

PRIOR NOTIFICATION

Demolition of a Dwelling

Middle Farm, Cowlow, Buxton,
Derbyshire, SK17 7JA

On Behalf of Tarmac Cement and
Lime Limited

01	Introduction	1
02	Site and Surrounding Area	2
03	Proposed Development	5
04	Permitted Development Rights	7
05	Conclusion.....	10
	Conclusion.....	10

Document Author	Version	Date	Approved By	Comments
Ethan Glover BA(Hons)	B	15/04/2024	Scott O'Dell MRTPI	Final

01 Introduction

- 1.1 This statement is submitted in support of a Prior Notification for the demolition of a dwelling at Middle Farm, Cowlow, Buxton, Derbyshire, SK17 7JA.
- 1.2 Permitted Development Rights are available for demolition under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. There are a number of criteria that the development must meet in order to benefit from these, and this statement demonstrates that the proposed demolition should be considered Permitted Development.
- 1.3 This statement should be read in conjunction with other supporting information supplied as part of the planning application including:
- Application Forms;
 - Location Plan (Drawing Number: LP01); and
 - Proposed and Existing Block Plans (Drawing Number: BP01);
- 1.4 The following sections of the statement provide a description of the site and its surroundings; details of the proposal, alongside an overview and against the permitted development rights.
- 1.5 This statement demonstrates that when considering the available Permitted Development Rights, the proposed demolition a dwelling is acceptable. There are no other material considerations which would render the proposal unacceptable in planning terms therefore it is respectfully requested that the application is viewed favourably and approved without delay.

02 Site and Surrounding Area

- 2.1 Middle Farm is located 4 miles east of Buxton, a town in the Borough of High Peak, Derbyshire. The property is situated at the end of a 2.15km cul-de-sac, Hardybarn Lane, which is maintained at public expense. Tunstead Quarry is located approximately 300m north of the property.

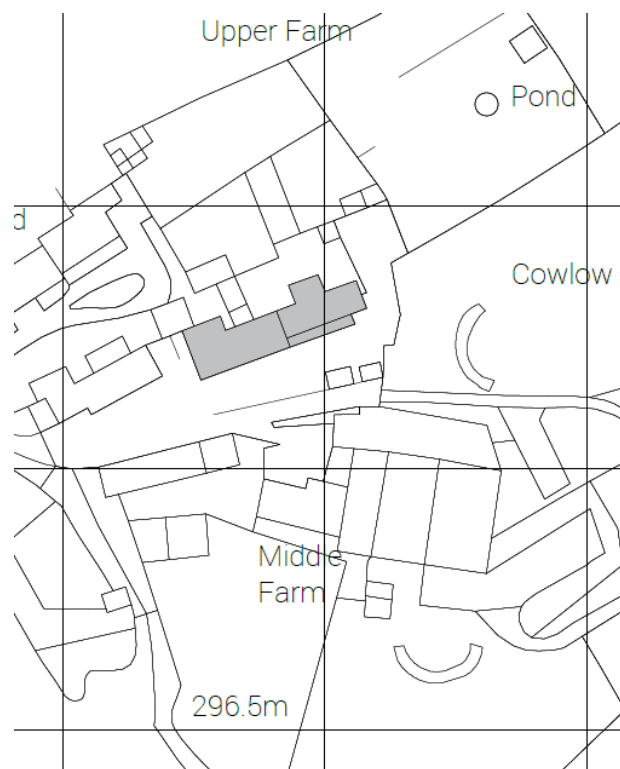


Figure 1: Existing block plan

- 2.2 The existing building proposed for demolition is outlined in Figure 2. The cottage, located to the north of the access track, is currently vacant.

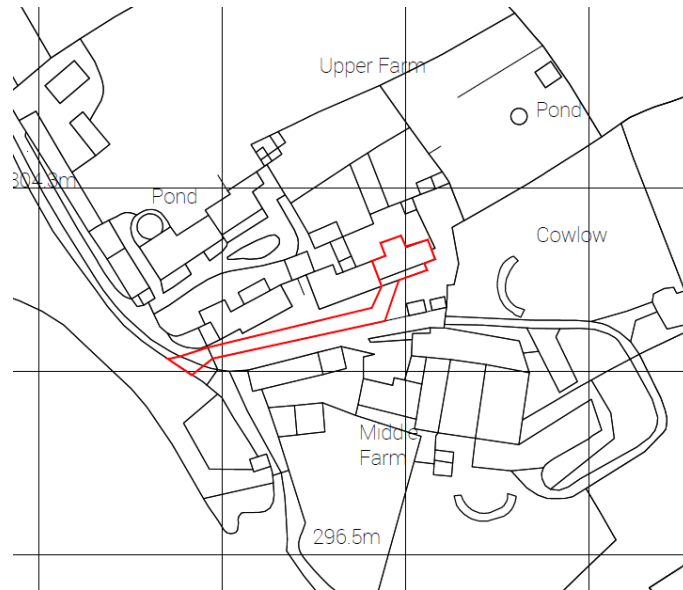


Figure 2: Existing Site Location

2.3 Public footpaths and bridleways run along the access track next to the site entrance. The Site is located within Flood Zone 1, meaning there is a very low risk of flooding from both surface water and rivers/seas, and there is also no overriding risk of contamination associated with the Site either. The Site sits just outside of the Peak District National Park, and is within an Area of Countryside.

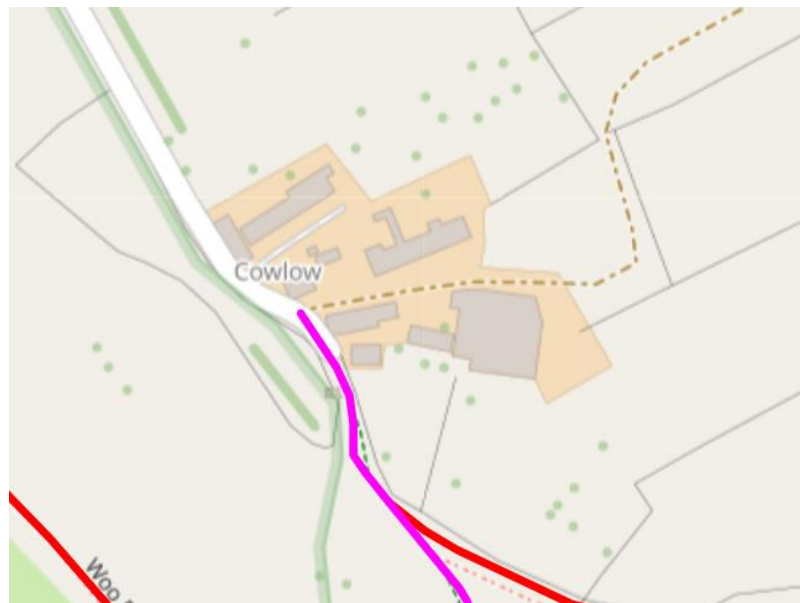


Figure 3: Public Rights of Way (Source: rowmaps.com)

- 2.4 The building is not listed nor located within a Conservation Area, however there is a listed property nearby at Bottom Cowlow (Bottom Farmhouse).

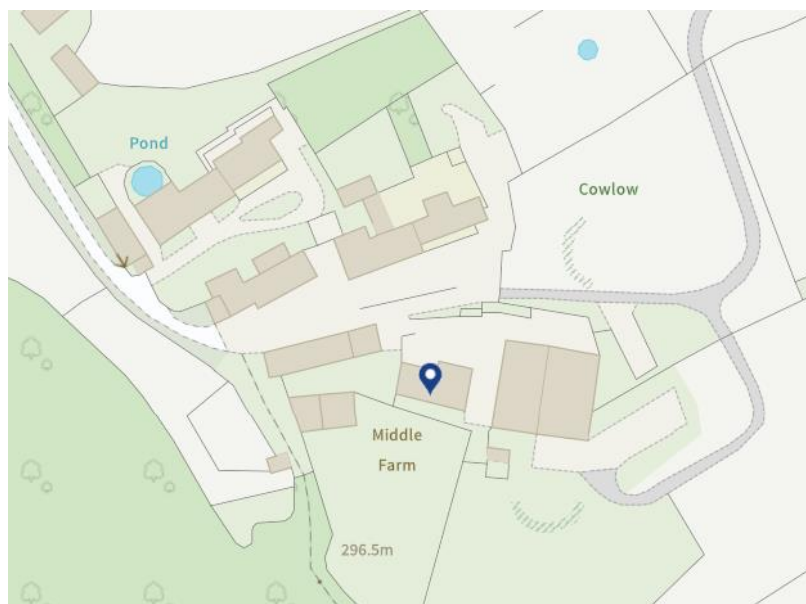


Figure 4: Listed property nearby (Source: Historic England)

03 Proposed Development

- 3.1 The Prior Notification has been submitted in relation to the demolition of a dwelling at Middle Farm, Cowlow, Buxton, Derbyshire, SK17 7JA.

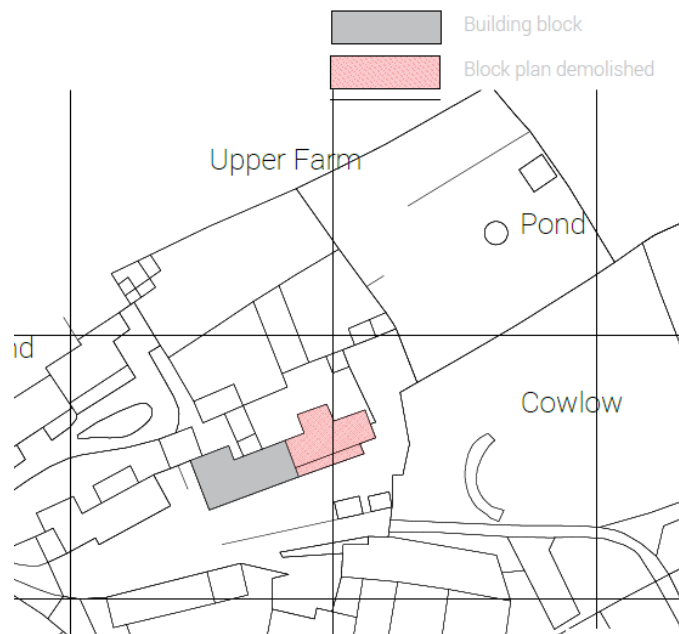


Figure 5: Proposed Demolition Plan

- 3.2 The building has been vacant for some time and the applicant would like to demolish the dwelling.
- 3.3 The proposed 'demolition' works would be undertaken by an external contractor, who will carefully dismantle the buildings. This will be carried out in two stages. Firstly, the removal of external brickwork and timber structure, and secondly the removal of its substructure. The equipment used will consist of a D-rig or similar machinery with breaker and bucket attachments and dust suppression. The spoil/rubble will be segregated into material type with stone and concrete being either stockpiled for crushing or placed into suitable waste containers for removal from site to a license waste disposal facility. All other waste shall be placed into suitable waste containers for removal from site to a licensed waste disposal facility.
- 3.4 Any asbestos would be identified prior to works taking place by a suitable contractor and disposed of in line with the usual requirements.

- 3.5 Prior to any demolition works being undertaken, strengthening works will be carried out to the gable wall which ties the farmhouse to the adjacent barn. The first floor of the barn will be strapped to the external walls (i.e. to the front, rear and gable wall). This will ensure that the gable wall is restrained at circa mid-height – all floorboards would be screwed down to the joists. Any areas of local bulging/delamination will be rebuilt as needed. The two outer skins of the gable stone wall will be tied together in order to prevent further separation/delamination, and also to restore the stability of the wall. Any embedded timber elements will be retained and tied to the rest of the wall where possible. The wall will be repointed with compatible mortar.
- 3.6 It is therefore considered that the proposed method of demolition and site remediation would be carried out in a manner which would not result in any adverse impact on the environment. The site will create a hardstanding area through the removal of the building.

04 Permitted Development Rights

4.1 The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 11. Class B permits development involving any building operation consisting of the demolition of a building, subject to the below exceptions:

- (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 of repair or works for affording temporary support;
- (b) the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area);
- (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;
- (d) the building is used, or was last used, for the purpose of—
 - (i) a concert hall;
 - (ii) a venue for live music performance; or
 - (iii) a theatre; or
- (e) 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.

4.2 The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 11 states the conditions whereby development is permitted by Class B subject to the following conditions:

- (a) where demolition is urgently necessary in the interests 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;
- (b) where the demolition does not fall within paragraph (a) and is not excluded demolition—
 - o (i) the developer must, before beginning the development, apply to the local planning authority for a 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;
 - o (ii) an application described in paragraph (b)(i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid;
 - o (iv) subject to paragraph (b)(v), the applicant must display a site notice by site display on or near the land on which the building to be demolished is sited and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority;
 - o (v) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in paragraph (b)(iv) has elapsed, the applicant is treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;
 - o (vii) the development must not begin before the occurrence of one of the following—
 - (aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
 - (bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or
 - (cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

- (viii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—
 - (aa) where prior approval is required, in accordance with the details approved;
 - (bb) where prior approval is not required, in accordance with the details submitted with the application;
- (ix) the development must be carried out:
 - (aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;
 - (bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b)(ii)

05 Conclusion

Conclusion

- 5.1 This proposal is for the demolition of a dwelling, at Middle Cowlow Farmhouse, Cowlow, Buxton, Derbyshire, SK17 7JA
- 5.2 In planning terms, the main consideration is whether or not the application to demolish the building falls within the Permitted Development Rights, and if so whether the proposed method of demolition and site remediation is acceptable.
- 5.3 In this instance, it is considered that the proposed demolition does fall within Permitted Development Rights under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015 which effectively allows '*any building operation consisting of demolition of a building*'. Matters such as the site not being within a conservation area, not containing listed buildings and not being a specified building have been fully considered in this application and raise no issues warranting further consideration.
- 5.4 The proposed method of demolition would be sympathetic to the environment and the rubble will be carefully removed from the site. The future use of the site will be to create a grassed area, in keeping with the countryside location of the site.
- 5.5 A site notice has been posted at the site in accordance with the requirements of Class B Paragraph (iv). A copy of the notice is enclosed as part of this submission.
- 5.6 It is therefore respectfully requested that the proposed demolition is allowed to proceed without delay.