic England. These would secure several important elements of a project such as this. They include details to demonstrate the intended careful dismantling of 156 and means to protect 158 against structural failures and weather ingress during and after those works. In addition, a Method Statement would be required prior to commencement of demolition. This would secure details of the means of making good the exposed wall of 158, seeking the use of traditional materials, methods and skills in repairing elements that may be discovered, such as historic brickwork and timber framing. The NPPF notes that sustainable development can involve the positive improvement in quality of the historic environment through the removal of buildings that have a negative impact upon the character and appearance of the conservation area. This approach is applicable here.

Openings within the west end gable wall of 158 are proposed to be blocked up in this application. At present there is no evidence to suggest that they are historic as two small side windows serving earlier toilets were amalgamated and enlarged as a new wide opening connecting landings at 156 and 158 in the 1960s. The demolition of 156, if approved and implemented, would allow investigation of this to inform further works (for example replacement infill material might be carefully detailed to express an earlier window opening conclusively demonstrated to have existed before the building of 156). The removal of the stairs inserted in the 1960s would restore the proportions of the rooms from which they are removed. Blocking openings would not be detrimental to the special interest of the building as the side wall would then reflect its earlier form. The infill work could be detailed to reflect the two small windows present on the 1964 survey drawings as part of the Method Statement required for any works approved.

Impact of the proposed works to allow interface with extension of Touchwood upon heritage assets

The applicants confirm that the proposed building forming unit 94 and the new fire stair would both be detached from 158. The proposed interface with the extension of Touchwood is therefore limited to the new fire escape door at first floor to be formed from an existing window opening. Alterations are proposed to deepen this opening, and this would require the removal of a section of brickwork that remodelled this corner in the 1960s scheme. Listed Building Consent can be granted provided that suitable conditions secure the investigation and subsequent correct treatment in terms of conservation philosophy for the fabric discovered by such investigations. The removal of the 1960s staircases connecting ground and first and first and second floors is proposed as the flights currently begin and end at the opening in the

historic wall at its junction with 156. Once 156 were removed the staircases would cease to be accessible. This apparent loss of access to a small attic in 158 is not in itself a reason to resist the approval of LBC.

The revised floor plans for the scheme clearly show the new walls of unit 94 to be detached from 158 High Street by a very short distance. Listed building consent is therefore not required for its construction as it would not constitute an addition to 158 High Street (or any other listed building). The fire escape stair proposed to serve 158 would only require planning consent as that too is detached from 158, again by a minimal gap. It is included in and considered under the planning application for the proposed extension to Touchwood.

The removal of the previous addition (156 High Street) of no architectural or historic interest from the listed building at 158 High Street would better reveal the significance of this designated heritage asset. This demolition would not represent harm, and would be beneficial in terms of appreciating the significance of the former high status house. Any repair needs revealed and carried out in an appropriate manner would then represent an enhancement of the heritage asset, notwithstanding the fact that the accompanying planning application proposes a building that could largely conceal that repaired wall from view.

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. Any harmful impacts must then be justified in terms of the sustainable development objectives of conserving significance and the need for change. Recording heritage assets subject to change and then making those findings available to the public may be required to offset a loss. 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 identify once the two storey addition is carefully dismantled. 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-120B; 140129-A-P-VA-D121B; 140129-A-P-VA-D122B; 140129-A-P-VA-D123B; 140129-A-P-VA-D124B

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 vandalism or theft 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 listed building consent 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.

Government Guidance

NPPF
Planning Practice Guidance

Solihull Local Plan (2013)

P15 – Securing Design Quality
P16 – Conservation of Heritage Assets and Local Distinctiveness

Historic England Good Practice Guidance

Good Practice Note (GPN) 2 ‘Managing Significance in Decision Taking’
GPN 3 ‘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 unsympathetic infill extension, repair of the historic fabric revealed using materials and methods agreed in advance, and alteration of interior fabric in an appropriate style to be agreed in detail would not harm the special interest of the listed building or the setting of the adjacent listed buildings subject to appropriate conditions securing, amongst other matters, a Method Statement.

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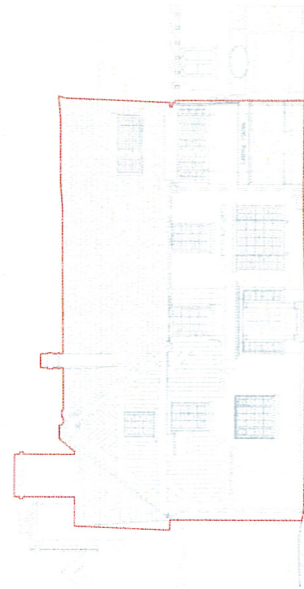
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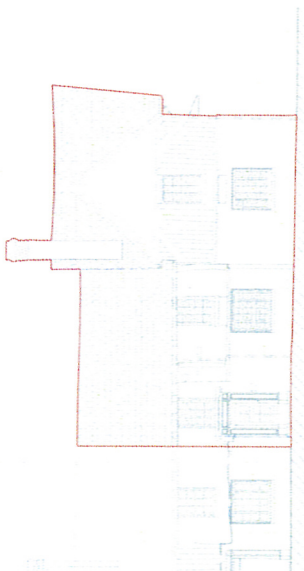
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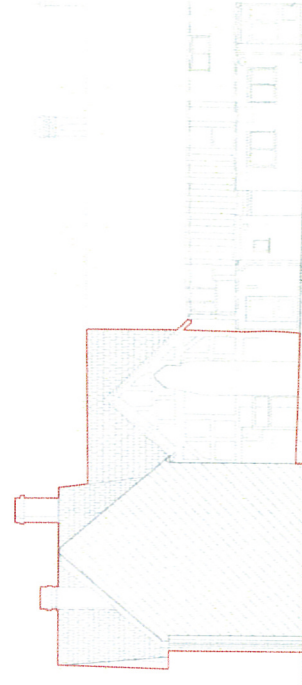
Application Boundary



02 158 ELEVATION BB - Existing
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01 158 ELEVATION AA - Existing
SCALE 1:100



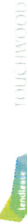
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03 158 ELEVATION CC - Existing
SCALE 1:100



PLANNING



CLIENT: TOUCHWOOD
SCALE: 1:100
DATE: 05/06/15
DRAWN: ALS
CHECKED: SB

PROJECT: Touchwood Extension
SOLIHULL LBC Application

158 High Street
Existing & Proposed Elevations

3D REID
Architectural Services
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NOTES

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Application Boundary

B 25/06/15 Issued for Planning
 A 22/06/15 Issued for Information
 - 11/06/15 Issued for Information

SG
SG

REVISIONS

PLANNING

STATUS



TOUCHWOOD

CLIENT

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

PROJECT

Touchwood Extension
 Solihull
 LBC Application

DRAWING

158 High Street
 Existing Location Plan

3DReid
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DRAWING No

140129 A Si 00 D 120 B

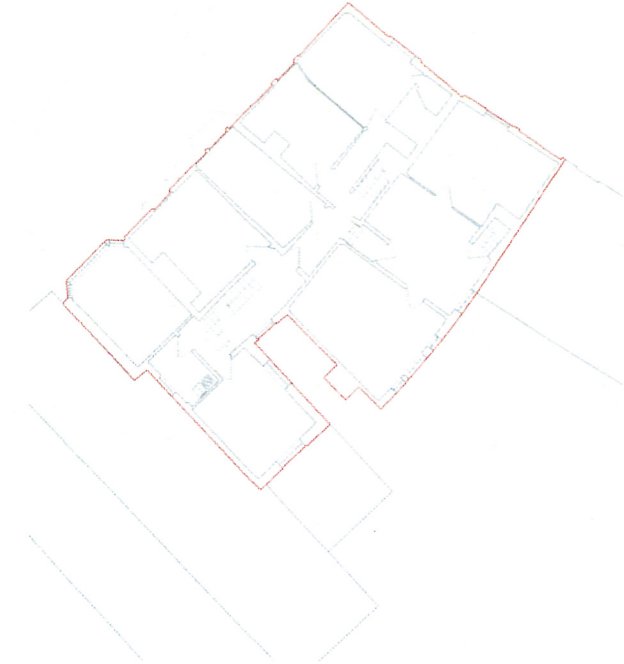
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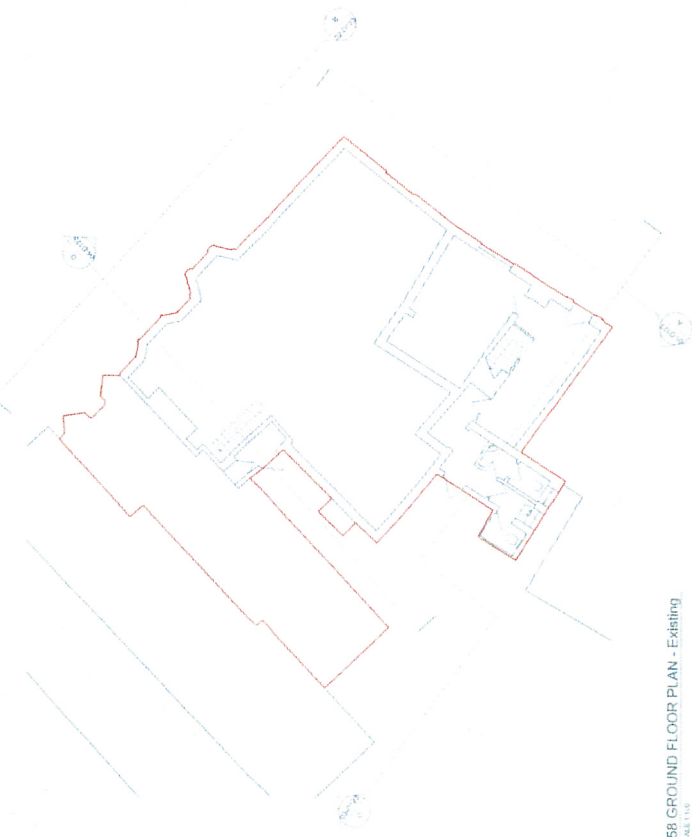


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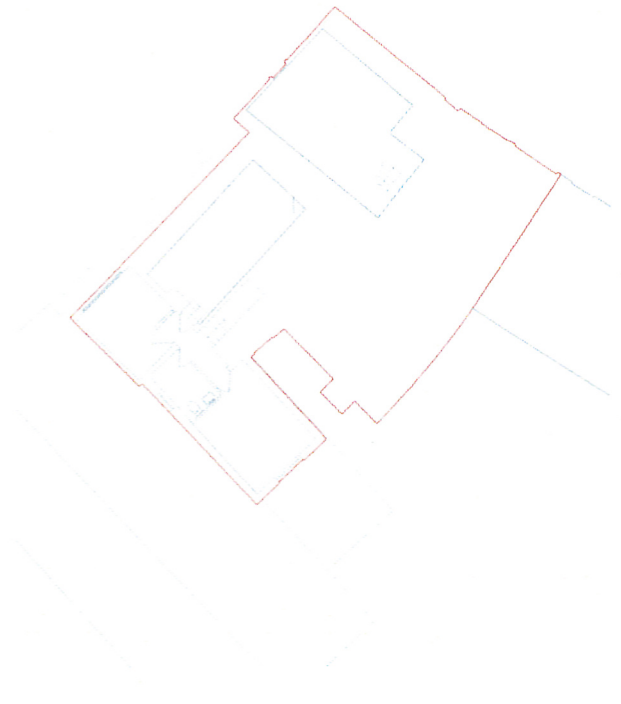
Key
 Application Boundary



02 158 FIRST FLOOR PLAN - Existing
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01 158 GROUND FLOOR PLAN - Existing
 SCALE 1:100



03 158 SECOND FLOOR PLAN - Existing
 SCALE 1:100

158 High Street
 Solihull
 Birmingham B37 7YU
 0121 714 1111
 www.3d-reid.co.uk

PLANNING

TOURTHWOOD

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

PROJECT: Touchwood Extension
 Solihull
 LBC Application

DATE: 15/06/15
 DRAWING: 158 High Street
 Existing Ground Floor Plan

3D REID

DRAWING NO: 140129 A P VA D 121 B

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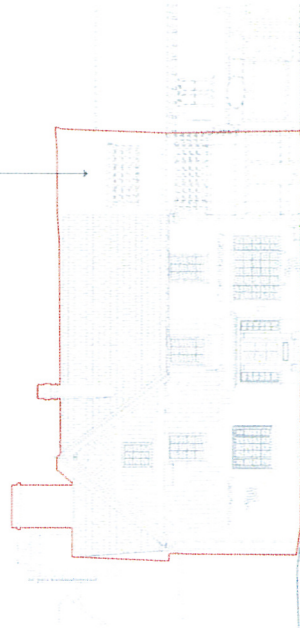


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Key

- Application Boundary
- Existing wall to be Remediated
- Existing wall retained
- New wall

Removal of 1950s extension



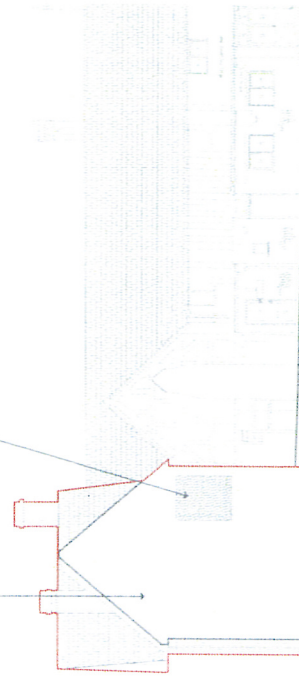
158 High Street

Touchwood Extension

02 158 ELEVATION BB - Proposed

On removal of 1950s extension, the method of making good and repair to the historic fabric to this elevation will be agreed with the local planning authority and implemented in accordance with agreed details.

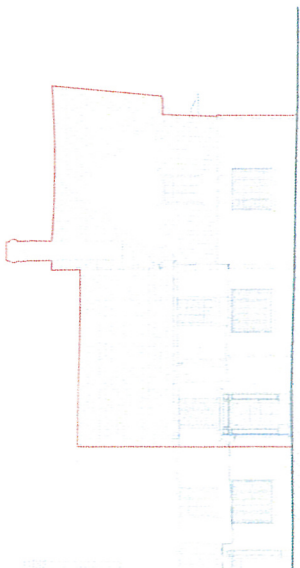
Brick-up existing opening to fully match existing



158 High Street

Warwick Court

04 158 ELEVATION DD - Proposed

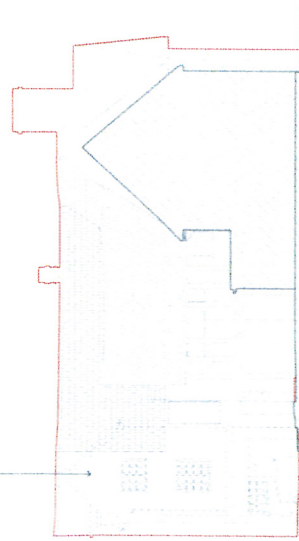


158 High Street

2 The Square

01 158 ELEVATION AA - Proposed

Removal of 1950s extension



2 The Square

Warwick Court

03 158 ELEVATION CC - Proposed

PLANNING

FOURTHWOOD

DATE: 05/06/15
SCALE: ALS SB

PROJECT: Touchwood Extension
SOLIHULL LBC APPLICATION

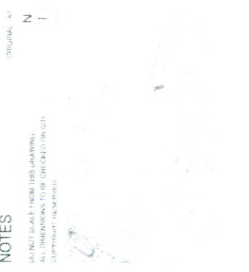
158 High Street
Proposed Elevations

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Aggravated Breach
 Existing with the application
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PLANNING



DATE: 01/06/15
 CLIENT: ALS
 PROJECT: SB

Touchwood Extension
 Solihull
 LBC Application
 158 High Street
 Proposed Floor Plans

3D REID

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140129 A P VA D122 C



02 158 FIRST FLOOR PLAN - PROPOSED
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01 158 GROUND FLOOR PLAN - PROPOSED
 SCALE 1:100



03 158 SECOND FLOOR PLAN - PROPOSED
 SCALE 1:100