

# **A Planning Statement in support of application to demolish the Corn Exchange and Town Hall.**

## **Background**

The corn exchange and town hall (DCMS Ref: 8/157) were first listed as grade 2 buildings on 2 October 1951. At the time of listing the premises they were occupied by Brown & Plummer Ltd, a bingo hall and shop.

The market hall and town hall were built between 1852-54 by Sampson Sage and E. Robertson of Swindon. The corn exchange was added in 1866 by Wilson and Willcox of Bath. The building qualities were considered at the time of listing and recorded as.

- Ashlar stone.
- Roof not visible.
- Corn exchange 2-storey, 5 bays divided by giant Tuscan pilasters.
- Rusticated ground floor with arched openings between pilasters, originally open, now with C20 shop windows.
- Lugged architraves to first floor casement windows, and moulded panel over Entablature and pediment over 3 central bays enclosing roundel. Balustrade square lantern with cornice and arch with bell.
- Extensions of 1866 provide corn exchange to rear on triangular site, and tower to left of town hall facade. Rock-faced stone with ashlar dressings.
- Tower of 4 stages, ground floor Ionic columns in antis.
- Architraves to first and second floor windows.
- Top level in form of open Venetian windows and corner Corinthian pilasters above clock chamber.
- Cornice and balustrade, and square dome with iron openwork crestings.
- Corn exchange to rear has arcaded elevation, 1 storey with roof balustrade.
- Interior not of special interest.
- Plans held in British Architectural Library.

The conditions of the buildings were to deteriorate over the following years and by 1984 were no longer being occupied. The abandoned buildings were purchased by the current owner Gael Mackenzie (GM) in 1999 and were in poor condition.

A planning application was submitted by the owner in 2000. The proposal was to undertake a major refurbishment of the building which would provide an entertainment venue with bars and restaurants. This proposal was rejected and a licence was refused.

In 2001 Swindon Borough Council (SBC) decided if they included the planks and square car park a more comprehensive redevelopment of the area would be possible and preferable. SBC produced a detailed design guide which was approved by the Councillors. The new partnership needed to find a development partner to take the project forward. Countryside PLC was selected as the preferred development partner in 2002.

These proposals with the full support of SBC were exhibited to the public in 2003. The proposals were not supported by the public in particular the two 12 storey towers and lack of car parking. The partnership discussed the concerns raised at the exhibition and agreed a revised brief again

supported by SBC. Countryside commenced work on the new proposal which would restrict the height to 7 storeys allowing the clock tower built in 1840 to remain prominent.

The two major fires of 2003 were to interrupt progress. The internals of the buildings were destroyed along with the roof. The fabric of the buildings were significantly damaged causing structural problems requiring scaffolding support. The buildings were no longer viable for restoration in isolation.

In September 2007 the second planning application was submitted by Bach Homes (Locarno) Limited (BHL) who had replaced Countryside as preferred development partner. This application included the Locarno site and SBC car parks. It proposed 129 private apartments with an underground car park, a restaurant in the Old Town Hall, coffee shop in the clock tower, bar restaurant in the Locarno a new public square and Registrar office. This application was approved by the planning committee in February 2008.

It became evident very early in 2008 there were serious banking problems. BHL considered the introduction of McCarthy & Stone (MS) on the South building would help secure project funding. BHL discussed this with SBC and GM and an amended (the third) planning application incorporating MS was unanimously approved by committee in April 2008. Detailed planning approval was granted in September 2008. The banking crisis and collapse of the housing market rendered these proposals unviable.

In June 2010 the fourth planning application was submitted. The new proposal would see a 117 bedroom (Sheraton, Ramada or Accor) hotel, Town Hall restaurant, Clock tower coffee shop, 2 bar / restaurants, new public square, 84 private apartments and underground parking for 150 cars. It was considered a pre-sale of the hotel might assist project funding. This application was refused permission in February 2011 and SBC terminated involvement with the partnership with GM / BHL.

GM has owned the buildings since 1999. During the last 12 years four separate planning applications have been submitted. It has not proved possible to establish a viable development solution during this time even with the active involvement of SBC. It is considered every option to secure a viable future of the asset have been exhausted. As such an application is being submitted to demolish the buildings. It is then proposed to level the site and seek approval for a new build solution to bring the land back to viable use.

The planning application is considered against the policies set out in PPS 5 – Planning for the historic environment and reference taken from planning practice guide.

#### **PPS5 Planning for the Historic Environment.**

The Government objectives state

*“Consideration must be given to the value of the historic environment, and the contribution it makes to our cultural, social and economic life”*

There is probably little doubt the buildings when originally listed in 1951 were contributing to our cultural, social and economic life. They have not contributed since becoming vacant in 1984. Since the fires of 2003 it is fair to say they have a negative contribution to our cultural, social and economic life.

*“The basic criterion for listing a building is that it must hold special historic or architectural interest”*

It is unlikely the buildings would be listed in their current state (see photos) today and restoration is unviable.

*“Government places a priority on its conservation and has set out tests to ensure that any damage or loss is permitted only where it is properly justified”*

The buildings were not viable of restoration after the fires of 2003. The considerable efforts to establish a viable solution incorporating the SBC land have failed. The partnership with SBC has been dissolved and all efforts are exhausted. The land has not contributed economically since 1984.

*“The PPS requires all applicants to provide a level of information that is proportionate to the significance of the asset and the potential impact upon that significance of the proposals. For example, for a substantial demolition it is reasonable to expect the applicant to provide detailed information on the asset as a whole and a thorough explanation of the impact”*

The application will result in the loss of a building which has been an eyesore since 2003. This will actually improve the local setting in the short term. The new development proposals which will follow will bring economic life back to the area. A structural survey was undertaken in 2007 and an update carried out in November 2010. A copy of these reports is provided. Structural engineers are unable to confirm with certainty the structural stability of the remaining structures. The two planning approvals secured have both proved unviable and financial reports from Knight Frank are provided in confidence.

*“Finding the optimum viable use for an asset may require the local planning authority to apply other development control policies flexibly and imaginatively to achieve long-term conservation. For example to realise the benefits of bringing an abandoned listed building on the Heritage at Risk register back into viable use it may be necessary to make an exception to a policy that restricts residential use on employment land”*

SBC have been actively involved in finding a viable solution for regenerating the site. They have been flexible and imaginative in order to achieve long term conservation. The massing of the buildings and possible uses has been established through the detailed design process and discussion over the last 10 years. The last planning application was refused on the grounds off “tipping the balance”. It is fair to say every idea has been considered by SBC / GM and BHL. Regeneration is just unviable.

*“There is no obligation on an owner to maintain a heritage asset, but Government does not wish to encourage deliberate neglect or damage in the hope it will assist and owner in obtaining consent. The local planning authority will often need to take into account the condition of the asset in its decisions, particularly when considering viability. A dilapidated asset is less viable than one in good repair because the cost of repair will be incurred before it can be used. Where a heritage asset has been deliberately neglected and/or damaged in the hope of obtaining consent, the local planning authority, when considering whether to grant that consent, needs to disregard the deteriorated state of the asset”*

The current state of the buildings is perhaps due to some neglect between 1984 and 1999 when GM purchase the buildings. GM submitted an application to renovate the buildings in 2000. The major

fires of 2003 are the principle reason for the current condition of the buildings. The landowner has promoted 3 further planning applications since the fire. The landowner cannot be considered to have neglected the buildings or of not making all reasonable endeavours to find a viable redevelopment solution.

*“Where substantial harm to, or total loss of, the asset’s significance is proposed a case can be made on the grounds that it is necessary to allow a proposal that offers substantial public benefits. For the loss to be necessary there will be no other reasonable means of delivering similar public benefits, for example through different design or development of an appropriate alternative site”*

The demolition of the buildings will improve the setting of the high street in old town in the short term. The proposal to construct new buildings on the site will further improve the setting and our cultural, social and economic life.

*“Alternatively a case can be made for such serious harm or loss on the grounds that the designated heritage asset is genuinely redundant itself and it is preventing all reasonable uses of the site in which it sits. Even where the asset is genuinely redundant, it will often be the case that it can be worked round or incorporated into new development so that the wider site can remain in active use”*

Every effort has been made to establish a viable redevelopment of the site. The buildings have been redundant since 1984. The existence of the buildings is preventing any reasonable use of the site. There are other solutions possible or not explored during the last 10 years.

*“Keeping land in active use is a public benefit. It will be very rare that a decision has to be made between keeping a designated heritage asset and returning the site to active use but in such cases a balance still has to be struck between the loss to society of the significance of the designated asset and the benefits of returning the site to use. Loss of the highest graded assets will only be on wholly exceptional grounds”*

Demolition of the buildings will allow the land to become a public benefit once again. The current condition of the buildings is arguably of economic disadvantage to the community. The buildings are certainly not the highest graded assets, more so in the current state.

*“Given the irreversibility of any such decision, the demolition or destruction of a designated heritage asset on these grounds is very much a last resort after every option to secure a viable future for the asset has been exhausted. The fact that particular applicants or their advisers cannot conceive of a viable use for the asset does not mean that there is no such use”*

The demolition of the buildings is very much the last resort. Every option to secure a viable future has been considered. The options have been considered by the applicant, advisers and SBC over the last 10 years. There is no alternative other than demolition or it would have been considered and discussed with SBC or raised by them.

PPS5 supports the demolition of these buildings to allow the land to be returned to viable use. A more detailed account of the efforts since 1999 is available on request. The land owner has been trying since 1999 to save the building which has been proved unsuccessful. It is considered enough time has been allowed to establish a viable solution. The land lies in an important commercial area of old town and needs to contribute to the local economy once again.