

Planning Contravention Notice Section 4 (j)
Supporting Statement - Crooked House, Crooked House Lane, Dudley, DY3 4DA

This Supporting Statement addresses Section 4 (j) of the Planning Contravention Notice which reads *'Please explain why you consider that planning permission was not required for the works carried out to the Buildings on the Land that occurred and give any information including documents that you hold to assist the Council in understanding why you consider the works were authorised?'*

Historic background information is relevant in as much as it was known that there had been a death resulting from unauthorised access to the quarry (adjacent to the Crooked House site) in 2012. The local area is known for ongoing and active antisocial behaviour and Mr Taylor was also aware of this. Clearly, any fire damaged building was highly likely to similarly suffer unauthorised access and pose a significant risk to public safety.

Following the fire, some process of making the building safe had to be undertaken and this was mutually agreed by representatives from the Council which is detailed here.

The schedule of work was discussed with officers from Planning Control on Sunday 6th August.

This was then confirmed (again verbally) with a Building Inspector on the Monday morning (7th August) who agreed that the work to make the building safe was necessary.

Therefore, work to make the building safe commenced in the afternoon of Monday 7th August. The schedule of work was verbal with Planning Officers and Building Inspectors. There was agreement for the removal of the unsafe sections of the upper walls, and overall to make the site safe in the event of unauthorised public access. The photographic information provided as Appendix 1 was not available at the time. Hence, all discussions were verbal and to the effect that any necessary works to make the site safe were essential. Council Officers left the site at approximately 14.30hrs.

Removal of the upper sections of the wall as indicated in Appendix 1 rendered both of the gable ends to be unsupported by the side walls. Thus, they were also then unsafe. Therefore, subsequent reduction of the upper gable ends was considered as essential work on the grounds of safety. By reducing the gable ends, the window arches on the lower floor were damaged/broken making the lower wall loosened in sections between windows. Furthermore, the iron framework (on the first floor level) that was historically installed to hold the walls and brickwork together was also loosened. Thus, the lower walls were unsupported and themselves became unsafe.

The degree of safety and the consideration of risk assessment to the public should be put in context with other events taking place at the time. Notably, very active social media communications as well as the public visiting the site (unauthorised) that clearly demonstrated a strong local opinion. In these circumstances, standard safety fencing was not considered an adequate barrier, hence the need to be sure that all walls were made entirely safe at that time.

In conclusion, the reduction of all of the building walls was not the intended action at the start of Monday 7th August. However, as the process to make the site safe commenced, the piecemeal removal of the upper walls was not a practical solution and the site remained an obvious risk to public safety. Without the presence of Council representatives during the process that afternoon, the work to make the site safe had to be undertaken as a matter of utmost urgency.

Final removal of the walls was completed (after the initial work on the 7th August) by the salvaging of the bricks for safekeeping as agreed with the Council. Thus, the removal of any residual lower walling within the brick mound was undertaken at that time and with the agreement of the Council. This was necessary due to the level of theft and ongoing unauthorised public access in the days/weeks following the fire.