

PLANNING DEVELOPMENT CONTROL COMMITTEE

25 MAY 2007

DEMOLITION OF FORMER ROYAL OBSERVER CORPS HEADQUARTERS BUILDING
ABBOTTS ROAD WINCHESTER

REPORT OF HEAD OF PLANNING

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RECENT REFERENCES:

See Report

EXECUTIVE SUMMARY:

This application is reported to Committee at the request of the Head of Planning.

An outline application (06/02377/OUT) for the development of the site for 14 dwellings received Committee approval on 5 October 2006.

Application 04/02776/LIS to demolish the Royal Observer Corps building was refused on 10th December 2004. A second application (06/02251/LIS) to demolish the former Royal Observer Corps Headquarters building was refused by Committee on 5 October 2006 as the marketing of the site was not considered to have been acceptable. Clarification of the position on marketing has now been provided and an additional building survey commissioned.

RECOMMENDATIONS:

That, subject to the Secretary of State not requiring the application to be referred to himself for determination, the application be granted subject conditions and informatives as set out.

Item No:
Case No: 06/02251/LIS / W18729/06LB
Proposal Description: Demolition of former Royal Observer Corps Headquarters building
Address: Royal Observer Corps HQ Abbots Road Winchester Hampshire
Parish/Ward: Winchester Town
Applicants Name: Bayview Developments (Bournemouth) Ltd
Case Officer: Mr James Jenkison
Date Valid: 18 July 2006
Site Factors: Tree Preservation Order.
Recommendation: Application Granted.

General Comments

This application is reported to Committee at the request of the Head of Planning.

An outline application (06/02377/OUT) for the development of the site for 14 dwellings received Committee approval on 5 October 2006.

Application 04/02776/LIS to demolish the Royal Observer Corps building was refused on 10th December 2004. A second application (06/02251/LIS) to demolish the former Royal Observer Corps Headquarters building was refused by Committee on 5 October 2006 as the marketing of the site was not considered to have been acceptable. Clarification of the position on marketing has now been provided and an additional building survey commissioned.

Site Description

The Royal Observer Corps site is located on the western side of Worthy Road at its junction with Abbots Road. It is relatively flat and is at a higher level than Worthy Road where there is an embankment approximately one metre high. It is a roughly square shaped site of approximately 60 metres (Abbots Road frontage) by 75 metres (Worthy Road frontage) and comprising of approximately 0.45 hectares of land. Situated centrally within the site is the old headquarters of the Royal Observer Corps which is a Grade II listed building and which is unused and in a poor condition, with broken windows and doors and graffiti on walls. There are extensive paved areas which are breaking up and becoming overgrown with vegetation.

Proposal

The proposal is to demolish the former Royal Observer Corps building on the site, which has a Grade II listing.

There is an extant planning permission (04/01762/FUL) allowing the conversion of the listed building to 4 dwellings and the construction of 9 new dwellings on the site. This planning permission has a Section 106 agreement tying the repair of the listed building to the construction of the new houses. There is an extant listed building consent (04/01763/LIS) to allow the conversion of the listed building to the 4 dwellings.

In 2006 an outline planning application (06/02377/OUT) and listed building application (06/02551/LIS) were received to demolish the Royal Observer Corps building and construct 14 dwellings on the site without the listed building located on it. Consent to demolish the listed building was refused at Committee on 5 October 2006. However, permission was granted for the outline planning application. The outline planning application cannot be implemented unless

consent is granted to demolish the listed building. The refusal of listed building consent has been appealed and a Public Inquiry is scheduled for mid-June 2007.

The current application is to demolish the listed ROC building and if granted this will allow the outline planning (06/02377/OUT) application for 14 houses on the site to be implemented, although reserved matters will require approval before any development can commence.

Subsequent to the refusal of the last application to demolish the listed building a report on the condition of the building was commissioned by the Council and completed by Morton Partnership in March 2007. This report has now been considered by English Heritage and further information regarding the condition of the roof, cost of repairs and valuation of the premises was requested. A further concrete report by Graham Moore from Construction Evaluations Ltd. has been carried out on behalf of the applicant and this has involved testing the chloride content of the concrete in the roof of the building (ref 07.4861). This report has now been assessed and the conclusion is that the concrete in the roof structure has high levels of chloride which means that it is going to require extensive repair/replacement. This is discussed in detail below.

Relevant Planning History

04/01762/FUL - Residential development comprising conversion of existing building to form 3 no. one bedroom and 1 no. two bedroom dwellings; demolition of ancillary buildings and erection of 2 no. two bedroom and 7 no. three bedroom dwellings with associated parking and alterations to existing access [AMENDED SCHEME]. Permission granted 13 March 2006.

04/01763/LIS - Alterations to provide residential development comprising conversion of existing building to form 3 no. one bedroom and 1 no. two bedroom dwellings; erection of 2 no. two bedroom and 7 no. three bedroom dwellings with associated parking and alterations to existing access [AMENDED SCHEME]. PER 9th August 2005.

04/02776/LIS - Demolish Royal Observer Corps building. REF 10th December 2004.

04/02868/OUT - Erection of 24 no: dwellings, associated parking and alteration to existing access (OUTLINE). REF 10th December 2004.

06/02377/OUT - Erection of 14 no dwellings comprising 4 no four bedroom, 3 no three bedroom, 7 no two bedroom dwellings with associated parking and access (OUTLINE - only siting and access to be considered). Consent resolved to be granted subject to S.106 agreement on 5 October 2006.

06/02251/LIS - Demolition of former Royal Observer Corps Headquarters building. Refused 10th October 2006. Public Inquiry appeal scheduled for 12/13 June 2007.

Consultations

English Heritage

The applicant has sought to address previous concerns relating to the marketing of the premises and in particular whether only the buildings or the whole site were for sale. Prospective purchasers might well have gathered that a bid for the whole site was not welcome but there is no reason to doubt the marketing agents testimony that most, if not all, purchasers were discouraged by the actual condition of the building. It was always going to be exceedingly hard to sell. The Council must decide if the testimony of potential purchasers should carry greater weight than the marketing agents. In view of the condition of the building, this would have been difficult.

The application should not be determined until the condition survey has been concluded. Additional information should be supplied regarding:

1. Condition of the roof;
2. Cost of repairs to the building
3. Valuation of the site.

NB. At the time of drafting this report the final response of English Heritage had not been received.

Conservation:

Whilst it is still considered that the marketing of the site was inadequate it is now accepted that the condition of the concrete in the walls and roof of the building is such that extensive repairs/replacement will be required, regardless of the end user. It is considered that such a high degree of replication would significantly diminish the buildings special interest and in this case such an approach is not justified. In the circumstances therefore it would be difficult to do anything other than to allow the buildings demolition.

Archaeology:

ROC HQ is a site of national significance both in historic terms and as a built structure and demolition would be contrary to Policy HE1 as it would not be preserved in situ.

Standard conditions (Conditions 1 & 2) relating to archaeological recovery and recording are requested should the LPA be minded to approve the application.

Ancient Monument Society:

The Ancient Monument Society deferred to English Heritage.

Representations:

City of Winchester Trust:

No objection.

29 letters of support.

- ROC building an eyesore and in a bad state of repair.
- ROC building unsuitable for conversion to living accommodation and not worth retaining. No other use has been found.
- ROC building restricts the development of the whole site.

One resident, No.14 Group The Royal Observer Corps Association and The Royal Observer Corps Museum objected to the application on the following grounds:

- Only remaining example in country and important piece of 20th century architecture and is of national and local importance.
- Building is capable of repair using modern techniques.
- There is a planning approval to convert the listed building to dwellings.
- Owners knew building was listed when they purchased it.
- Inadequate marketing.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

E14, E17

Adopted Winchester District Local Plan Review 2006:
HE1, HE15, DP4

National Planning Policy Guidance/Statements:
PPG 15 Planning and the historic environment
PPG 16 Archaeology and planning.

Other Planning guidance
Winchester Sites and Monument Record.

Planning Considerations

National Policy Context

PPG15 states that buildings may be listed for a number of reasons, including their architectural interest, historic interest (including military history), and close association with nationally important events and a particular building may qualify for listing under more than one of these reasons.

The PPG sets a presumption against the demolition of listed buildings and notes that consent to demolish should not be given for any listed building without clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and that these efforts have failed. PPG15 also notes that consent for demolition should not be given simply because redevelopment is economically more attractive to the developer than repair and re-use of a historic building, or because the developer acquired the building at a price that reflected the potential for redevelopment rather than the condition and constraints of the existing historic building. In addition to the general criteria for assessing the merits of listed building applications (a building's importance, its physical features and its setting, the benefits of works to the community) 3 specific matters need to be considered where demolition is proposed:

1. the condition of the building and the cost of repairing it,
2. the adequacy of efforts to retain the building in use (including marketing).
3. the merits of alternative proposals for the site.

Local Plan Policy

Policy HE15 of the Adopted Winchester District Local Plan Review 2006 governs the demolition of listed buildings and notes that the Council will not permit the total demolition of listed buildings unless very special circumstances apply and their condition makes it impracticable to repair, renovate, or adapt them to a reasonable beneficial use for which planning permission would be given. Given the poor state of repair of the building which has now been established by further examination of its walls and roof and taking into account the previous comments of English Heritage it is considered that the proposal to demolish the building would not conflict with the policy

Policy HE1 notes that where historic buildings will be affected by development, appropriate adequate provision must be made for preservation in situ and ongoing management, conservation and protection. Historic recording is important and archaeological conditions (Conditions 1 & 2) are recommended in accordance with the comments of English Heritage and the Conservation and Archaeology officers.

Justification for Demolition

English Heritage has acknowledged that when the ROC building was listed in 1993 it was the best surviving example of its kind. The Grade 2 listing of the building reflects its degree of special interest rather than it being listed at an exceptional level (Grade1 or 2*).

Your officers consider that the applicants have not been able to demonstrate that the site was

adequately marketed for the conversion of the building to 4 dwellings and the construction of 9 dwellings surrounding it. The Council commissioned a valuation of the site in connection with the appeal following comments from English Heritage and notwithstanding the condition of the listed building the site still has a positive value. However, English Heritage's view is that the building was always going to be difficult to market due to its poor physical condition, and it is unlikely that a purchaser would have come forward to purchase the site.

However, notwithstanding the marketing there has now been a substantial level of specialist tests and assessment on the condition of the building and the conclusion is that substantial repairs and replacement of the concrete elements of the structure would be necessary for conversion works to be undertaken, or indeed to return the building to a sound condition prior to its re-use for any purpose. Taking into account English Heritage's previous advice, if such work were to be undertaken, the building would probably not deserve its listing status and could be de-listed. The Council's own consultant, The Morton Partnership, has considered the latest information relating to the condition of the building's concrete roof and provided the following advice:

"I accept the advice that he (concrete contractor) has given that the chloride content in the roof beams and roof slabs is such that the effect of the chlorides working with the carbonation will undoubtedly cause problems with the roof structure in the future. The effects of the chloride and carbonisation of the concrete will mean that the speed of deterioration will increase with time. I believe the Council have pursued the matter of the condition of the building properly in the circumstances, related to initial lack of information provided by the developer, and I now accept that there is no reasonable alternative but to allow demolition of the building."

In short therefore, even though the marketing has been inadequate and the site has a positive value, the condition of the listed building is so poor and the work it requires is so extensive, it would be unreasonable to try to further resist its demolition.

The site is not located in a conservation area and the building does not form part of a group of other listed buildings so the argument for requiring its retention is unsustainable.

The previous refusal for listed building consent to demolish the building has been appealed and will be heard at a Public Inquiry on 12 June 2007. If consent for this application is granted this appeal may still proceed as the decision notice cannot be issued before the Secretary of State has confirmed that she is not calling in the proposal. Clearly if consent is refused the appeal will progress.

The proposed development for the site is shown in outline planning application 06/02377/OUT for 14 dwellings. Open space and sustainable transport contributions will be required from the development. The proposal will also bring forward what is essentially a brownfield site with a derelict building on it for much needed housing in the district. However, it is considered that any public benefits arising from the housing scheme would not in themselves justify the loss of the building.

Consent for demolition is therefore recommended subject to archaeological recording conditions.

Conclusion

In October last year Committee took the decision to refuse listed building consent for the building's demolition primarily on the grounds that the marketing of the building had been inadequate. Notwithstanding further information submitted by the applicant in support of this proposal your officers are of the view that this was the case and the site was not marketed appropriately. However, since last year the situation has changed significantly in so much as additional information has become available regarding the condition of the building's concrete walls and roof. The reports produced clearly indicate that the concrete is in a poor condition and

is likely to deteriorate. To address this extensive repairs and replacement of the concrete elements would be required (replication) and it is considered that such an approach could not be justified in the case of the former Royal Observer Corps building. Such works would diminish the building's conservation value to the point where it would probably be no longer worthy of its listed status although such matters are ultimately for the Secretary of State to decide and not the Council. In the circumstances therefore it is considered that the only realistic option is to allow the demolition of this building.

Other Matters

As the proposal is for the demolition of the entire building on the site, Section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local planning authorities must notify the Secretary of State of their intention to grant consent for the demolition of a listed building.

Recommendation

That, subject to the Secretary of State not requiring the application to be referred to himself for determination, the application granted subject to the following condition(s):

Conditions

1. No development or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

2. No demolition or alteration to structures on the site shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of structures on the site is properly safeguarded and recorded.

Informatives:

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: E14, E17
Adopted Winchester District Local Plan Review 2006: HE1, HE15, DP4