

DELEGATED DECISION REPORT

DET/2025/0021
Valid 25/11/2025

PEAK DALE HUT
HIGHFIELDS
PEAK DALE

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
DEMOLITION OF BUILDINGS

(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 single storey building with a rectangular form that is situated at the end of the Highfields cul-de-sac, on the northern fringes of Peak Dale.

The building, known as the Hut, is characterised by two gable ends and a pitched roof, spanning a width of 13.6m and a depth of 5.9m (82sqm). The supporting planning statement assert that the building has been vacant for some.

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 for the demolition of the building.

Under these provisions, the applicant is required to apply to the local planning authority so that a judgement can be made as to whether Prior Approval is required with regards the method of demolition.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

EQ10 Pollution and Unstable Land
CF6 Accessibility and Transport

National Planning Policy Framework 2024

CONSULTATIONS

Publicity

Site Notice expiry date: 19th December 2025
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None

Environmental Health

From an Environmental Health point of view this a low-risk application, and there doesn't appear to be a particularly technical submission.

It's not a particularly large or unusual building. Submitted information doesn't suggest specific environmental concerns.

Derbyshire County Council Highways

Considering the scale of the demolition and the location of the site, being at the end of a cul-de-sac, it is considered that the demolition would not have a detrimental impact on the highway network.

A CMP may be beneficial; however, it is considered that the works can be carried out without having a significant impact on the highway.

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**

The building is not deemed to be rendered unsafe or otherwise uninhabitable by virtue of any action or inaction of a 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 building that is scheduled for demolition has 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, memorial or other monument 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

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.

Paragraph 198 of the NPPF states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Paragraph 115 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all users.

Paragraph 116 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact impacts on the road network would be severe.

The method of demolition is contained under paragraphs 3.2-3.4 of the supporting Planning Statement which is presented in full below:

3.2 The building has been vacant for some time, and the applicant would like to demolish the building. The proposed demolition works would be undertaken by an external contractor, who will carefully dismantle the building. 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 licenced waste disposal facility. All other waste shall be placed into suitable waste containers for removal from site to a licensed waste disposal facility.

3.3 Any asbestos would be identified prior to works taking place by a suitable contractor and disposed of in line with the usual requirements.

3.4 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 retain an area of hardstanding following the removal of the building.

The above Statement has been reviewed by the Council's Environmental Health Officer, who considers this demolition to be low risk (in relation to public health and amenity) and have not stated that any further information is required, or that restrictions need to be in place.

The Highways Authority have raised no concerns, and suggested that a Construction Management Plan (CMP) may be beneficial.

Given that the building subject to demolition is located within close proximity to neighbouring residential properties, some 25m to the west of the building, it is important to control working times as to when the demolition can take place. Officers agree that a Construction Management Plan is required, in the interests of both public amenity and highway safety. It is also considered necessary to secure the restoration of the site, in the interests of visual amenity.

As such, whilst the submitted information can be accepted, the Council judge that Prior Approval is required in respect of the above matters, taking account of Local Plan Policies EQ10 and CF6 and relevant paragraphs contained under Chapters 9 and 15 of the NPPF.

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 that prior approval is required and granted subject to the imposition of a number of conditions.

OFFICER RECOMMENDATION: Prior Approval Required and Approved

Case Officer: James Stannard

Recommendation Date: 23rd December 2025

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council