

AGENDA

CABINET

THURSDAY, 13 SEPTEMBER 2018

5.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH**

Committee Officer: Izzi Hurst
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- 1 To receive apologies for absence
- 2 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 3 To receive members' declaration of any interests under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting
- 4 Property Acquisition and Compulsory Purchase Order, Wisbech (Pages 3 - 12)

To seek initial approval to the making of a Compulsory Purchase Order (CPO) to enable re-development of 11-12 High Street Wisbech
- 5 Items which the Chairman has under item 2 deemed urgent

Wednesday, 5 September 2018

Members: Councillor C Seaton (Chairman), Councillor D Oliver (Vice-Chairman), Councillor M Buckton, Councillor M Cornwell, Councillor A Hay, Councillor D Laws and Councillor P Murphy

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| Agenda Item No: | 4 |  |
| Committee: | Cabinet – 5.00PM (after Council) | |
| Date: | 13 September 2018 | |
| Report Title: | Property Acquisition and Compulsory Purchase Order, Wisbech | |

1 Purpose / Summary

To seek initial approval to the making of a Compulsory Purchase Order (CPO) to enable re-development of 11-12 High Street Wisbech

2 Key issues

This report should be considered in conjunction with the separate detailed report on the options related to this property. This separate report highlights the potential acquisition of the site by negotiation from the current owner to deliver the regeneration of the property as part of the overall grant aided Heritage Lottery Fund.

The request for considering a CPO at this stage is to provide a fall-back position if current negotiations fail and avoids losing valuable time which could impact on the grant utilisation.

The Cabinet needs to be satisfied that there is a compelling case in the public interest for compulsory purchase and that the proposed redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the Council's area.

3 Recommendations

This report recommends that:

- 3.1 the Cabinet resolves in principle to make a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) for the acquisition of the land and interests within the area shown edged in red on the plan attached to this report for the purpose of enabling the carrying out of a scheme (the "Scheme") of development, redevelopment and improvement of part of the Wisbech town centre which comprises 11-12 High Street (the Property") the Cabinet being satisfied that (i) the acquisition will facilitate the carrying out of the development, redevelopment or improvement on or in relation to the land, and (ii) the development, redevelopment or improvement is likely to contribute to the promotion or improvement of the economic, social and environmental wellbeing of its area;
- 3.2 Subject to a confirmatory second resolution from the Cabinet, to authorise the Growth, Heritage and Community Safety Portfolio Holder in conjunction with relevant Corporate Directors:
 - (i) Take all necessary steps to settle the Statement of Reasons, and to secure the making, confirmation and implementation of the Compulsory Purchase Order including the publication and service of all notices and plans and the presentation of the Council's case at any Public Inquiry;
 - (ii) To acquire interests in land within the Compulsory Purchase Order either by agreement or compulsorily; and

- (iii) Reach agreement or undertakings with land owner(s) setting out the terms for the withdrawal of objections to the Compulsory Purchase Order, where appropriate seeking exclusion of land from the Compulsory Purchase Order;

3.3 The Growth, Heritage and Community Safety Portfolio Holder in conjunction with relevant Corporate Directors is authorised to conduct all negotiations and settle all terms as may be necessary in order to progress and complete any further agreements to be made in respect of the development to enable the delivery of the Scheme.

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| Wards Affected | Medworth Ward, Wisbech |
| Forward Plan Reference | |
| Portfolio Holder(s) | Cllr Chris Seaton – Leader Cllr David Oliver – Portfolio Holder for Growth, Heritage and Community Safety Cllr Anne Hay – Finance Portfolio Holder |
| Report Originator(s) | Gary Garford – Corporate Director (Growth & Infrastructure) Taleyna Fletcher – Townscape Heritage Officer, Wisbech High St Project Stephen Turnbull – Planning Lawyer (PCC) Justin Wingfield – Head of Business & Economy Kamal Mehta – Corporate Director (Finance) |
| Contact Officer(s) | Paul Medd – Chief Executive Gary Garford – Corporate Director (Growth & Infrastructure) Kamal Mehta – Corporate Director (Finance) Justin Wingfield – Head of Business & Economy |
| Background Paper(s) | Council Report – Property Acquisition and Regeneration, Wisbech – 13 September 2018 |

1 Background/Introduction

- 1.1 This report concerns the property known as 11-12 High Street, Wisbech which comprises two separate Grade II listed derelict former shop premises, but for the purpose of this report are dealt with as a single property. The property is shown as edged red on the attached plan (at **Appendix 1**) and is situated in a highly prominent location within the town centre and within the Wisbech Conservation Area.
- 1.2 The buildings are believed to date to the early C18th, constructed from reddened local brown brick. A report prepared by Historic England (English Heritage at that time) in 2006 and commissioned by FDC described the buildings as *“four storeys high with a basement. They both have shops on the ground floor which have been extended at the rear to cover virtually the whole of the available sites. Both floor facades have been replaced with C20th shopfronts and the interiors have been completely opened up and all the fitting and decoration stripped out.”*
- 1.3 At present all that remains is a brick façade supported by internal party & curtain walls, although the upper storey of each façade has been partly dismantled for safety reasons. Whilst there are some structural remains in the footprint of the former buildings behind, it is widely assumed that this is not salvageable and that any new redevelopment scheme would not be required to retain the original layout (subject to planning consent). Access is currently not possible due to the conditions of the site and therefore remote surveys have been undertaken using a drone and elevated platform.
- 1.4 Despite their current appearance, these two properties remain Grade II listed (HE List Entry Numbers: 1331613 and 1279361) and are subject to the same listed building conditions as any other listed property.
- 1.5 Both properties are under the ownership and control of one person who is not locally based. The owner acquired the two properties approximately 23 years ago for an undisclosed sum.
- 1.6 The owner was unable to fund such repairs which meant that FDC had to intervene in default in accordance with its powers authorised under the Building Act 1984. The cost of the repairs, detailed in the confidential appendices, remains the responsibility of the owner and a charge was therefore secured in favour of FDC and recorded in the local land charges registry.
- 1.7 In the years that have followed and for various reasons, the property fell into a state of significant disrepair resulting in the need for urgent structural repairs. In particular, Fenland District Council was notified of potentially significant and dangerous faults regarding the roof and upper courses of brickwork.
- 1.8 The owner is unable to bring forward the property as part of the HLF scheme so negotiations have been had with the owner for the Council to potentially acquire the property so the improvements and grant is not put at risk.
- 1.9 This report seeks approval to the making of an initial resolution to make a compulsory purchase order to enable redevelopment of 11-12 High Street Wisbech to secure the benefits outlined later in this report.

2 Compulsory Purchase Power

- 2.1 The Council has the power under section 226 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) to make a compulsory purchase order in respect of any land in their area if the Council thinks that the purchase of the land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land.

- 2.2 The Council may not exercise the power unless it considers that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objectives:
- The promotion or improvement of the economic well-being of their area;
 - The promotion or improvement of the social well-being of their area;
 - The promotion or improvement of the environmental well-being of their area.
- 2.3 It is immaterial that the development, redevelopment or improvement may be carried out by a third party.
- 2.4 Section 13 of the Local Government (Miscellaneous) Provisions Act 1976 enables the Council to compulsorily acquire new rights. These may be necessary for access and construction purposes.

Guidance

- 2.5 In February 2018 the Ministry of Housing Communities and Local Government published guidance entitled “Guidance on Compulsory Purchase Process and the Crichel Down Rules” (the “Guidance”) which supersedes ODPM Circular 06/2004, and which provides guidance to acquiring authorities in England on the use of compulsory purchase powers.

Paragraph 1 of the Guidance states:

“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life.”

- 2.6 Particular advice on orders made by local authorities under Section 226 of the Town and Country Planning Act 1990 is contained in Paragraph 95 of the Guidance, which states:

“This power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. It is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed mean that no other single specific compulsory purchase power would be appropriate”

- 2.7 The Guidance requires the Council to have regard (inter alia) to the following when considering making a Compulsory Purchase Order:
- a compulsory purchase order should only be made where there is a compelling case in the public interest;
 - an acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention;
 - it is not essential to show that land is required immediately to secure the purpose for which it is to be acquired, but a confirming minister will need to understand, and the acquiring authority must be able to demonstrate, that there are sufficiently compelling reasons for the powers to be sought at this time;
 - the acquiring authority should provide substantive information as to the sources of funding available for both acquiring the land and implementing the scheme for which the land is required. If the scheme is not intended to be independently financially viable, or that the details cannot be finalised until there is certainty that the necessary land will be required, the acquiring authority should provide an

indication of how any potential shortfalls are intended to be met. Funding is expected to be available now or early in the process.

- 2.8 The Guidance looks to acquiring authorities to seek to acquire land by agreement wherever practicable. However, the Guidance recognises that it may be sensible for acquiring authorities to start formal compulsory purchase procedures in parallel with their efforts to acquire by agreement and this is true of the engagement with the owner of 11-12 High Street. The Guidance notes that this has the advantage of making the seriousness of the acquiring authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.
- 2.9 A compulsory purchase order to which there are objections will require confirmation by the Secretary of State to become effective. The Guidance provides that any decision by the Secretary of State about whether to confirm an order under Section 226 will be made on its own merit, but the factors that the Secretary of State can be expected to consider include; (a) whether the purpose to which the land is being acquired fits in with the adopted planning framework for the area; (b) the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area; and (c) whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by other means, for example any alternative proposals put forward by the owners of the land.
- 2.10 A 'Statement of Reasons' for the CPO will be prepared and will be attached to the Order, if made. This will provide a detailed overview, background to the scheme, planning history, planning policy and policy context and reasons why a CPO is appropriate.
- 2.11 Discussions with the owner are ongoing and it is hoped to acquire the property by private treaty. A further report to Council explains in much greater detail, the options for securing redevelopment of the property:- *Cabinet Report "Property Acquisition and Regeneration, Wisbech"*.
- 2.12 This report should be read alongside the above report and within the context of those options and the background thereto and take into account the decision of Full Council.
- 2.13 In considering the use of compulsory purchase powers the Cabinet is reminded that the Council must have due regard to its duty under S149 of the Equality Act 2010 and the Public Sector Equality Duty. In particular the detailed scheme will need to be designed having regard to disability requirements. Otherwise there is no known likelihood of an adverse impact on persons with protected characteristics which might arise from the proposals.
- 2.14 Before any redevelopment can take place relevant consents will need to be granted, including planning permission and listed building consents.
- 2.15 The redevelopment will be assisted by funding from the Heritage Lottery Fund - see further below and the report entitled:- *Council Report "Property Acquisition and Regeneration, Wisbech"*.

3 Planning Context

Introduction

- 3.1 The Planning Policy context for the properties at 11-12 High Street, Wisbech, and the wider area, together with relevant material planning considerations, are described in paragraphs 3.3 to 3.12 below. As the site lies within the Wisbech Conservation Area and involves the redevelopment of two Listed Buildings a separate Conservation Statement has been produced at section 4 of this report.
- 3.2 In terms of policy, the National Planning Policy Framework 2018 (NPPF) sets out the Governments planning policies for England and is treated as a material planning

consideration for the purposes of decision making. The Fenland Local Plan 2014 (the “Local Plan”) is the adopted development plan for Fenland, and as such planning decisions should accord with the Local Plan.

National Planning Policy Framework 2018

- 3.3 As discussed earlier, 11-12 High Street, Wisbech, are Grade II Listed Buildings set within Wisbech Conservation Area but are in very poor condition. The condition of the property impacts (refer to Appendix 2 of the main report) significantly on the visual quality of the High Street and is likely to have wider impact in terms of the general attractiveness of the Town Centre and property values in the immediate area.
- 3.4 The challenges posed by the property mean that as suggested by the NPPF, the *“planning policies and decisions should plan an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”* to deliver a sustainable solution which fulfils the economic, social and environmental roles (NPPF para 8).
- 3.5 The consideration of any scheme should have regard to Section 16 of the NPPF, Conserving and enhancing the historic environment which states that heritage assets *“are an irreplaceable resource, and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of the current and future generations”*. Paras 189 to 192 sets out the requirements of an applicant when submitting a proposal that affects a heritage asset.
- 3.6 Para 124 of the NPPF recognises the role that good design has in the delivery of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 3.7 Para 185 of the NPPF sets out factors that should be taken in to account when considering development proposals involving heritage assets which are:
- The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
 - The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - The desirability of new development making a positive contribution to local character and distinctiveness; and
 - Opportunities to draw on the contribution made by the historic environment to the character of the place.
- 3.8 The greater the significance of the asset, the greater the weight should be given to the conservation of the asset (Para 193). The redevelopment of the site could result in substantial harm to these assets and therefore this should only be allowed in exceptional cases. The NPPF (para 194) states that *“any harm to, or loss of, the significance of a designated heritage (from its alteration or destruction, or from development within its setting) should require clear and convincing justification”*.

Fenland Local Plan (Adopted May 2014)

- 3.9 The Fenland Local Plan 2014, as may be expected, mirrors the provisions of the NPPF and states (in Policy LP16) that new development will only be permitted where it *“protects and enhances”* any heritage asset and their setting, commensurate with Government ‘s statements on the matter in the NPPF and also in relation to Local Plan Policy LP 18. LP18 states that the Council will *“protect, conserve and seek opportunities to enhance the historic environment throughout Fenland”* to be achieved through the consideration of planning applications and listed building consent.

- 3.10 In the context of the above, the condition of 11-12 High Street, Wisbech, is such that it seems likely that there could be substantial harm/loss as part of the proposed redevelopment of the property. It is considered that, on submission of the relevant information, this could be justified and outweighed by the significant sustainability benefits that the redevelopment could bring.
- 3.11 Policy LP1 of the Fenland Local Plan seeks to achieve sustainable growth that brings benefits for all sections of the community and states that Fenland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy LP2 seeks to achieve a high level of residential amenity to facilitate health and wellbeing of Fenland residents. It also seeks to achieve opportunities for employment in accessible locations.
- 3.12 The overall strategy of the Local Plan is for sustainable growth, including new housing and job creation and LP3 sets out that the main focus for the majority of growth is in and around the four market towns.

Planning History

- 3.13 11 and 12 High Street, Wisbech, are both Grade II Listed Buildings which are adjacent to each other located on the eastern side of High Street and lie within the historic heart of Wisbech Conservation Area.
- 3.14 There is no extant Planning Permission or Listed Building Consent associated with this site and future development will be subject to both planning application and Listed Building Consent applications.

Condition of 11 and 12 High Street, Wisbech

- 3.15 Turning to the specific characteristics of the property, which is in very poor condition and the cost associated with keeping the whole of the frontage (half of the frontage is significantly worse than the other) is such that the redevelopment could be economically unviable even with grant assistance. Whilst a development proposal could result in substantial harm and partial loss of the asset, the redevelopment of the site could bring significant sustainability benefits namely:
- Reuse of an underused site;
 - The provision of town centre housing which will help in the delivery of a more balanced range of town centre uses at a time where such locations are needing to change to retain the vitality and viability;
 - The provision of modern, fit for purpose shop units;
 - Investment in property in the locality which would improve investor confidence and property values;
 - The improvement of the quality of the built environment which will encourage people to use and enjoy Wisbech town centre;
 - The retention of at least part of the remaining heritage asset;
 - Provide for suitably compatible design of building that complements and enhances the appearance of the Conservation Area and the setting of nearby Listed Buildings;

Conclusion

At this point in time no planning permission / listed building consent application has been received for the proposed redevelopment and so it is not possible to undertake a detailed assessment of whether the sustainability benefits of the scheme would certainly outweigh the substantial harm that could be caused to the asset. However, it is considered that there is a reasonable prospect that substantial harm could be caused. A

separate Conservation Area Assessment has been provided setting out the developer considerations in respect of both of these properties.

4 Conservation Area Assessment

Background

- 4.1 Architecturally Wisbech is regarded as one of East Anglia's finest historic towns presenting a wealth of predominantly Georgian and Victorian buildings. The historic core of the town is recognised for its special architectural and historic interest and it is designated a Conservation Area.
- 4.2 Wisbech Conservation Area was first designated in March 1971 and the original boundary included streets such as the Brinks, Old Market, High Street, Market Place and the Crescent. The Conservation Area boundary was subsequently enlarged in 1980 and the boundary amended in 2008/2009. It is to be noted that within Wisbech Conservation Area there is a particularly high density of listed buildings, 235 listed buildings in total, which reinforces the architectural and historic merits of the area. Over 1/3 of the listed buildings within Fenland are located within the Wisbech Conservation Area. 11 High Street and 12 High Street are both Grade II listed buildings and were listed in 19th November 1976 and 31st October 1983 respectively.
- 4.3 It is evident that Wisbech and its town centre has faced issues for many decades and at the time the Conservation Area was first designated in 1971 areas of the town such as Old Market presented a number of dilapidated buildings with decrepit warehousing behind them facing the river, although these issues of dilapidation have long been addressed.
- 4.4 When Wisbech Conservation Area was first designated the High Street found itself in much better circumstances than it does today and was a vibrant street within the commercial centre of the town. 11 High Street and 12 High Street were roofed buildings and had shops operating from their ground floor premise, Turner's Shoes and Foster Brothers respectively. The upper floors of these two buildings were habitable with windows in place on the High Street elevations. The decline of buildings along the High Street and particularly the derelict state 11 High Street and 12 High Street now find themselves in has had a significant detrimental impact on the character and appearance of High Street, on the Wisbech Conservation Area and on the interests of the two listed buildings themselves.
- 4.5 In 2014 Historic England recognised the problems Wisbech Conservation Area faced and the harm which was being caused to the special interests of the Conservation Area resulting from a number of issues. In 2014 Wisbech Conservation Area was added to Historic England's Heritage at Risk Register due to issues concerning the dereliction of buildings and key streets within the Conservation Area, which have a considerable negative impact on the character and the appearance of this fine Conservation Area.
- 4.6 An opportunity to specifically address the dereliction of High Street came in 2016 when Heritage Lottery Funding from the Townscape Heritage Scheme was awarded to the High Street project. This funding offers the much needed opportunity to address the issues along High Street and regenerate this vital street within the town centre. The improvement of High Street will serve to enhance the character and appearance of the Wisbech Conservation Area, retain and better reveal the historic significance of the street and addresses a situation which significantly detracts from the special interests of the Conservation Area.
- 4.7 The risk issues which are harming the special interest of the Wisbech Conservation Area are set out in the Wisbech Conservation Area Management Plan (March 2016). Priority Objective One commits the Council to the delivery of the Heritage Lottery Funded Wisbech High Street Project which includes dealing with 11 High Street and 12 High Street. Furthermore Priority Objective Four focuses on Buildings at Risk, of which 11

High Street and 12 High Street are at the highest risk, and states that: “The Council will (i) seek to make contact with the owners of listed buildings “at risk” within the Wisbech Conservation Area to raise concerns about their condition, (ii) look to work proactively with owners in the first instance to provide advice to facilitate repairs and reuse of these buildings and (iii) consider using statutory powers where necessary, and in accordance with best practice, to secure repair where cooperation with owners is not forthcoming”. With regard to 11 High Street and 12 High Street is understood that step (i) and (ii) have been followed but without success and the Council is now at step (iii) in moving forward matters forward to addressing these high category buildings at risk.

Legislative and Policy Considerations

- 4.8 Securing a project to redevelop the dilapidated buildings of 11 High Street and 12 High Street is critical to the success of the Townscape Heritage (TH) High Street Project, to addressing the derelict state of these listed buildings, to enhancing the conservation area and to work towards getting Wisbech Conservation Area removed from Historic England’s Heritage at Risk register. Developing a suitable scheme of redevelopment for 11-12 High Street which serves to preserve and enhance the character and appearance of the Wisbech Conservation Area would accord with S72 Planning (Listed Buildings and Conservation Area) Act 1990. A scheme would also accord with the provisions of paragraph 131 NPPF (2012) where it will sustain and enhance the significance of heritage assets and put them to viable use consistent with their conservation, make a positive contribution to the conservation of heritage assets in association with improving the economic vitality of the area and making a positive contribution to the local character and appearance of the area.
- 4.9 The District Council has made a number of commitments to protecting and conserving the district’s heritage. Policy LP18 Fenland Land Local Plan (2014) states “*The Council will protect, conserve and seek opportunities to enhance the historic environment through Fenland*”. Policy LP8 which is a Wisbech specific policy states “*All development should contribute to the promotion of Wisbech into a strong, safe and community focused market town, preserving and enhancing its unique historic character and making appropriate use of heritage assets to benefit its regeneration, tourism potential and sense of place*”. Furthermore a town strategy, Wisbech 20/20 Vision, was launched in 2013. The themes of this town strategy account for the town’s heritage for example, theme 2 includes a focus to “*Secure further investment in Wisbech’s outstanding built heritage and leave a positive legacy for future generations*” and theme 4 reference “*Restoring the image of Wisbech as the proud economic and social Capital of the Fens*”.

Argument for Council intervention

- 4.10 It is understood that the current owner of 11-12 High Street is not in a financial position to progress development of these properties. Utilising the statutory planning powers to compulsory purchase 11-12 High Street offers a means of securing redevelopment of these dilapidated listed buildings in a timely manner and at a critical point in time when grant funding is available through the Heritage Lottery Funded Townscape Heritage Wisbech High Street project. Such grant funding includes a significant proportion of the HLF awarded £1.9m funding allocated for the ‘conservation deficit’ to the rebuild of 11-12 High Street, which is time limited to complete the works and draw down the funding by January 2021.
- 4.11 Objective 4 of the Wisbech Conservation Area Management Plan (2016) states the Council will “*(iii) consider using statutory powers where necessary, and in accordance with best practice, to secure repair where cooperation with owners is not forthcoming*” and this step has been reached in respect of 11-12 High Street. Heritage focused legalisation and policy commitment, with specific Wisbech focused commitments, to preserve and enhance heritage assets support such course of action given that in order to enhance Wisbech’s unique historic character, restore its image and make positive

changes within the conservation area it is fundamental that 11-12 High Street are addressed. If the owner is not able to achieve this or willing to sell the property, compulsory purchaser offers the only opportunity to begin to address the property.

Development Potential

- 4.12 At this time no scheme has been formally submitted to redevelop the site of 11-12 High Street and there is no extant planning permission or listed building consent for the development of the site. Design suggestions (Haverstock Plans) have been put forward with the 2016 HLF Wisbech High Street bid submission and these give an indication of building layouts which may potentially be achieved consisting of ground floor, first floor, second floor and third floor. Given the bid designs are indicative only there remains the development potential to work a scheme up in different ways and this may include looking to incorporate a fourth floor if this can be achieved in an understated manner.
- 4.13 In any scheme it is expected that the High Street frontage of the building will retain its existing traditional appearance constructed in brick with parapet detail to the top of the façade along with the existing arrangement of windows the upper floors present. The ground floor shop frontages shall present traditionally designed shop fronts. Conservation guidance dated 26th July 2018, in the form of a development brief, covering items that should be taken into consideration in working up a scheme to develop this site has been issued.
- 4.14 Future development of this site does need to take account of what historic fabric could be retained in any redevelopment scheme balanced with the financial viability of redevelopment and an understanding of the significance of retained fabric. A structural report by the Morton Partnership (June 2018) has assessed the structural stability of the surviving ruinous fabric of 11-12 High Street. This report concludes that the rear walls behind the façade (street fronting walls) will need to be demolished as would the basement level as a result of their poor structural condition. It *concluded “the front walls of the two buildings, at least in part, are the only real significant areas of structure which potentially could be retained”* with the front wall of 12 High Street being possible to fully utilise in any new re-development and 11 High Street being possible to retain from below the 2nd floor. Redevelopment of this site needs to be considered within the context of viability and deliverability issues referred to in the Council Report *“Property Acquisition and Regeneration, Wisbech”*. At this time there is an open view as to whether the existing facades will be retained or replaced but fundamentally any future planning application and listed building consent application will need to fully justify the development approach proposed.

5 Conclusions

- 5.1 Taking all of the above carefully into account, it is also considered that use by the Council of its compulsory purchase powers to bring about the proposed re-development would contribute to the achievement of the promotion or improvement of the economic, social and environmental well-being of the Council’s area.
- 5.2 On balance it is considered that there is a compelling case in the public interest to seek to use compulsory purchase powers as proposed.