

PLANNING APPLICATION NUMBER:P06/1197

Type of approval sought	Conservation Area Consent
Ward	Wollaston & Stourbridge Town
Applicant	Stewardson Developments Ltd
Location:	32, MARKET STREET, STOURBRIDGE, WEST MIDLANDS, DY8 1AG
Proposal	CONSERVATION AREA CONSENT FOR PART DEMOLITION OF EXISTING BUILDING (AND ERECTION OF BLOCK OF 16 FLATS WITH ASSOCIATED PARKING AND ACCESS).
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site is located on the west side of Market Street and it is located within the High Street Stourbridge Conservation Area. It is bounded on its west side by 4-storey residential development, on its east side by a terrace of 3-storey Grade II listed buildings (Nos. 63 to 75 Market), on its north side by the Grade I listed St Thomas's Church and associated Church Hall and on its south side by Drury Lane.
2. Stourbridge town is medieval in origins. It is one of the Borough's larger towns and it has a distinct 'market town' character. Market Street (formally known as Rye market because it was from there that dealings in corn took place, and subsequently renamed as 'Church Row' on completion of St Thomas's Church in 1736) was originally an important strategic road into the town and fronting either side of Market Street are good quality late 18th and 19th century buildings with strong building and roof lines.
3. Located within the site is No.32 Market Street (also known as the Page Arms) which is a detached two-storey red brick building, late Victorian in date (it appears on the First Edition Ordnance Survey Map c.1882). No.32 Market Street was originally built

as a dwelling house called 'Lawn Cottage' until its part-conversion into a shop in 1959 and then subsequent conversion into a restaurant in 1980.

4. The existing entrance to the site for both vehicles and pedestrians comes off Market Street and is located in-between No.32 Market Street and 32a Market Street.

PROPOSAL

5. This Conservation Area Consent is proposing to part-retain No.32 Market Street by demolishing only the later extensions located to its rear and demolishing a detached garage block located immediately to the rear of No.32a Market Street. It proposes to change the use of the existing/retained building (No.32 Market Street) from restaurant to residential by converting the existing/retained building into 2 three-bed houses. The application also proposes to erect a three-storey extension to the rear of the building, fronting onto Drury Lane, in order to create a block containing 14 two-bed apartments. The scheme therefore proposes in total 16 units and it proposes to provide a total of 16 car parking spaces (2 of which are allocated for disabled use). The scheme proposes to continue using the existing pedestrian and vehicular arrangements (but with some enhancements).
6. This application is to accompany a resubmission of a previously withdrawn planning application P05/2362 - this was an outline application proposing complete demolition of the existing building (No.32 Market Street) and erection of 17 apartments. Since the withdrawal of the application and its' subsequent resubmission, it has been the subject of a number of amendments in order to address various concerns.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
SB/57/223	Change of use from residential to use as shop premises (at Lawn Cottage)	Granted	06/11/57
SB/58/36	Garage	Granted	01/04/58
SB/59/155	The use of one room as a shop premises with addition of bay window (at Lawn Cottage)	Granted	30/06/59
SB/59/340	Shop Extension	Granted	26/01/60
CC/79/379	Erection of three-storey retail shop	Refused	21/05/79
CC/79/1753	Erection of 5 two-storey retail shops	Refused	03/09/79
CC/79/2489	Erection of 5 Shops	Refused	15/10/79
CC/79/2860	Demolition of 32 and 32a and erection of 5 retail shops with offices over	Refused	26/11/79
80/51779	Change of use of ground floor shop premises to restaurant	Granted	10/07/80
80/51780	Erection of Residential Hotel	Withdrawn	26/06/80
80/52006	Change of use of shop premises to residential hotel	Granted	07/98/80
82/50953	Conversion of existing shop and living premises to restaurant public bar with existing first floor residential accommodation.	Granted	15/07/82
85/50279	Erection of Kitchen, Bedroom & Lobby	Granted	25/04/85
85/50895	Change of use from bedroom to restaurant extension	Granted	01/08/85
85/51660	Formation of office	Granted	05/12/85
85/51661	Installation of Casement windows at first floor	Refused	05/12/85
86/50063	Change of use of bathroom to	Granted	13/03/86

	kitchen for restaurant		
P05/2362	Outline application for 17 apartments (Siting, design, external appearance and landscaping reserved for subsequent approval)	Withdrawn	28/12/05

PUBLIC CONSULTATION

7. No objections have been received for the proposal to part-demolish No.32 Market Street or to completely demolish the detached garage, there are no objections therefore to this application for Conservation Area Consent. Concerns have however been raised to the replacement scheme (please refer to Planning Application P06/1198). The occupant of no.2 Webb Court (part of the new assisted living accommodation building to the rear of the site) objects to the proposal on the grounds of increased traffic congestion in the area.
8. The Parochial Church Council of St.Thomas's Church has no objection to the principle of residential development at the site but has expressed the following concerns over the proposal:
- The 'mass' of the proposed building is excessive;
 - The building will result in loss of light to the Church Hall;
 - The height of the building is out of keeping with the area;
 - The development will result in the 'hemming in' by large buildings of St. Thomas's Church in its Georgian setting;
 - Adverse impact on the view of the Church and Church Tower from the south;
 - Over-intensive development of the site;
 - Cumulative effect of the proposed development and the adjacent assisted living accommodation development will increase traffic congestion.

9. Stourbridge Township Council has urged that Development Control Committee undertakes a site inspection before determining the application. They have objected to the planning application for the following reasons:-

- The development proposed is immediately adjoining the only Grade I Listed Building in Stourbridge, namely St. Thomas's Church (built 1728-1736). The proposed development is wholly out of keeping with that listed building and its setting.
- The development proposed is over-intensive in nature and scale and will dominate and overlook adjoining and adjacent existing properties that are of themselves the essential established constituent elements of this important town centre Conservation Area.
- The proposed access to the development from Market Street constitutes an established private way that is extremely narrow and sub-standard to safely accommodate the volume of vehicular traffic that is likely to resort to the site if development is permitted.
- The development, if permitted, would exacerbate the already acute on-street vehicle parking situation in Market Street and which in turn would militate against the interests of the established occupiers of property in the immediate area as well as persons shopping in what is a very busy principal shopping street of the town.

10. The applicants have responded to the Township council's objections and this is summarised below:

- Proposed buildings no closer to the Listed Building. Area used for parking at present to be used for residential parking.
- Buildings roof height similar to adjoining McCarthy & Stone development and to building on the junction of Drury lane and Market Street. Lower than development on opposite side of Market Street. Not over-intensive development and would enhance the conservation area.

- Proposed to retain existing site access and development will generate less traffic movement than exists with use of site for restaurant. Widening the access is unnecessary and would result in demolition of 32-34 Market Street.
- Development will result in decreased demand for on-street parking.

11. The applicant has also submitted photographs of the Church tower from various vantage points around the site in order to illustrate that by retaining the building fronting Market Street, views of the tower will not be materially affected.

OTHER CONSULTATION

12.

Town Centre Management: Concern that views of the Church tower will be impacted.

Council for British Archaeology: No response.

English Heritage: No written response although verbally communicated that the proposed 3-storey extension located to the rear was not innovative in design and that the design of the roof was rather monolithic.

Georgian Group: No response.

RELEVANT PLANNING POLICY

13.

The development plan for Dudley MBC includes the RSS and the 2005 adopted UDP.

The site falls within a designated Conservation Area.

National Policies:

PPG 15 – Planning and the Historic Environment

Strategic UDP Policies:

S4 Heritage assets

S5 Local distinctiveness

S10 Quality design

Detailed UDP Policies:

HE1 Local character and distinctiveness

HE4 Conservation areas

HE6 Listed Buildings

HE11 Archaeology and Information

ASSESSMENT

14. The key issues in respect of this application relate to the extent to which the proposals can be justified in general and when considered against the specific criteria set out in PPG 15 and the Council's adopted Unitary Development Plan. The determining issues are:-

15. The architectural and historical merits of the buildings proposed for demolition and the contribution they make to the High Street Stourbridge Conservation Area. The merits of the alternative proposals for the site and its impact on the character and appearance of High Street Stourbridge Conservation Area and the setting of the surrounding listed buildings.

The Buildings Proposed for Demolition

16. In assessing whether or not consent should be granted, authorities must have regard to the desirability of preserving or enhancing the character or appearance of the conservation area in which the building is situated. PPG 15, paragraph 4.26 advises that: '...account should clearly be taken of the part played in the architectural and historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a hole'.

17. This application proposes to demolish a single-storey detached garage block with mono-pitch roof and to demolish one two-storey extension and one single-storey extension located to the rear of No.32 Market Street.
18. The rear extensions proposed for demolition were erected in different phases:
Phase 1 - The earliest phase is marked on the First edition OS dated c.1882-1887. It is two-storey rear extension, constructed in red brick; it has a hipped roof covered with concrete roof tiles and has three windows in its rear, west-facing elevation (one at first floor level and two at ground floor level). It is a rather plain structure which has been altered substantially with a large aluminium extractor flue protruding.
Phase 2 – The second phase extension at the rear of No.32 Market Street is c.1980 with the erection of a single-storey extension bordering onto Drury Lane and a two-storey extension attached to the phase 1 extension. Both extensions are constructed in an in-appropriate textured brick; they have hipped roofs covered with concrete roof tiles and soldier course window cills.
19. Whilst it is always regrettable to lose sections of an existing building, there is no 'in-principle' objection to the demolition of these rear extensions and garage block, especially in light of the fact that:-
- They are in poor state of repair,
 - they lack any features of architectural and/or historical significance
 - their demolition will have a neutral/positive impact on the High Street Stourbridge Conservation Area; and
 - demolition of rear sections of the building is preferable to the original scheme which was for the demolition of all of the existing building.
20. There is therefore no 'in-principle' objection to the rear extension and garage block being demolished. However, when determining a Conservation Area Consent, consideration does have to be made to the replacement buildings. It states in PPG 15 (4.27) that '*In less clear-cut cases – for instance, where a building makes little or no contribution - the LPA should have full information about what is proposed for*

the site after demolition. Consent should not be given unless there are acceptable and detailed plans for any redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.'

21. The merits of the alternative proposals for the site.
The applicant has submitted a planning application to erect a three-storey rear extension to No.32 Market Street. The merits of this proposal have been fully considered in planning application No.P06/1198. However some of the key issues are briefly considered below:-

Principle of development

- In consideration of this planning application, the starting point is the development plan for the Borough. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that any determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the elements of the scheme must be balanced and given weight in the overall scheme, noting the legislative context provides a presumption in favour of development. The principle of the site being used for residential development is acceptable, subject to the details of the proposal meeting the relevant detailed policy criteria.

Impact upon the Character and appearance of the High Street Stourbridge Conservation Area and Impact upon the setting of the listed buildings

- No.32 Market Street is a large Victorian detached two-storey building which provides a positive contribution to the streetscene and to the character and appearance of the High Street Stourbridge Conservation Area. This application is proposing to retain the existing building and to convert it into 2 town houses. The scheme proposes to make some much needed architectural enhancements to the front façade of the existing building by removing the existing large window feature (which currently projects approximately 1.5 from the line of the existing building line). The applicant has therefore addressed one of the major objections to the previous scheme which proposed the total demolition of the existing building. Retention of the existing two-storey building is welcomed as it ensures that views of

the St Thomas's church are retained both from within the Conservation Area and from the outside of the Conservation Area.

- The application also proposes to erect a three-storey extension to the rear of the existing building fronting onto Drury Lane, in order to create a block containing 14 two-bed apartments. The block is proposed to be detailed with a combination of facing brickwork and render and it is to be divided into a series of gabled projecting bays, all of which assist with breaking up the scale and massing of the block and providing the Drury Lane elevation with a vertical emphasis. In terms of the design and materials of the 3-storey block, there is no objection to the contemporary proposal being put forward. The retention of the original part of the existing building fronting onto Market Street ensures that views along Market Street to the Church and Church Tower from the south are retained and as such there will be no harm to the setting of the listed Church. In respect of impact on the setting of other listed buildings in the immediate vicinity, the 3-storey extension is located off Market Street and considered to not harm their setting.

CONCLUSION

22. The above proposal would result in the demolition of rear extension buildings which have no historical and/or architectural merit and contribute little to the High Street Stourbridge Conservation Area. The loss of the single-storey block fronting Drury Lane will have a positive impact on the Conservation Area as will the enhancements proposed for the front elevation of the existing building No.32 Market Street. With respect to the merits of the alternative proposals for the site, the issues are finely balanced, it is considered that given the framework in which planning decisions are to be made, the proposal complies with policy and would cause minimal harm to surrounding amenities and to the character and appearance of the Conservation Area and as such the planning application has been recommended for approval. In light of this and in light of the fact that this scheme ensures the future retention and enhancement of No.32 Market Street, this application for Conservation Area Consent is recommended for approval.

RECOMMENDATION

23. The Conservation Area Consent is recommended for approval subject the following conditions.

24. **Reason for Approval**

The decision to grant Conservation Area Consent has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including planning guidance.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Demolition shall not take place until a contract for carrying out the works of redevelopment has been made and planning permission for those works granted.