

## **Buildings at Risk Survey 2016**

**Report to Planning Committee 5<sup>th</sup> December 2017**

### **Purpose of the Report**

To inform members of the outcome of the Borough Council's 2016 Buildings at Risk Survey of all of the buildings within the Borough that are on the Statutory List of Buildings of Special Architectural or Historic Interest.

### **Recommendations**

1. That members accept the findings of the Survey for buildings found to be "at risk" and agree that the Conservation Officer and other officers work with owners and their agents to get these buildings removed from the At Risk Register.
2. That the Conservation Officer and other officers work with owners and their agents for those buildings identified from the Survey as buildings "requiring monitoring" to stop them worsening and becoming "At Risk".
3. That officers undertake a survey of all of statutorily Listed Buildings every 5 years or as resources permit and that the survey is updated as necessary if individual buildings are removed from the list or new ones are identified as "at risk"
4. That the list of Buildings at Risk in the Borough is published on the Council's website.

### **Reasons**

To develop and maintain understanding of the Borough's designated heritage assets as well as ensuring their survival for the enjoyment of future generations.

## **1.0 Context and Background**

- 1.1 Historic England (formerly English Heritage) has published an annual Register of Buildings at Risk in England since 1999 for Grade I and II\* Listed buildings, Scheduled Ancient Monuments (SAMs), and Registered Parks and Gardens, and it encourages Local Authorities to produce their own Registers of Buildings at Risk for Grade II Listed buildings. Grade II Listed buildings account for more than 92% of all Listed buildings.
- 1.2 The following structures are on the current Historic England Buildings at Risk Register for the Borough. <https://historicengland.org.uk/advice/heritage-at-risk/buildings/buildings-at-risk/>

Model Farm complex, Betley Old Hall, Betley	Grade II*
Heighley Castle, Heighley Lane, Madeley	Grade II & SAM
Gatehouse walls to Maer Hall, Maer	Grade II*
Hales Roman Villa, Loggerheads	SAM
Moated site and enclosure, Willoughbridge Park, Loggerheads	SAM
- 1.3 The Council carried out a survey of all Listed Buildings during 2009 – 2010 and published the results in 2011. The Borough has 365 listed building entries on the Statutory List. Some entries include more than one building but the survey has included the entry as a single entity. The Council survey did not include Scheduled Ancient Monuments as these are dealt with by Historic England and the County Archaeology Service. Following the last survey the Council has produced a guidance note which has been sent to all Listed properties, where appropriate, last year and this can be found on the Council's website at [www.newcastle-staffs.gov.uk/conservation](http://www.newcastle-staffs.gov.uk/conservation).

## **2.0 Process**

- 2.1 The previous and current surveys were both based on the recognised methodology for assessing the degree of risk to Listed Buildings based on their condition and their level of occupancy/use. Clearly each building will need to be dealt with on an individual basis depending on its state of deterioration or level of occupancy. As last time a number of officers have undertaken the survey and were given guidance by the Conservation Officer on the survey which is based on a visual assessment, including up to date photographs of the buildings.
- 2.2 The previous survey identified 19 buildings as at risk. This represents just over 5% of the Listed Building stock. The Table below provides an update of whether the building is still at risk and what its current status is from the last full survey. The analysis of the data also showed that 22 required monitoring (6%) at that time. Clearly buildings can easily move between the low risk and monitoring category and careful control is required to ensure a positive future for the buildings.

<b>SITE ADDRESS</b>	<b>UPDATE since 2009-11 survey</b>
Farm Buildings at Oakley Park Farm Butterton Road Butterton	Remains at risk. Conservation Officer has met owners to discuss new uses for the buildings. Nothing has been progressed.
Former Brewhouse wall at Oakley Hall Mucklestone	Remains at risk
18A High Street (shop) Newcastle	Occupied but needs monitoring.
Jasmine Lodge Newcastle Road Talke	Not leaking currently but needs monitoring
Barn at Whitmore Riding School Shut Lane Head	No longer at risk
Conservatory at Madeley Manor Nursing Home Heighley Castle Way Madeley	No longer at risk as Conservatory now boarded up and made weatherproof but needs monitoring
Woodshutts Farmhouse Second Avenue Kidsgrove	Remains at risk. This building was repaired but following a serious fire in 2015 much of this work was lost. Owner has engaged new architect and conservation contractor to implement the scheme. Currently confirming funds but not in place as yet so remains extremely vulnerable.
Barn attached to farmhouse at 181 Aston Staffordshire	Still at risk owners yet to implement development scheme to reuse and make building safe but is being monitored.
Summer House in garden at 21 Larchwood Keele Newcastle	No longer at risk – restored following last survey by Keele University and Council Historic Building Grant.
Gatehouse at Maer Hall Courtyard Maer Newcastle	Gatehouse has been tied and stabilised temporarily but needs a long term solution programming. No longer at immediate risk but needs monitoring and owner to carry out next phase of repairs.
Former Maxims, Lower Street Newcastle	No longer at risk. Building currently being refurbished with new use – occupation expected this December.
Agricultural Building at Church Farm Crown Bank Talke	Remains at risk
Model Farm The Old Hall Farm Main Road Betley	No longer at risk from collapse or weathering as whole building has been repaired structurally but needs a use so is unoccupied. Currently considering options with owner who has engaged an architect so building needs monitoring.
Dovecote The Old Hall Farm Main Road Betley	No longer at risk, Needs monitoring

Smithy The Old Hall Farm Main Road Betley	No longer at risk, Needs monitoring
Boat House Heighley Castle Way Madeley	Temporary roof cover and secure but remains vulnerable and unoccupied. Needs monitoring
Oakley Folly Tyrley Market Drayton	Remains at risk
Pigsties The Old Hall Farm, Main Road Betley	No longer at risk, restored
Heighley Castle (Remains) Heighley Lane Madeley	No longer at risk but needs monitoring, vegetation removed and Historic England giving owners a grant to consolidate the ruins.

- 3.4 There are various ways of dealing with these problems buildings and negotiation and patience has been the most successful way of sorting out many of these buildings and removing them from the At Risk Register. Some buildings are more difficult to deal with than others, and aspirations of owners and occupiers are usually the most significant challenge.

### 2016 Survey

- 3.5 The current survey has identified 14 buildings of being “at risk”, 8 of these are from the last survey, meaning 11 buildings that were at risk in the last survey have been removed from the At Risk Register over the last 7 years. This survey has added an additional 6 buildings and structures to the Register and these are all **highlighted in bold** in the Table below. This work is a constant challenge for the department although the Council’s Historic Building Grants are still available for historic buildings as an incentive to help retain significance and character of the Borough’s heritage assets.
- 3.6 Importantly there are 3 graded categories of Risk – a score of 5 being low risk and 7 being severe risk. This score varies according to the condition of the property and whether it has an economic use or not. Some of the buildings identified at risk last time, have changed score, so at the last survey Betley Model Farm was severely at risk structurally and had no use and was high risk overall. The farm complex has now been completely restored by the owner but does not currently have a use, so whilst it is still at risk, it is a low risk.

SITE	ADDRESS	2016 survey and proposals
Farm Buildings at Oakley Park	Farm Butterton Road Butterton	At risk – contact owner to chase a new use for the buildings or consider serving Urgent Works Notice on buildings.
Former Brewhouse wall at	Oakley Hall Muckleston	At risk – Officer to contact owner to make wall safe. Contact building control officer to assess the level of risk to the public as the property and grounds are used to hold functions such as weddings
Oakley Folly Tyrley Market	Drayton	At risk – monument with no viable use or obvious owner. Officer to find owner and make contact about ensuring it is consolidated as a ruin and monitored.
Conservatory/orangery at	Madeley Manor Care Home, Madeley	Not at immediate risk as now boarded up and weatherproof but no economic use for the orangery to date
Woodshutts Farmhouse Second	Avenue Kidsgrove	At risk – Despite contractor and architect on board work has still not started on site so remains extremely vulnerable as winter approaches. Consider serving Urgent Works Notice if remains uncovered.
<b>Blast Furnace, Springwood</b>		At risk - Whilst vegetation was present during the last

<b>Road, Chesterton</b>	survey, this has become much more invasive and the brickwork has become more vulnerable. Officer to contact owner and undertake some removal of vegetation and consolidation of structure. Consider grant.
Jasmine Lodge, Talke	Many years of temporary patch repairs this building remains vulnerable with elderly owner. Parapet structure continues to decay.
<b>Tower, Mill Rise, Kidsgrove</b>	Former windmill, left as a ruin and has a significant crack. It is owned by the Borough Council. A structural survey of building initially is required to monitor the crack. Consider grant.
<b>1 Nelson Place, Newcastle</b>	Building is vacant and has been for some years but has permission for conversion into flats and scaffolding is in place. Roof was leaking. Officer to check if roof leak has been fixed and if development is commencing.
<b>Former Orme Centre, Higherland, Newcastle</b>	Building is vacant and received permission in July 2017 for conversion into student flats as part of a bigger scheme. No start has yet been made to implement the permission. In the meantime there is a need to remove invasive vegetation from the building and ensure it is secure and weatherproof. Officer to contact owner to get vegetation removed and monitor the building. Consider appropriate notices.
Boat House, Heighley Castle Way, Madeley	Building remains vulnerable with no economically viable use but roof covering is still in place and security measures are also in place. Officer to contact owner to see if a new use can be found for the building, or roof properly repaired. Consider grant.
<b>Audley End Mill, Mill End, Audley</b>	No use for the building and owner reluctant to allow access but assures structure is sound with no leaking. Brickwork poor and needs repointing with lime. Some cracks need investigating. Consider grant.
<b>Stable block at Whitmore Hall</b>	There are a number of cracks in this building and probably needs structural monitoring again. It has no use but is part of the Whitmore estate.
181 Aston – attached cowshed	Still at risk owners yet to implement development scheme to reuse and make building safe although they have sought advice from a structural engineer to come up with a safe way to reuse the building and implement the permission which may include careful numbering of all the stone blocks turning them where possible or replacing.

#### 4.0 Options for Action

- 4.1 The Council is committed to working with owners to secure lasting repairs and productive re-use of the Buildings at risk within the Borough. The Council supports the principle of undertaking regular care and maintenance of historic buildings as the best way to ensure that the need for major repair will not develop. The Council is always ready to help provide guidance to owners in the best way to move forward including finding the right specialist for the maintenance of buildings.
- 4.3 The Council can target its limited grant aid funds towards the Buildings at Risk and indeed has done this on a few occasions, and has helped some apply for other funding streams, such as the Heritage Lottery Fund. The Maxims development secured significant funding from HLF through their Heritage Enterprise funding stream and this has enabled the building to be appropriately repaired and now has an economically viable use again. Historic Building Grants which are still available for Listed Buildings, buildings in Conservation Areas or on the local Register are important as an incentive to help retain significance and character of the Borough's heritage assets.

## **Legislative options**

- 4.4 Where a property is not fully occupied, notice can be served under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act). This enables the Local Authority to undertake urgent works to those parts of the property that are not in use. The Notice must describe the proposed works and be served to give a minimum of seven days written warning. The owner can respond by undertaking the specified works. If the Authority has to undertake the works themselves the costs can be recovered from the owner.
- 4.6 In order to secure the long term preservation of a Listed Building a Repairs Notice can be served on the owner under Section 48 of the 1990 Act. This requires the owner to undertake works that are identified in the comprehensive specification and schedule that should accompany the Notice. There is no provision for an appeal against such a Notice, and if no reasonable steps have been taken to carry out the repairs after two months, the Local Authority can begin compulsory purchase proceedings under Section 47 of the 1990 Act. Such an Order can be subject to an objection by the owner, and requires the confirmation by the Secretary of State. However the Local Authority can withdraw the Order at any time and its service is not a commitment to purchase.
- 4.7 It is possible for compensation to be payable if the owner has not deliberately allowed the building to fall into disrepair. In addition, a Local Authority will need to have established a strategy for the proper repair and reuse of the property.
- 4.8 Other notices that can be applied to a Listed Building at risk are Section 215 "Amenity" Notices under the Town and Country Planning Act 1990, and a Dangerous Structures Order under Section 77 of the Building Act 1984 which should always be a last resort, since the necessary works are subject to listed building control and may require consent.

## **Alternative options**

- 4.9 The best way to ensure a building has a secure future is to ensure that it remains in viable use. Officers are always available to discuss options to try and reach mutually acceptable solutions. This will need vision, skill and willingness to recognise that heritage assets as a commodity have value. They have intrinsic character and a connection to the locality that new buildings do not have.

## **Other Outcomes of the survey**

- 4.10 Both surveys have identified unauthorised works which have been undertaken to some Listed buildings, (often buildings which are not visited often and are relatively hidden from public view). The most common problem by far is the installation of inappropriate windows. The Council will seek to get the most appropriate solution for each building to ensure the special character of that building is protected and has been working with owners and agents to rectify unsympathetic development. There has been successful reinstatement of appropriate windows in many cases although some are still being negotiated. The Council always reserves the right to prosecute such offences and if members suspect such work is or has been undertaken we urge that you contact the planning department to inform officers so that we can investigate. Heritage assets are a finite resource and their authenticity is paramount to protecting what makes Newcastle special.

## **5.0 Conclusions**

- 5.1 Progress has been made since the last survey to work with owners to remove buildings from the "at risk" category and undertake repairs and find new productive uses for buildings. Work needs to continue in this way to ensure that the council protects and preserves the special character of its protected buildings.