

DELEGATED DECISION REPORT

DET/2024/0007
Valid 14/02/2024

HILLSIDE WOOLLEY
BRIDGE
HADFIELD
GLOSSOP

**APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR DEMOLITION
OF BUILDING - EXISTING
SINGLE DWELLING**

**(DEMOLITION
DETERMINATION)**

MAIN ISSUES

- Whether the proposed development complies with Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended
- Whether Prior Approval is required with regards the method of demolition and the acceptability of such details and proposed restoration

DESCRIPTION OF SITE

The application relates to a redundant neglected single storey bungalow known as 'Hillside', Woolley Bridge, situated in an elevated location east of the public highway.

PROPOSAL

This Prior Notification application has been submitted under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and seeks to demolish the existing building in order to facilitate the re-development of the wider parcel of land for residential development.

The application is made up of the following plans and documents:

- Application Form
- Location Plan
- Demolition Safety Plan
- Site Notice Photograph 1
- Site Notice Photograph 2

CONSULTATIONS

Publicity

Site Notice expiry date: 13th January 2024

Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None

Environmental Health

No objections

Derbyshire County Council Highways

The Method of Demolition statement is considered to be comprehensive and whilst a plan of the on site facilities to ensure that no works are carried out or no materials are stored on the adjacent highway would be beneficial, it is ultimately considered that there is ample space within the site to allow for the demolition of the dwelling without having a detrimental on the public highway and as such there are no highway authority objections to the application.

OFFICER COMMENTS

1. Whether the proposed development complies with Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

Schedule 2, Part 11, Class B relates specifically to the demolition of buildings and permits “any building operation consisting of the demolition of a building”, subject to compliance with all relevant parameters set out under Paragraph B.1 and conditions set out under B.2. An assessment against such criteria is undertaken below.

B.1 Development is not permitted by Class B if –

- (a) the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works or repair or works for affording temporary support**

Whilst the building is considered to pose a potential health and safety hazard by virtue of its condition, and the applicant informing the LPA of anecdotes of youths entering and vandalising the site, the risk is not as a direct consequence of an action or inaction or any person having an interest in the land. As such the application is compliant with Paragraph B.1(a).

- (b) the demolition is “relevant demolition” for the purposes of Section 196D of the Act (demolition of an unlisted building in a conservation area);**

The site is not located within a Conservation Area and as such Paragraph B.1(b) is not relevant to this application.

- (c) **the building is used, or was last used, for a purpose falling within –**
 - (i) **Article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or**
 - (ii) **Article 3(6)(q) (drinking establishments with expanded food provision) of that Order**

The buildings that are scheduled for demolition are agricultural barns that sit within the Home Farm complex and are not/have not been in use as a drinking establishment. As such, the application is compliant with Paragraph B.1(c).

- (d) **the demolition relates to a statue, memorial or monument (a commemorative structure) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure –**
 - (i) **that is a listed building**
 - (ii) **that is a scheduled monument**
 - (iii) **within a cemetery, on consecrated land, or within the curtilage of a place of public worship;**
 - (iv) **within the grounds of a museum or art gallery; or**
 - (v) **within the curtilage of a dwellinghouse**

The proposed demolition does not relate to a statue and as such Paragraph B.1(d) is not relevant to this application.

2. Whether Prior Approval is required with regards the method of demolition and the acceptability of such details

Having established that the proposed demolition complies with Paragraph B.1 and thus constitutes permitted development, this is subject to compliance with all relevant conditions set out under Paragraph B.2. An assessment of the proposal against these relevant conditions are undertaken below:

- (a) **where demolition is urgently necessary in the interest of safety or health and the measures immediately necessary in such interests are the demolition of the building the developer must, as soon as reasonably practicable, give the local planning authority a written justification of the demolition**

Not applicable.

- (b) **where the demolition does not fall within paragraph (a) and is not excluded demolition –**

- (i) **the developer must, before beginning development, apply to the local planning authority for determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site**

A comprehensive and detailed Demolition Plan has been submitted by the applicant which covers the following aspects of the process:

- Scope of Works
- Asbestos
- Order of Works
- Health & Safety Responsibilities
- Site Procedures
- Detailed Demolition Method Statement
- Site Rules

The plan has been reviewed by the Council's Environmental Health team and the County Highways Authority.

The Env Health Officer has confirmed that providing the details of the plan can be enforced, there are no objections. In order to ensure that the demolition is carried out in a manner that preserves public health and amenity, it is the view of the Local Planning Authority that Prior Approval is required in order to apply a relevant condition to ensure that the demolition is carried out in full accordance with the submitted Demolition Plan.

The Highways Authority are satisfied that the Demolition Plan is detailed and comprehensive and that the site can accommodate sufficient space for all associated vehicles plant and machinery associated with the proposed demolition.

CONCLUSION / PLANNING BALANCE

The above assessment concluded that the proposed demolition complies with the relevant parameters under Schedule 2, Part 11 of the GPDO and constitutes Permitted Development.

In the interest of public health and amenity, it has been judged that Prior Approval is required and granted subject to the imposition of a condition that requires the demolition to be carried out in full accordance with details submitted within the comprehensive Demolition Plan that accompanies the application.

OFFICER RECOMMENDATION : Prior Approval Required and Granted

Case Officer: James Stannard

Recommendation Date: 5th March 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council