103 Colmore Row, Birmingham, B3 3AG

Demolition of the existing office building and interim works to include a paved external space with boundary screen and ancillary covered storage area.

Applicant: Sterling Property Ventures Ltd for 103 Colmore Row Property Unit
c/o Agent
Agent: GW Planning Limited
21 Norfolk Road, Sutton Coldfield, Birmingham, B75 6SQ

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal

1.1. This application is for demolition of the existing Natwest Tower and, if necessary, interim works to include a paved external space with boundary screen and ancillary covered storage area.

1.2. The applicants intend to commence construction on a new building immediately following the demolition works. However, as a backstop guarantee the interim landscape scheme is proposed. The applicant is therefore willing to enter into a legal undertaking confirming that they would either a) enter into a contract to build a replacement building within 12 months of commencing demolition or b) provide the proposed interim landscaping scheme.

Demolition Works

1.3. Demolition of the existing building would be a substantial engineering contract, taking 10-12 months to complete. However, whereas the previous scheme for a taller tower involved digging out new basement areas, the current proposal retains the existing basements, significantly reducing the work and volume of excavation below ground.

1.4. It is proposed to demolish part of the lower banking hall element nearest Newhall Street first, to allow a larger working area for crane positioning, access and storage. Next the tower would be progressively dismantled by lowering component parts to the ground with a tower crane. Scaffold and crane height would reduce progressively floor by floor as the building is dismantled top down.

1.5. The existing vehicular access via Barton Passage serving the adjacent building, No. 115 Colmore Row, would be retained and protected during the demolition process with a drive through scaffold gantry. It would however be necessary to intermittently
close off up to 5 parking bays on Colmore Row and also reduce the taxi rank on Newhall Street during the works. A street trading site on Newhall Street would also need to be temporarily relocated. Lorry movements to and from the site would be managed so as to avoid congestion on bus services via Colmore Row and other traffic passing the site.

1.6. Measures to control noise, dust and vibration effects on adjacent office premises are specified by the Demolition Method Statement. These reflect ‘considerate contractor’ standards, controlled working hours, regular liaison with neighbouring occupiers, and the use of full scaffold screening to contain demolition material within the site.

1.7. The existing building is currently linked to No. 115 Colmore Row by a stairwell structure. When the tower is demolished this would leave a vertical strip of exposed ‘party wall’ which would be weatherproofed but no external propping of the exposed wall is required.

1.8. At the end of the demolition contract the Colmore Row frontage of the site would be level with the pavement. At the rear of the site the current basement structure would be left. Due to the falling ground levels on Newhall Street this existing retained structure would be up to 4m high at the rear corner alongside Barton Passage. Void areas into the tower basements would be covered over for safety.

Interim Landscape Scheme

1.9. Given the level change across the site it is only practical to utilise the former banking hall slab, which is generally level with Colmore Row. The area behind would be separated by a hoarding creating an accessible space of approximately 16m x 40m.

1.10. This new space could be used for a range of small scale events or arts purposes. It would be stone-paved with steps to the east to resolve the level difference along Newhall Street and include loose café style seating, fixed timber benches, cycle parking for 12 bikes and white birch trees in large stainless steel containers.

1.11. The rear part of the site would be hidden by a curved 4m high plywood hoarding with a silver mirror finish. A small covered area behind part of this screen with a concealed door would provide a vending point and ancillary storage. A section of the hoarding fronting onto the new space would include a canopy.

Site Landscaping Plan

2. Site & Surroundings

2.1. The application site is currently occupied by a 22 storey office building, including banking hall, previously in use by the National Westminster Bank.

2.2. It is located at the heart of the Colmore Row and Environs Conservation Area, at the corner of Colmore Row and Newhall Street. Adjoining buildings fronting Colmore Row to the junction with Eden Place are modern commercial properties. The opposite frontage to Colmore Row is occupied by a continuous row of nineteenth century and early twentieth century Grade II listed buildings, except 122-124, which is listed Grade I. The remainder of the street block bounded by Colmore Row, Bennetts Hill and Waterloo Street is occupied by listed buildings. The northern frontage to Colmore Row, beyond the junction with Newhall Street, is also occupied by a continuous row of Grade II listed buildings. St Phillips Cathedral, listed Grade I and its associated churchyard, is situated to the east of the site, with Victoria Square
and surrounding listed civic buildings, including the Grade I listed Town Hall, to the west.

2.3. Heights of nineteenth century and early twentieth century buildings in the area are generally between 4 and 5 storeys. Post war buildings are generally between 7 and 11 storeys in height. The site is recognised as being within the professional office quarter of the City Centre.

Location Plan
Street View

3. Planning History

3.1. The existing building was constructed in 1972. In its original form, the 'Colmore Centre' included a 5 storey block west of the tower on Colmore Row, separated from the tower by an open court. Planning permission to raise the 5 storey block by 3 storeys and re-clad it was implemented in 1990s.

3.2. 31 October 2008. Application 2008/02353/PA. Planning consent granted for demolition of building in connection with erection of a new 35 storey office building to with ground floor retail, financial and professional services and restaurants/cafes. Consent subject to a S106 agreement to secure public realm improvements valued at £414,260 and £50,000 for public art and a public transport contribution of £50,000.


3.4. 25 June 2010. Application 2010/01719/PA. Conservation Area Consent granted to extend the time limit for implementation of extant permission 2008/02355/PA for the demolition of the existing office building for a further 5 years.

3.5. 30 June 2010. Application 2010/01718/PA. Planning consent granted to extend the time limit for implementation of extant planning permission 2008/02353/PA for the demolition of the existing office building and erection of a 35 storey office building with ancillary retail uses for a further 5 years.


3.7. February 2015, Snow Hill Masterplan launched for public consultation. This Masterplan identifies the Natwest Tower as an opportunity for redevelopment.

4. Consultation/PP Responses

4.1. Nearby occupiers, residents associations, amenity socities, local ward councillors and M.P. notified. Site and Press notices displayed.

4.2. BCC Regulatory Services – no objections.

4.3. BCC Transportation Development – no objections subject to a minor amendment. The highway layout plan shows the hoarding line around the site whilst demolition is taking place. This reduces the width for pedestrians on Newhall Street by the junction with Colmore Row where there is a phonebox to about 800m. The hoarding line should be set back to provide a minimum width of 1.5m around this corner.
4.4. English Heritage - recommend refusal of the application. They consider that the urban park proposed in this area would neither preserve or enhance, nor enhance or better reveal the significance of the conservation area. They do not dispute the benefits of pocket parks in an urban setting as a principle, however this is a vigorously architectural corner site in the conservation area and its character would be completely undermined by the demolition of the existing building and by the absence on the site of a replacement building. They consider that this would constitute less than substantial harm but that this harm is serious enough to outweigh the arguments put forward and any benefits there may be.

4.5. Conservation Heritage Panel – object to proposals. Demolition of a building in a conservation area in advance of planning consent being granted for a new building would be contrary to planning policy.

4.6. Victorian Society – object to proposals on grounds that the proposed demolition of the present tower would impact on the setting of the Victorian listed buildings. The creation of an open space on this site would change the relatively urban grain of Colmore Row, Newhall Street and Bennetts Hill, with an unwelcome break in the streetscape. Demolition of a building in a conservation area should be accompanied by plans for a suitable replacement building, not a temporary solution with an open space as proposed here.

4.7. Twentieth Century Society – despite the certificate of immunity from listing, issued in 2014, and alterations carried out to part of the complex in the 1990s, they continue to believe that this building is of significant architectural interest, and an important work by John Madin. Not only is the loss of this building a waste of high quality resources, no evidence has been provided that this landmark building cannot be retained, adapted and re-used as part of the new development. The original metal doors, with an abstract relief pattern incorporating the logo of the National Westminster, were designed by the renowned public artist William Mitchell. Several of his murals and works of public art have been listed at our instigation across England. If the planning authority is minded to grant consent for demolition, they strongly urge the applicant to ensure that the metal doors are retained and re-used in the new development on the site.

4.8. Yorks Bakery, Newhall Street - there is little detail showing how the screens would be erected and what disturbance there would be during the work.

4.9. 2 letters from members of the Haig family - the original aluminium-cast banking hall doors must be removed intact, without damage and be preserved as part of Birmingham's rich artistic works heritage. They were created and made by Henry Haig ARCA, who was an English stained glass artist, painter and sculptor. The doors consist of an abstract triangle design based on the NatWest logo and are painted to resemble bronze. If no Birmingham department or organisation is able to archive or display this "Work of Art", then they should be returned to the Archive of Henry Haig's Works.

5. Policy Context


6. Planning Considerations
Policy Context and Principle of Demolition

6.1. The National Planning Policy Framework advises that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. It adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (such as listed buildings and Conservation Areas), this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Furthermore, at paragraph 136 it states that local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

6.2. At a local level the Birmingham UDP advises at para 3.27 that consent to demolish a building in a Conservation Area will be granted only where its removal or replacement would benefit the appearance or character of the Conservation Area. The emerging Birmingham Development Plan 2031 also places great weight on the City's heritage assets and advises that new development affecting a designated or non designated heritage asset or its setting will be expected to make a positive contribution to its character, appearance and significance.

6.3. In detail, the Colmore Row and Environs Conservation Area Character Appraisal and Management Plan states that the projected redevelopment of National Westminster House on Colmore Row will involve the removal of the landmark formed by the Natwest Tower. It adds that where the demolition of a building which makes little or no contribution to the character or appearance of the Conservation Area is proposed the Council will expect the submission of detailed plans for redevelopment.

6.4. In principle I have no objections to demolition of the Natwest Tower and its associated banking hall and consider that there would be no harm to the setting of nearby listed buildings or character of the Conservation Area. I note the comments of the Twentieth Century Society, however, last year an immunity from listing was issued and there are extant Conservation Area Consents to demolish the building and redevelop the site. Moreover, the building has been vacant for more than 10 years and demolition of the building would help to bring forward a redevelopment proposal for this key City Centre Enterprise Zone site.

6.5. With regard to the original aluminium-cast banking hall doors the applicants have confirmed that they would:-

a) carefully salvage the doors and store them on site (suitably protected) in the retained basement area whilst their future location is resolved;

b) in the event that they are not re-used on site, offer them free of charge to the City Museums and/or to other appropriate public projects in Birmingham,

c) the artists son has confirmed that he is willing to collect the doors to retain in a family museum should neither my clients or the City Council wish to keep them displayed in Birmingham.

6.6. The City Council would normally only grant consent for demolition of buildings within Conservation Areas as part of redevelopment proposals. The applicant has therefore sought to provide a justification for departing from this approach.
6.7. The applicant intends to commence construction on the new building so that it would not be necessary to provide the interim landscaping and they are in discussions with the City Council about their redevelopment proposals. The applicant is therefore willing to enter into a legal undertaking confirming that they would either a) enter into a contract to build a replacement building within 12 months of commencing demolition or b) provide the proposed interim landscaping scheme. Such a legal agreement would give certainty that if the redevelopment proposals did not proceed as intended then the interim landscape scheme works would be undertaken.

6.8. The key test is therefore whether or not demolition of the building and the interim landscape solution would make a positive contribution to the character, appearance and significance of the Conservation Area and setting of nearby listed buildings.

Interim Solution

6.9. Demolition of the Natwest Tower would not have an adverse impact on key views from Victoria Square and the Cathedral Churchyard, or in respect of the significant historic streetscapes of Colmore Row, Newhall Street and Waterloo Street.

6.10. Within the context of street scenes and neighbouring buildings the proposed new external space would give more prominence to important buildings opposite with the curved mirrored screen reflecting the details of Georgian and Victorian buildings on Colmore Row and Newhall Street. Moreover, the proposed York paving would be in keeping with surfacing materials within the Conservation Area, whilst to soften its appearance birch trees in stainless steel containers are proposed. To make the space more welcoming the vending point set within the curved screen and the café style seating and fixed benches would encourage people to dwell. Additionally, the space would be illuminated by uplighters set within the paving to provide a safe night time environment.

6.11. The removal of the Natwest Tower would open views of the side elevations of No.115 Colmore Row and Edmund House. The side elevation of Edmund House has a blank gable wall and set back element with a regular pattern of windows similar to the front elevation. No.115 Colmore Row has a party wall adjoining the tower which after demolition presents a blank vertical element. This section of “party wall” would be weather proofed but other east elevations of the building which would be exposed have windows. Overall, I consider that the newly exposed elevations of adjacent buildings would not have an adverse impact upon the setting of the listed buildings opposite.

Access and Impact on Neighbouring Properties

6.12. Demolition details provided in the supporting documents and have been discussed in principle with BCC Transportation Development. Various licences and permits are required for these works to commence but these are covered in separate Highways legislation. The temporary public space created would allow pedestrians access through the site and its design has no negative effects on the public highway.

6.13. As within any major demolition project there would be some impact on neighbouring properties. A Demolition Method Statement has therefore been submitted with the application, which includes measures to control noise, dust and vibration.

6.14. The applicant has confirmed to salvage the banking hall doors and to store them for re-use, but not necessarily on this site.
Wildlife

6.15. A baseline ecology survey of the site was carried out prior to the 2008 tall tower planning application. This did not indicate any major ecology issues such as to preclude demolition but did note the building as providing potential habitat for nesting by protected bird species known in the vicinity notably Black Redstarts and/or Perigrine Falcons. An updated survey has been undertaken, which recommends that either demolition takes place before the start of the bird nesting season in mid-march, or an ecologist visits the site before work commences to assess the site for the presence of nesting birds. If any active nests are found, an appropriate buffer zone would be need to be established and works in the vicinity may need to be limited until the young birds have fledged the nest.

7. Conclusion

7.1. In 2008 planning and conservation area approvals were granted for a scheme to demolish the Natwest tower and replace it with a 35 storey landmark building. The permissions have since been extended and remain valid but in recent economic conditions it has not proved practicable to deliver.

7.2. The building was assessed by English Heritage in 2014 and has a new certificate of immunity from listing. Furthermore redevelopment of this site to achieve a new tower building is specifically supported by the Big City Plan, and the site is identified as a priority for development scheduled by Birmingham’s City Centre Enterprise Zone.

7.3. Demolition of this long vacant building would help bring forward redevelopment of this prominent site within the heart of Colmore Row and Environs Conservation Area.

7.4. The interim landscaping scheme provides a suitable quality of treatment related to a guarantee that if there were to be a delay in commencing the new building the outcome would still be an enhancement of the Conservation Area on an interim basis.

8. Recommendation

8.1. That consideration of application 2015/00293/PA be deferred pending the completion of a planning obligation to secure the following:

   i) either a) enter into a contract to build a replacement building within 12 months of commencing demolition or b) provide the proposed interim landscaping scheme within an agreed timeframe.

   ii) a financial contribution of £1,500 for administration and monitoring to be paid upon completion of the legal agreement.

8.2. In the absence of the planning obligation being completed to the satisfaction of the Local Planning Authority within 1 month of this resolution, planning permission be refused for the following reason:

   i) In the absence of a legal agreement to secure either a replacement building or the proposed interim landscaping scheme, the proposed development would not preserve or enhance the character and appearance of the Colmore Row and Environs Conservation Area or the setting of nearby listed buildings. The application

8.3. That the Director of Legal and Democratic Services be authorised to prepare, complete and seal the appropriate planning obligation via a unilateral undertaking or an agreement under section 106 of the Town and Country Planning Act.

8.4. That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority within 1 month of the date of this resolution, favourable consideration be given to this application, subject to the conditions listed below:

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Case Officer: David Wells
Natwest Tower view from St Philips Churchyard