

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

5th November 2009

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

LISTED BUILDINGS AT RISK INFORMATION PAPER

Regeneration and Transport – Lead Cabinet Member- Councillor Cook

LISTED BUILDINGS AT RISK

1. Summary

This report follows a report to cabinet on the 9th of July outlining the progress to date and proposed future actions with regard to addressing the deterioration of the Brunswick Chapel. Recommendation 4 of the report was that members receive a future report describing the issues presented by the listed buildings at risk within the Stockton-on-Tees area.

This report is intended to provide members with the background relating to buildings at risk, an update on the Stockton situation and our approach to dealing with these buildings.

2. Recommendations

Members note the content of the report

3. Reasons for the recommendation/decision

This report is presented to members as an information paper to explain Stockton Borough Councils approach in dealing with its listed buildings at risk and to outline the current situation within the borough.

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Background

1. Following recent report to Cabinet on the 11th June 2009 regarding the grade II* listed Building at Risk, the Brunswick Chapel members requested an update on listed buildings at risk in Stockton.
2. This report is intended to give members a background to the building at risk process and the current situation within Stockton.

What is a listed building?

3. A 'listed building' is a statutorily protected building of special architectural or historic interest; listed building consent is required for any works which would affect its character, internally or externally. Buildings listed grade I and II* are of outstanding interest and amount to approximately 8% of the total of listed buildings.
4. The remainder are grade II listed, and are listed for local historic or architectural merit.

What is a listed "Building At Risk"?

5. A building at risk (BAR) is a building that has been identified as an historic building at risk through neglect and decay.

6. Buildings at Risk range from those that are virtually on the point of collapse to those that are just a bit ragged around the edges, from vacant to inhabited buildings.
7. Risk is generally defined by a combination of condition and occupancy, using a method developed by English Heritage in 1992.

Why are buildings at risk?

8. There are a number of reasons why a building may be at risk. Each case is unique but there are recurring themes:

Redundancy

9. Buildings are made redundant and may become at risk through changes in technology, demography, economic patterns, popular taste or government policies. Churches, schools and railway stations are just a few examples. Less obvious problems are faced by the traditional high street shops, many of whose upper floors are unused and poorly maintained, putting the whole property at risk. Redundancy need not be the death knell for a building; in the majority of cases a new use can be found.
10. Many buildings can be redundant for years. Without regular maintenance their condition often deteriorates before a new use is identified. These buildings can become a target for vandals and arsonists and like all empty buildings blight the quality of an area's environment.

Owners

11. There are many buildings whose future is jeopardised by owners who, for a variety of reasons ranging from neglect to lack of funds, have allowed their buildings to fall into disrepair. One of the biggest problems is that often the owners refuse to repair or sell the building at a reasonable price. These problems can be overcome, but they lengthen the time before the building is repaired thus raising the amount of repair required.

Lack of maintenance

12. Easily solved maintenance issues such as blocked drainpipes or missing tiles, if overlooked, can develop into major structural problems. Unfortunately, once this crisis point has been reached many owners find they do not have the funds readily available to finance adequate repairs.

Location

13. The location of a building can be a problem. It might have been cut off by an insensitive road development or lie in a now abandoned industrial area, or it might simply be situated in an area characterised by neglect. This does not mean that there is no hope, for the restoration of historic buildings is a key factor in the regeneration of an area. A local eyesore can be transformed into a building the local community can feel proud of once more, enhancing the quality of the environment and the desirability of the area, and often, providing employment possibilities.

English Heritage, Heritage at Risk Register

14. English Heritage, with the assistance of Local Authorities, publishes an annual register of Heritage at Risk. This brings together information on all the Grade I and II* Listed Buildings and Scheduled Ancient Monuments (those above ground structures) known to be 'at risk' through neglect and decay, or vulnerable to becoming so. Monuments, battlefields and conservation areas at risk are also included in this register. Most of England's listed buildings are grade II listed (90%) and these are ineligible for inclusion on this register.
15. Inclusion in the register is not intended to criticise owners of the buildings, but to focus attention on the buildings to seek solutions for their future well being.
16. The list is not exhaustive and is subject to annual monitoring and change as buildings may be added or removed from the list.
17. The English Heritage criteria for establishing a building's 'at risk' status is that, "they [Buildings] should be included only where they have been vacant for long enough to cause concern about their future, or because they are specialised buildings whose form, size or location is likely to make re-use problematic".

Local Authority Responsibility

18. As listed buildings fall under the Planning and Listed Buildings Act 1990 dealing with listed buildings and those at risk is a statutory function of the local planning authority. Local Planning Authorities are encouraged by English Heritage to publish a Buildings At Risk register in order to monitor the condition of grade II listed buildings within their area however there is no statutory duty to do so.
19. The Government urges local authorities to maintain and strengthen their commitment to stewardship of the historic environment, and to reflect it in their policies and their allocation of resources. It is important that, as planning authorities, they adopt suitable policies in their development plans, and give practical effect to them through their development control decisions.
20. There is no specific duty on owners to keep their buildings in a good state of repair (though it will normally be in their interests to do so). Therefore local authorities have powers to take action where a historic building has deteriorated to the extent that its preservation may be at risk through serving urgent works notices or repair notices. However, these powers are limited and can have repercussions for the local authority predominantly through financial risk in terms of preparing such notices, the expertise required to specify the works and execution of the works if the owners do not comply.

Listed Buildings at Risk in Stockton

21. The majority of Stockton's listed building stock are grade II listed dwellings. Most of these buildings are in private ownership and are retained in good sound condition, as it is in the interest of the owner to do so and are therefore not at risk.
22. SBC has a lower than regional average number of listed buildings included on the English Heritage at Risk Register. Stockton has 4% of the North East Region

share of listed buildings with only three of our 494 listed buildings included on the English Heritage register. Out of our 11 conservation areas none of these are included in the English Heritage at risk register,

The three listed buildings on the English Heritage Register are:

Brunswick Methodist Chapel (Grade II*), Dovecot Street
Ruins of St Thomas a Becket (Grade I & SAM), Durham Road, Grindon
Phosphate Rock Silo (II*), Haverton Hill, Former ICI Billingham

Holy Trinity Church was removed from the 2009 register having been added to the register in 1991. There is on going work to address the risk status of the other 3 with the aim of removal from the register.

Brunswick Chapel, Dovecot Street, Stockton

23. Members will be aware of the current situation following the recent cabinet report. The building remains at risk of collapse and discussions are on going with English Heritage and the owner to find a solution to address the buildings condition.

Ruins of St Thomas a Beckett, Grindon Lane, Grindon

24. The Local authority and English Heritage are working with the owner with a view to stabilising the structure and allowing some form of controlled public access. Discussions are on going and the scheme is being developed by officers in planning, parks and countryside and care for your area. This is a scheduled ancient monument therefore bringing the structure back into use as a 'building' not an option that is being considered.

Billingham Phosphate Rock Silo, Haverton Hill

25. This building is listed as being the earliest rock silo of its type in England. It lies within a working chemical plant where public access is prohibited. Due to the sensitive location a new use is extremely difficult. Its construction re-enforced concrete is also difficult to conserve.
26. The owners' last intention was to bring the building back into use as a storage silo, an idea that is strongly supported to provide a use for the structure. The building is at very slow risk of decay and is not under any immediate threat therefore has a very low level of Risk and these complexities are recognised by English Heritage.

Grade II Listed Buildings at Risk

27. The planning department holds an informal register of grade II at risk buildings there are currently 20 buildings on this register. This is not a published register and is for internal monitoring purposes only.

Stockton's Building at Risk Activity

28. SBC were the Regional and National winners of the 2009 English Heritage's Heritage award for our commitment to tackling our buildings at risk and our commitment to heritage. Such accolades show that English Heritage are very supportive of our efforts in tackling our buildings at risk.

29. Tackling our buildings at risk requires cross working across the authority and only staffing resources will allow more project work to be undertaken and proactive approach to looking after our buildings at risk. Cross working across the local authority and with partners have allowed schemes such as Holy Trinity to be delivered and the implementation of the Stockton Heritage and Partnership scheme which looks to restore two at risk listed buildings Dobson's Glass, 26-34 West Row and the Brunswick Chapel, Dovecot Street.
30. We are actively working with owners of other at risk listed buildings to ensure no further dilapidation through monitoring of the at risk register and instigating action when necessary.
31. We continue to work closely with English Heritage to reduce the risk status of the Buildings at Risk on the national register with the ultimate aim of removal from the list as soon as possible.
32. There are a number of listed buildings at risk that have been secured in recent years and removed from this informal list these include:
- i. The Cross Keys, Leven Bank
Severely at risk grade II listed building, local authority served two urgent works noticed both complied with by the then owner. This allowed a scheme of enabling development to progress, which has seen the building sympathetically restored and brought back into use as a dwelling.
 - ii. Scout Hall Chapel Yard, Yarm
Successful conversion of a grade II listed church hall in the conservation area of Yarm, at risk due to long period of vacancy. Private owner developed a scheme which has retained the character and structure of the building creating two new residential units and securing the future of the building.
 - iii. Londonderry Almshouses, Wynyard Road, Wolviston
Group of three grade II listed cottages, owned by the local authority and sold to a new owner under the proviso that essential repairs and conversion works would be carried out to secure their future. Cottages have been sympathetically repaired and are now in use.
 - iv. Preston Hall Conservatory
Successfully restored by SBC with the help of a heritage Lottery grant. Previously at severe risk of further dilapidation and closed for several years before the repair works which were fully supported by English Heritage were implemented. Celebrated as a very successful restoration project.

Our current approach to listed buildings at risk:

33. To monitor the known buildings and risk and add any to the list that may come to our attention, record each building through case notes and photographs and routine inspection. This information system is designed to identify those buildings warranting a more detailed investigation. Problem buildings can most easily be identified by the recognisable indicators of neglect: "condition" and "occupancy". The core of the survey is an assessment of these two factors, judged largely from external inspection.

- 1) Write to owners requesting any repairs maintenance work identified and as appropriate. Instigate any further investigation work if required.
- 2) Using the guidance set out in English Heritage publication 'Stopping the Rot' follow the steps identified in the guidance this may include:
- 3) Consider use of legal powers such as urgent works notices and repair notices depending on condition of the building.
- 4) Look to address the problem by working the building into an SBC scheme, encourage private investment, interest of alternative owner as a few examples.

Listed Buildings in council ownership

34. SBC own and are responsible for 21 listed buildings of these buildings only 2 are considered to be at some degree of risk. These are Thornaby Town Hall, and 32 Dovecot Street.
35. Members may be aware that there are schemes well developed to progress these buildings and on completion of the projects and removal of risk status they would be removed from the informal list.

Legal powers

36. Using the legal powers available to us through planning legislation to address listed buildings at risk is often appropriate. However this is only feasible if we have available funding within the authority to carry out the necessary associated work. This often involves background work such as a full structural survey and legal costs to draft the notices as well as associated officer time.
37. This can result in costs implications for the authority if owners are uncooperative and we have to carry out any urgent works identified. This further highlights the need to be proactive and to avoid these situations if possible.

Conclusion

38. The overall package of measures carried out in recent years have led to significant improvements to the amount and condition of listed buildings at risk within the authority and the way we proactively manage our buildings at risk.
39. Regular monitoring and action at the early stage is crucial to prevent deterioration and is only achievable if the authority has appropriate resources to carry out this work and implement enforcement action when necessary.

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The list of listed buildings in Stockton is held in the statutory Listed Buildings Register (1985) known as the 'Green Back'. A copy of the definitive register is held within the planning department and copies are also available in the libraries.

The buildings are mapped on Maps at Stockton and a map of the dispersion of the buildings across the borough will be placed in the members library for information. Any specific queries regarding listed buildings should be directed to the Historic Buildings Officer within the planning department.

Financial Implications

As report

Environmental Implications

As report

Community Safety Implications

As report

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers :

Planning Listed Building and Conservation areas Act 1990
Planning Policy Guidance Note 15 Planning and the Historic Environment
English Heritage, Heritage at Risk Register 2009 (North East Region)
Cabinet Report 9th July 2009 Brunswick Chapel, 45 Dovecot Street

Ward(s) and Ward Councillors: N/A