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**To Councillor Maton**

Date 21<sup>st</sup> November 2012

**Subject Article 4(1) Direction on the Black Horse, 73 Spon End, Coventry.**

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**1 Purpose of the Note**

- 1.1 To outline the options for preventing the immediate demolition of the Black Horse Public House, 73 Spon End, Coventry.

**2 Recommendations**

- 2.1 To apply an Immediate Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), so as to remove permitted development rights under Schedule 2, Part 31, Class A (Any building operation consisting of the demolition of a building) to the site at 73 Spon End. The Direction to be served with immediate effect, in accordance with Article 6;
- 2.2 To serve notice of the Direction in accordance with Article 5;
- 2.3 To submit a copy of the Direction to the Secretary of State in accordance with Article 6(2).

**3 Information/Background**

- 3.1 The Black Horse Public House is a Locally Listed Building which dates from c1830 and is located in the historic Coventry suburb of Spon End, in close proximity to the Spon End and Chapelfields Conservation Areas. The building also sits on the site of the medieval moated manor of Sponna.
- 3.2 The Council is in receipt of an application to demolish the building under permitted development rights. The owner has also given notice, under the Building Act 1984, of their intentions to demolish the building commencing on the 13<sup>th</sup> December 2012.
- 3.3 The site is of local historical, architectural and archaeological interest and is a Heritage Asset under National Planning Policy. Members of the Planning Committee overwhelmingly approved the adding of the building to the Coventry Local List on 10<sup>th</sup> May 2012.
- 3.4 Demolition of the building would be prejudicial to the proper planning of the area and constitute a threat to its amenities. It is considered that due to the high degree of harm that demolition would cause and the urgent nature of the threat, that there are exceptional circumstances which justify the application of an Article 4(1) Direction, with immediate effect, to remove permitted development rights for demolition.
- 3.5 There are no proposals for a replacement development on the site.

- 3.6 This Direction would prohibit the demolition and would require this to be subject of a full planning application. This would allow the Council to consider the demolition of the building on its full planning merits.
- 3.7 Other options considered to prevent the demolition include requesting English Heritage to spot-list the building, or to re-draw the boundaries of the Spon End Conservation Area to include the building.
- 3.8 Listing is not considered to be an option as the building has already been listed and then de-listed on appeal in March 2012. English Heritage concluded that the building fell just below the necessary level of national significance required for listing, however it is still of high local significance to Coventry. No application for re-listing can be made without new evidence being found.
- 3.9 Expanding the Conservation Area would be an option but the process of amending the boundaries would require full public consultation and would then have to go before the full Council for approval. It would not be possible to complete this process before the intended date of the demolition. However the Council will continue to work on producing an updated Conservation Area Appraisal and Management Plan for the Spon End Conservation Area which is likely to include changes to the boundary.

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