

## **Proposed Article 4 Direction –**

### **Demolition of Exchange House, 180-182 St Marys Lane, Upminster**

#### **Authority to Make Article 4 Directions**

Under Part 3, Section 3.8.4 and Part 3, Section 4 of the Council's Constitution, delegated authority is granted to the Assistant Director Planning, to deal with planning related matters which includes including power to make Article 4 Directions.

#### **Justification for Article 4 Direction**

Exchange House, 180-182 St Marys Lane was originally built and used as a telephone exchange. The building was constructed in 1929. The building is three storeys in height with a basement. The exterior remains largely intact, although some of the original windows replaced. Otherwise the front façade has attractive arched entrances, some brick and stone detailing and can be said to represent a landmark in the immediate vicinity.

On 12 July 2022, an application was submitted (Council Ref F0009.22) in accordance with Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 to determine whether prior approval is required for the demolition of the building.

A previous planning application (Council Ref P1044.20) proposing conversion of the building and external alterations was refused on grounds of impact on character and appearance of the site which was considered to be a non-designated heritage asset. A subsequent appeal was dismissed (Appeal Ref APP/B5480/W/20/3263302). The Inspector concluded that the building had justifiably been identified as a non-designated heritage asset – its prominence in the street scene together with its authenticity making a significant positive contribution to the character and appearance of the area. The Inspector then concluded that the proposed alterations would harm the character and appearance of the site.

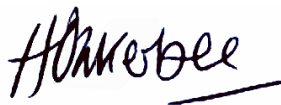
Based on Historic England criteria in relation to the listing of buildings, it is considered unlikely that DCMS will list the building. The building may well be suitable for future inclusion in the Council's local list of buildings of merit, with the Council's Local Development Scheme stated that the list will be reviewed in 2022. However, given the fact that the building is considered to be a non-designated heritage asset, a position agreed by a Planning Inspector, it would be against the interests of good planning for the building to be demolished. Prior Approval determinations under Part 11 would appear to be limited to aspects related to the method of demolition and condition of the site after demolition. Matters such as the heritage value of the building could only comprehensively be considered as part of a planning application.

Given the imminent threat of demolition, it is considered necessary to issue an Article 4 direction, having immediate effect, in relation to the demolition of the building under Part 11. The Article 4 would remain in place for six months and would need to be confirmed before the expiry of the six month period. The consequence of the Article 4 would be that planning permission would be required to demolish the building.

The Article 4 direction would not protect the interior of the building, but there is no evidence that this is of any merit.

Signed:

Date: 3 August 2022

A handwritten signature in black ink that reads "H Oakerbee". The signature is written in a cursive style with a horizontal line underneath the name.

Helen Oakerbee, Assistant Director Planning