

**SUBJECT: EMPLOY CONSULTANT TO UNDERTAKE PROTECTED SPECIES SURVEYS FOR TROY HOUSE**

**MEETING: Individual Cabinet Member Decision**

**DATE: 01/09/2015**

**DIVISION/WARDS AFFECTED: PLANNING (ENTREPRISE) AFFECTED  
MITCHEL TROY WARD AFFECTED**

**1. PURPOSE:**

- 1.1 To seek Cabinet Member approval to engage a consultant to undertake protected species surveys for Troy House, Mitchel Troy, at a cost of £9,665.
- 1.2 The costs of the proposal are met fully by existing budgets.

**2. RECOMMENDATIONS:**

- 2.1 That a consultant be employed to undertake protected species surveys (bats, otter, water vole, and preliminary ecological assessment) with the production of necessary reports to inform a decision on the redevelopment of this site.
- 2.2 IES Consulting has been selected via a tender exercise having assessed both the cost quoted and the quality of their proposed work. The work will cost £9665. VAT is not payable.

**3. KEY ISSUES:**

- 3.1 Troy House is a substantial Listed Building in need of repairs. The Council has a long-standing planning application for the conversion of the building to residential use with enabling development. This application has stalled for several years for a number of reasons.
- 3.2 The deteriorating condition of this building means that progress needs to be made to avoid the loss of historically significant features, for example highly decorative internal ceilings to some rooms which are already collapsing.
- 3.3 The most effective way of saving a Listed Building is to work with the owner, where they are willing to take action, as is the case here. However, in order to make progress, the Cabinet Member and Head of Planning propose to assist by funding the protected species surveys. The applicant is undertaking the other surveys including the Flood Consequences Assessment and Viability Appraisal at his own expense.
- 3.4 In the unlikely event that the above approach fails, the Council has powers to require urgent works and repairs to be undertaken, and ultimately could compulsorily purchase the

site. However this would be a last resort and there is no proposal to take this action at this time. Should such action be needed in the future, the Council would require the protected species surveys before undertaking urgent or repair works, and therefore the protected species surveys would not be wasted expenditure.

3.5 Therefore, while this proposal involves expenditure by the Council, the long term benefits in saving this nationally significant building, mean this expenditure is considered to be a proper use of public monies.

3.6 The preferred consultant was identified via a tender process and is considered to represent value for money. The cost will be fully met by existing budgets.

#### **4. REASONS:**

4.1 The protected species surveys are essential for the planning application to be progressed (legislation and case law dictates this). The Council's offer to meet this cost was a pragmatic response to make progress on this complicated but important site in the interests of saving and restoring this important Listed Building.

4.2 Should current negotiations fail, the surveys will still be required by the Council for it to undertake enforcement action. Such action would be a last resort, would ultimately be more expensive, and would require separate Member approval. The proposal to assist with funding is therefore a pragmatic solution in the unique circumstances surrounding this property.

4.3 Other options were considered but discounted:

a) do nothing: the current planning application could not be progressed, the building would fall into greater disrepair and either be lost or more expensive and protracted enforcement action would be required. The protected species surveys would be needed in any case.

b) do more: additional surveys are needed, included flooding consequences and viability appraisal. However, it is considered that the costs of bringing forward this proposal should be shared with the applicant, and agreement has been reached in this regard, with the applicant funding these other surveys. Additional expenditure was not considered an appropriate or affordable use of public funds at this time.

#### **5. RESOURCE IMPLICATIONS:**

5.1 As set out above, expenditure of £9665 is required from the existing revenue budget for Development Management. There are no additional staff costs over and above those associated with any other planning application/Listed Building case.

#### **6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

6.1 The proposal is to engage external consultants to undertake protected species surveys. These will inform the decision on a current planning application to refurbish a Listed Building that would otherwise continue to fall into disrepair.

6.2 The proposal itself seeks to address the short to long term needs of protected species (a key environmental consideration) and enable a decision to be made on a planning application that balances these considerations with bringing this important Listed Building back into use (economic and social considerations). The surveys are essential to enable the building to be saved in the long term. The end outcome is bringing this important vacant building back into use and saving it for future generations to enjoy, as well as providing homes and employment in the process.

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

7.1 There are no implications, positive or negative, for corporate parenting or safeguarding.

**8. CONSULTEES:**

Cabinet Members

Kellie Beirne, Chief Officer – Enterprise (supports the proposal)

Natalie Davies, Accountant (costs can be fully met within the existing budget)

**9. BACKGROUND PAPERS:**

None

**10. AUTHOR:**

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