

STRATEGIC PLANNING BOARD

Date of meeting: 8th July 2009
Report of: Andrew Ramshall, Conservation Officer
Title: Urgent Works Notice for Clock House Farmhouse
Barn Over Alderley

1.0 Purpose of Report

1.1 To consider the serving of an Urgent Works Notice to Clock House Farmhouse Barn, Over Alderley for the purpose of stabilizing and preventing further deterioration of the exposed frame and fabric of this listed building.

2.0 Recommendations

2.1 The officer recommends the serving of the Urgent Works Notice for reasons set out below.

3.0 Financial Implications

3.1 The cost of this work is estimated to be not more than £3,000 (informal contract), only payable if Cheshire East Council has to undertake the work.

4.0 Legal Implications

4.1 The above carry risks, the main one being a legal challenge by the owner or third parties; which would involve legal negotiations.

5.0 Risk Assessment

5.1 Refusal of the issuing of an Urgent Works Notice carries the risk of an appeal against the decision by English Heritage.

5.2 Approval of the issuing of an Urgent Works Notice carries the risk of an appeal against the decision by the applicant. However, since the work specified is the minimum necessary to protect the building, it is considered that the appeal is unlikely to be successful. There is also the risk that the Council will have to fund the works and recoup the money at a later stage should the owner not be prepared to carry out the works specified in the time scale.

6.0 Background and Options

6.1 Buildings and structures of special architectural or historic interest which appear as Listed Buildings in the national registrar of buildings of special architectural or historic interest complied by the Secretary of State are afforded significant layers of protection from demolition or harmful change, by the Planning (Listed Buildings and Conservation Areas) Act 1990. The Local Planning Authority has powers to issue various notices under Sections 47, 48 and 54 of the Planning (Listed Building & Conservation Areas) Act, 1990, in respect of the preservation of Listed Buildings.

6.2 Details of the list description

Clock House Farmhouse Barn is a Grade II listed building

Extract from English Heritage database:

SJ 87 NE OVER ALDERLEY C.P. ALDERLEY ROAD

(South Side)

5/157 Timber framed barn 25m north east of Clock House Farmhouse

Barn and shippon: C17. Timber-framed with wattle and daub and later brick infill on massive stone plinth. Corrugated asbestos roof. Long downhill plan. N. front has 9 by 2 and 3 timber small frames with angle bracing of the wall plate. 2 doors and central gabled half dormer (probably a ventilator). Similar dormer on the other elevation which also has a brick lean-to.

Interior: Central threshing floor with shippon above, shippon and half-loft below. Tiebeam and collar trusses. The tiebeams are arched braced and the central one supported by a vertical post.

Listing NGR: SJ8674077958

6.3 This grade II Listed Building has recently been subject to unauthorised works in an attempt to dismantle it following a partial collapse of the building. It has over the past 20 years received no maintenance.

6.4 The first step in requiring the maintenance of a listed building would normally be for the Local Planning Authority to issue an Urgent Works Notice to the owner. This should be restricted to emergency repairs, for example “works to keep a building wind and weather proof and safe from collapse, or action to prevent vandalism or theft”. The steps taken should be the minimum consistent with achieving this objective, and should not involve an owner in great expense.

6.5 Section 54 enables the Local Planning Authority to issue a Listed Buildings Urgent Works Notices when it is considered that repairs are urgently necessary to ensure the preservation of the listed building.

6.6 If the owner has not commenced the required works or demonstrated his intention to do so within a specified period, the Council may enter the site and have the work undertaken itself.

6.7 The Council can seek to recover any reasonable costs it has incurred, but it cannot make a charge against the land, or attempt to recover the costs from a new owner should the land be sold.

6.8 This Urgent Works Notice gives the owner 14 days to start works that have been deemed necessary for the continued preservation of this building

(boarding up and weatherproofing). If the owner does not comply with the Notice, the Council will carry out the work; a charge will then be placed on the property to recover the money at some future date.

7.0 Reasons for Recommendation

7.1 To comply with the current legalisation on the protection of Listed Buildings.

For further information:

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Background Documents:

PPG15: Planning and the Historic Environment

Schedule of works for the temporary work necessary to stabilize and prevent further deterioration of the exposed frame and fabric – prepared by John Carter Historic Building Consultant

The Urgent Works Notice

Documents are available for inspection at:

Town Hall, Macclesfield