

Barton Parish Council

c/o 87 Forest Grove

Barton

Preston

PR3 5AY

18 October 2019

**FAO: Jonathan Evans, Preston City Council Planning Department**

**An Application for Demolition of the Former Boars Head Public House, 724 Garstang Road, Preston, PR3 5DR has been submitted by Barton NWL properties Ltd.**

**Barton Parish Council would like to submit an objection to this planning application (planning reference number 06/2019/1039).**

**Our objection is based on the following:**

Preston City Council are aware of the history of this site and so we do not wish to revisit this within our objection and therefore base our comments on the current application that has been submitted.

**Heritage Statement**

The application that has been submitted at this stage is dealing with the demolition only as far as we can see, however we note that the heritage statement submitted was produced in April 2019 and is described as being ' For the erection of 6no dwellings to the rear of the Former Boars Head Public House'

The statement does not contain up to date information about the building following the recent fire or updated photographs so is considered to be out of date and irrelevant for consideration alongside this current application for demolition.

**Locally listed heritage asset**

As you will already be aware, Preston City Council has included the Boars Head Public House on its Local Heritage List due to its historical and architectural interest and its contribution to the character of Barton and its value to local people.

The planning statement that accompanies the application submitted by the owners, questions the decision of Preston City Council in listing the building as a local heritage asset, a decision that they describe as ' pointless and an unwarranted exercise'.

This lack of understanding of the importance of the building to Barton and its parishioners and its setting in the village has been repeatedly demonstrated in the owner's refusal to engage in conversation with The Barton Heritage Group and Barton Parish Council over potential future use of the building and associated land.

Barton Parish Council has tried on several occasions to engage with the owners to look at how we could work together to deliver something on the site that would suit all parties and with CIL funding to assist in this process this was in no means an empty offer.

We note that the structural survey produced by Sunderland Peacock is still awaiting comments from Preston City Council's Building control department and we would be interested to hear the comments of the Building Control department in response to this survey so that we can ascertain what relevance the structural survey has in the determination of this application.

Whilst we accept that substantial damage appears to of been caused in particular to the extension to the existing building, the Parish Council did speak to a member of the City Council's Building Control Team who confirmed that in their opinion the buildings on site were not classed as dangerous buildings in need of immediate demolition.

The application for demolition when considered alongside the National Planning Policy Framework raises the following concerns:

### **NPPF considerations**

**Paragraph 191 of the NPPF states:** Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

The structural report issued by Sunderland Peacock states that '**The building and surround site has had to be fenced and cordoned off for the safety of the public due to the significant risk posed by entering the site and property which could result in injury or death given the serious risk of further collapse'**

We consider that the owners of the site have not put in place the necessary protection for the building and site from the day that they acquired it. Windows and doors have not been secured properly with any form of robust material and metal fencing erected to the front of the site repeatedly fell down until it was eventually completely removed. If the owners had a genuine concern for the safety of our parishioners then they would have put adequate resource into securing the building from the day it was purchased.

Barton Parish Council recently contacted the Building Control department to outline our concerns around the lack of security fencing surrounding the site following the fire. We were concerned that the metal fencing could be easily moved enabling someone to enter the site. The Building Control officer reassured us that they had visited the site and that they were happy with the controls put in place to protect the site.

We assume therefore that whilst the site has had to be fenced off that the fencing is of a sufficient standard to protect the building and site for the foreseeable future and that if the risk of injury or death was high then the Building Control department would, by now, of stepped in and forced the owner to secure the site further. We therefore can only conclude that the risk of injury or death has been dealt with through provision of the current metal fencing that surrounds the site and that this will continue to provide adequate security of the site going forward.

**Paragraph 193 of the NPPF states that** ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’

The planning statement submitted by the applicant states that ***‘As described within the previous survey dated 31/8/17, Version 1.01, the building was past the point of repair and not commercially viable for conversion.***

- ***Barton Parish Council response:*** This statement is no longer relevant as things have now moved on and as previously stated the NPPF states that the deteriorated state of the heritage asset should not be taken into account in any decision. The applicant hasn’t actually submitted a proposal for development on the site but the above NPPF statement is still relevant to this application for demolition as it amounts to substantial harm to the designated heritage asset.

**Paragraph 197 of the NPPF states that** ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

***Barton Parish Council response:*** We believe that the impact of the loss of this Locally Listed building cannot be assessed without clear plans in place for what the site will deliver in the future.

In our opinion nothing has changed since the last application for demolition was withdrawn due to its recommendation of refusal and the opinions of the City Council are still relevant, whilst the building has incurred some fire damage it is still standing and without clear plans for the future of the site the effect of this application for demolition on the significance of the heritage asset and its setting plus the indirectly affected St Lawrences church, cannot be adequately assessed.

**Paragraph 198 of the NPPF states that** ‘ Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred’

***Barton Parish Council response:*** The application being considered at this time is for demolition only and provides no information as to what development is proposed after the requested demolition was carried out.

Without clear plans being submitted outlining the proposals for the future use of the site we believe that as a Local Planning Authority you are not in the position at this time to permit the loss of the whole or part of a heritage asset, in this case the Former Boars Head Public House and associated land.

The Parish Council remains committed to working with the owners and Preston City Council to look at the potential for bringing forward a mixed use development on the site that could incorporate the Former Boars Head Public House and that could satisfy all parties and deliver some real benefit to our communities.

The village is already set to receive a large amount of housing over the next few years in the administrative boundaries of both Preston and Wyre and we would welcome the opportunity to affect future development of the Former Boars Head Public House and the site it sits within.

We are aware of the thoughts of the building and site owners in relation to the potential for housing on the site and before any future proposals come forward, would appreciate the opportunity to discuss how the site could be best developed to deliver a community need.

We would appreciate the support of Preston City Council in securing potential discussions with the current owners, our Parish Council and relevant community representatives to look at options for the site that could see us deliver some community benefit for the rural area, our parishioners and the church.

**Other considerations:**

The planning statement submitted by the applicant states that ***'On reviewing the condition of the building, it was concluded that following the recent fire damage, the cost and option for repair has increased massively and is no longer a realistic option'*** **Barton Parish Council response:** This above statement is at odds with other comments included within the planning statement which state that ***'The practicalities of accessing the property to undertake any works other than that of the demolition of the property was deemed too great a Health and Safety risk and not possible'***

We question the conclusion that the fire damage has increased the cost option for repair when they also state that they couldn't access the property...so how was this conclusion reached if they couldn't access the building to carry out the survey to show the increased cost of renovation?

The planning statement also states ***'The actual practicalities of attempting to safely rebuild the premises given current Health and Safety Legislation would be deemed irresponsible and no other consideration other than safe demolition of these structures should be contemplated'***

This is the opinion of the applicant but is at odds with the requirements of the NPPF stated in paragraph 191 & 193 as stated above.

The applicant makes reference in their planning statement to conclusions drawn in the revised Structural Report stating ***'the building is in an extremely poor and structurally dangerous condition following the recent fire damage having occurred on 18<sup>th</sup> July 2019'***

**Barton Parish Council response:** As a parish council we would appreciate the views of the Building Control department on the above statement especially when the Parish Council were assured that the building was not in fact considered dangerous by them, and had it been considered dangerous we assume that Building Control would have ordered the demolition of the building which we believe is within their jurisdiction to do without the granting of planning permission. We therefore question the validity of the above statement.

The applicants planning statement also states ***'In addition, the risk of disturbed ACM within the building is of grave concern and contact should be made with the Local Authority Building Control to urgently advise on the procedure for the safe demolition and removal of what remains of the building'***

***Barton Parish Council response:*** The removal of asbestos from the site does not require a full demolition it merely requires the owner to be required to have the asbestos removed immediately from the building. Asbestos is not justification for demolition and can be treated by a specialist contractor.

**Conclusion**

The proposed demolition of The Former Boars Head Public House cannot be fully considered without clear plans being submitted that outline the proposals for future use of the site and buildings.

As a Parish Council, we believe, that the decision made by Preston City Council on this application, taken in the context of the NPPF, should not be one that permits the loss of the whole or part of this heritage asset without accompanying plans showing clearly the potential for redevelopment and the effects that any potential redevelopment would have on the Heritage asset and site and the community that it serves.

As a Parish Council we therefore **object** to the demolition of the building known as the Former Boars Head Public House until such a time that an acceptable alternative use for the site is identified that provides a clear benefit to our community.

If you have any questions regarding any of the above comments then please do not hesitate to contact us.

Many thanks

Yours sincerely

Melissa Thorpe

Clerk to Barton Parish Council

bartonparishcouncil@hotmail.com