

5j **E/12/0115/A – Deterioration of a Grade II listed building and the need for urgent remedial works at Foxdells Farm, Foxdells Lane, Bishop’s Stortford, CM23 1JG**

Parish: BISHOP’S STORTFORD

Ward: BISHOP’S STORTFORD MEADS

RECOMMENDATION:

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the works which are urgently necessary for the preservation of the listed building.

Period for compliance: 6 weeks.

Reason why it is expedient to issue an urgent works notice:

1. The empty building is not weathertight due to the absence of any form of roof covering over the whole of one of the roof planes.
2. The exposed roof timbers appear to be in a fragile condition and there is a concern that any strong wind could cause a sail effect on the remaining roof plane, which may lead to its loss.
3. The interior of the building is extremely wet and elements such as the staircase and sections of the floor are rotted and dangerous. Should the building not be made watertight, but ventilated, this may in turn lead to the loss of this designated heritage asset.

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1.0 Background:

- 1.1 The site is shown on the attached Ordnance Survey extract. It is situated at the end of the track leading to the animal rescue charity. The farmhouse itself is not used by the charity which utilises the barn and other outbuildings.
- 1.2 In April 2012 a concern was expressed to officers with regard to the deteriorating condition of this unoccupied Grade II listed farmhouse.
- 1.3 The building is jointly owned by Alfred McAlpine Homes South Ltd and Bovis Homes Ltd, and is within a site designated within the adopted

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Local Plan as an Area of Special Restraint (ASR) wherein Policy BIS8 states that development will not be permitted, other than would be allowed within the Green Belt, until such time as the land is shown to be needed as a result of a review of the current Local Plan. Members will be aware that, in December 2008, the Council agreed to bring forward the reserve housing land within the ASR's ('Bishops Stortford North') although of course no formal applications have been submitted in this respect to date.

- 1.4 In 2004 listed building consent was granted, under application number 3/04/0057/LB, for temporary works to make the building watertight and to prevent further deterioration of it. At that time the building was described by the agent as being "in extremely poor condition structurally with extensive damage to the roof, floors, brickwork, etc.". The works approved included the removal and retention of the roof tiles, the sheeting of the roof to prevent the ingress of water, the erection of scaffolding and boarding up of windows.
- 1.5 On 23rd April 2012 the enforcement officer visited the site and found that the southern facing roof slope was completely devoid of tiles or protective sheeting and the fragile looking rafters were exposed. It was, therefore, open to the elements. He noted that there was considerable plant growth on both the building itself and on the land immediately surrounding it. The site security hoarding had also come down in areas. The walls of the building showed significant signs of dampness and the boarding on the windows was, in places, rotting.
- 1.6 Enforcement and Conservation Officers visited the site on 14th June 2012 with the Projects Director for Bovis Homes and his surveyor. They entered the house and found that the ground floor of the house was piled high with assorted jumble and rubbish; the upstairs was not inspected as the staircase was rotted and unsafe. In areas that were not affected by water ingress, the piles of rubbish in the building represented a fire risk.
- 1.7 The fireplaces were still in place and most of the ground floor ceilings, with the exception of the rear room, were intact.
- 1.8 The officers discussed the urgent works required with the owners' representative and surveyor, who agreed with their assessment. It was agreed that it would be necessary to erect a temporary corrugated metal roof supported on scaffolding, fitted with gutters and downpipes discharging to drains at ground level and to install vertical flexible sheeting/netting as required to prevent wind driven rain from entering the building.

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- 1.9 It was further agreed that it was necessary to remove all invasive plant growth in and immediately around the building, to clear significant rubbish and debris from inside the building, which should also be sufficiently ventilated. In the longer term a structural survey and full photographic survey would be required.
- 1.10 However despite a number of e-mail communications between the Enforcement Officer and owners' representative, and reminders to the group from the Head of Planning and Building Control, no works have yet taken place. This is allegedly because of the complexity of matters when more than one developer is involved. It is the understanding of officers that a use for the site has not yet been identified by the owners and that it did not feature in their proposals outlined to Members earlier this year.
- 1.11 The enforcement officer again visited the site on 12th November 2012 and no works had been carried out.
- 1.12 Given the onset of winter, officers' consider that if the identified urgent works are not carried out quickly and effectively then it may impact adversely on the viability of this important building, whatever the long term use of the site.
- 1.13 Photographs of the site will be available at the meeting.

2.0 Planning History:

- 2.1 The relevant planning history for the site, by the current owners, can be summarised as follows:

3/00/0337/LB	Demolition of derelict Foxdells Farmhouse.	Withdrawn incomplete.
3/04/0057/LB	To make safe and prevent further deterioration of the building.	Approved.

3.0 Policy:

- 3.1 Chapter 12 of The National Planning Policy Framework requires local planning authorities to have a positive strategy in their decision taking for the conservation of heritage assets most at risk, pointing out that they are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.

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4.0 Considerations:

- 4.1 The main consideration in this matter relates to the deterioration of this building, included in the Statutory List of Buildings of Special Architectural or Historic Interest at Grade II.
- 4.2 The building is not weathertight following the loss of the covering of one half of the roof leading to considerable water and damp ingress into the structure of the building. This leaves one covered roof plane on fragile looking rafters which, in windy conditions, may lead to the complete loss of the roof.
- 4.3 The rubbish and jumble piled up within the property may present a fire risk which, again, could lead to the loss of the property if not removed.
- 4.4 The plant growth in and adjacent to the building is detrimental to the building and may lead to further damage if not removed. This plant growth is also detrimental to the amenity of the area and to the setting of the separately listed barn.
- 4.5 The service of a notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if not complied with, will lead to the Council having to execute the required works themselves. However Section 55 of the same Act enables Councils to recover from the owner all the expenses of any works so carried out. It is the view of officers that the value of the property exceeds the likely cost of any urgent repairs.

5.0 Recommendation:

- 5.1 In accordance with the above considerations, officers' are of the opinion that works are urgently required to prevent the loss of this designated heritage asset and that such a loss would be contrary to national planning policy. Accordingly it is recommended that authority be granted to issue and serve a notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the works which are urgently necessary for the preservation of the listed building.