

Alleged Unauthorised Development
East Malling & Larkfield
East Malling

06/00232/215

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Location: 1 High Street East Malling West Malling Kent ME19 6AJ

1. Purpose of Report:

1.1 To update Members following my report to the November meeting.

2. Factual matters:

2.1 As Members will be aware staff have engaged over a considerable time in attempting to establish a solution to the buildings issues but the co operation between the owner and leaseholder deteriorated so that an appropriate course of action could not be agreed. An interim solution, of props, remains in place but it was not possible to agree, at officer level, a visually acceptable permanent solution. However, due to the continued deterioration of the building, work is required and the Council has initiated a report to identify the immediate remedial works which are required.

2.2 I have now received a more detailed report from a consulting structural and civil engineer which sets out the position more clearly:

- From the observations made by the structural and civil engineers it is clear that the front bressummer beam has been severely deflected, primarily due to overloading. This has caused distortion, cracking and some destabilisation of the masonry panel over. For safety reasons two acrow props have been installed by the Council which have stabilised the situation in the short term thus allowing a full assessment to be carried out and scheme proposals to be put forward for necessary remedial measures.
- In consultation with the Conservation Officer it was generally concluded that the building was originally a house, no doubt converted in the late 1800's into a shop at ground floor level with the removal of the masonry and provision of the bressummer beam. However due to the considerable span between return walls it is thought that cast iron columns would also have been installed.
- In the past the windows and access door were no doubt modified and it is thought that the columns were removed thus greatly increasing the span of the bressummer beam. Over the years, long term deflection of the timber beam has occurred causing the problem with the first floor masonry panel.
- In association with the vertical beam deflection considerable lateral movement is present at eaves level due to roof spread. This problem is common with buildings of this age and format. At the same time there is evidence of excessive rafter deflection which may be indicative of deterioration of local (structural) members.

- As mentioned previously the present situation has been on going for many years, but the Council wish to ensure that in the medium term the elevation remains stable until the legalities are resolved and a full remedial scheme implemented. In our opinion the acrow props provide adequate vertical support but require to be installed in a more permanent manner to ensure that they cannot be tampered with or removed. The provision of a simple plywood boxing would achieve this requirement but this should only be erected once the props have been fully stressed in position.
- At eaves level it is recommended that some timber diagonal bracing is installed to prevent any further outward movement of the plate; at first floor level some lateral restraint straps would also be prudent.
- In association with the above it is also recommended that “tell tales” be installed over the larger fractures and be monitored over a six month cycle to ensure stability has been achieved during the interim period before a final resolution has been achieved.
- At one stage some consideration was given to an externally erected restraint scaffold but due to the close proximity of the road, problems with pedestrian access and cost, this option was discounted at an early stage.
- With reference to time frames we would advise that the structural aspects of the works be carried out within a three month period.

2.3 A Requisition for Information issued under Section 330 of the Town and Country Planning Act 1990 has been served to ascertain ownership and tenancy details. The Lawyer executors of the deceased owner (who are engaged in the Probate process) and the occupier have been approached and invited to a meeting to be arranged in an endeavour to agree an acceptable long term design solution that can be drawn up and the necessary works completed pursuant to planning, listed building and building regulations controls.

2.4 If the meeting is productive we will aim for the short term solution suggested by our consultants and also to find a permanent solution probably along the lines of the temporary solution but with fully detailed permanent features designed and executed to conservation standards.

2.5 If the temporary works cannot now be achieved by agreement speedily it will be necessary to ensure that works identified in 2.2 be carried out using Building Control, and or, possibly Listed Building control powers (and a charge placed on the land to secure the repayment of the costs of works when the property is disposed of).

2.6 Moreover, should the course of action set out in 2.5 prove to be necessary then the Borough Council will have to consider the cost and benefits of more radical action, possibly the service of a Building Repairs Notice as a prelude to a Compulsory Purchase Order. The time is not yet right for this route to be adopted but we now have greater detail as to building condition than previously and will be seeking some

valuation advice in light of that information. It must be recognised, however, that there is no budget for such an approach.

2.7 We will proceed achieving the desired outcome and will report back in due course.

3. Recommendation

3.1 **I Recommend** that:

3.2 The actions and approaches set out in the report **BE NOTED**

3.3 A further update report **BE SUBMITTED** to the June 2007 meeting.

Contact: Lindsay Pearson