HUNTINGDONSHIRE DISTRICT COUNCIL

25/00968/DEMDET

OFFICER REPORT

Case No: **25/00968/DEMDET** **Demolition Determination**

Proposal: **Demolition of redundant structures.**

Location: **Sawtry Central Stores Woodwalton Lane Sawtry**

Applicant: **Exolum**

Grid Ref: **518427 282065**

DESCRIPTION OF SITE AND APPLICATION

This application relates to the demolition of some buildings and structures on a redundant storage facility site south of Sawtry. It is located on Woodwalton Lane and there are no constraints associated with it.

This application is to determine whether the prior approval of the Local Planning Authority is required for the demolition of some of the buildings and ancillary development on the site under Schedule 2, Part 11, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

NATIONAL GUIDANCE

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

PLANNING POLICIES

N/A

RELEVANT PLANNING HISTORY

None relevant.

CONSULTATIONS

HDC Environmental Health Officer - No objections.

HDC Ecology Officer - no in principle objections - Licensing required for Great Crested Newts.

Natural England - No objections.

Wildlife Trust - No representations received at the time of determination.

Cadent Utilities - No representations received at the time of determination.

REPRESENTATIONS

None received at the time of determination.

The relevant part of the GPDO relates to "any building operations consisting of the demolition of a building" and is subject to the following conditions:

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 of repair or works for affording temporary support;

Officer comments - Complies. Whilst no structural details have been provided, the application is accompanied by a document entitled 'Sawtry Demolition Phase 1 Scope of Work' which provides photographs of the structures to demolished. These are a mixture of buildings and other ancillary items such as lighting columns, handrail, tanks and so on. From their appearance there is no reason to consider that these are not structurally sound and so compliant.

(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)

Officer comments - Complies. The buildings are not within 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

Officer comments- Complies. The buildings were used for industrial processes.

(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;

Officer comments- Complies. The structures were used for/ancillary to industrial processes.

(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

Officer comments- Complies. The structures were used for/ancillary to industrial processes.

Where the development accords with the above conditions Schedule 2, Part 11, Class B.2 requires the developer (before beginning the development) to apply to the Local Planning Authority (LPA)

for a determination as to whether the prior approval of the LPA will be required as to the method of demolition and any proposed restoration of the site.

B.2(ii) required the developer to submit an application 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.

Officer comments - Complies, details are within the application form and cover letter, the fee has been paid, the LPA has received a copy of the site notice and the applicant has confirmed its display in accordance with legislation.

B.2 (iii) - Deleted entry in the GPDO - not applicable.

B.2(iv) requires the developer to 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 LPA.

Officer comments - See above.

B.2(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.

Officer comments - N/A

B.2 (vi) - Deleted entry in the GPDO - not applicable.

B.2 (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.

Officer comments - Part bb is relevant and a decision notice shall accompany this letter. Parts aa and cc are not relevant to this application as prior approval is required and it has been determined in accordance within the set timeframe.

B.2 (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;

Officer comments - Prior approval is required so part aa is relevant. The development shall be carried out in full accordance with the details approved.

B.2 (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)

Officer comments - The development shall be carried out within a period of 5 years of the decision notice in accordance with part aa. Part bb is not relevant to this determination.

*Other matters

A Demolition Statement was provided with the application which details how the demolition and 'making good' will be dealt with. This has been reviewed by HDC's Environmental Health Team. They raise no objections and the works will be undertaken in accordance with this document as per B.2 (viii) (aa) above.

The site (from the photographs provided) is mainly hard surfaced thought there is evidence of grass (growing through the hard surfacing and straying on to the site from the surrounding land). The cover letter advises that Great Crested Newts (GCN) have been identified on site which are a protected species. As such, the application is accompanied by a precautionary working method statement which has been prepared by CSA Environmental. Natural England, The Wildlife Trust and HDC's Ecology Officer have all been consulted. No response has been received from the Wildlife Trust; however, Natural England have responded and raise no objections. HDC's Ecology Officer has however noted that contrary to the considerations within the method statement a license will be required due to the potential for habitats to be disturbed. This relates mainly to demolition of item 8 within the working method statement and item 50 on the submitted plan (the disused additive storage tank) which provides a breeding site/resting place for GCN. The requirement for a license will be secured by condition.

It should be noted that whilst matters relating to the protection of protected species and habitats falls outside of the matters for consideration in determining this prior notification this does not absolve the applicants or any appointed contractors of their responsibilities to prevent wildlife crime as defined within the Wildlife and Countryside Act 1981.

*Conclusion

Having regard to the details submitted it is concluded that the prior approval of the Local Planning Authority is required as to the method of demolition (including the protection of protected species) and the proposed restoration of the site and is hereby granted subject to the imposition of appropriate conditions.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Kevin Simpson**