
2023/0497

R Hutchinson (Berneslai Homes)

Demolition of detached residential dwelling (Application to determine if prior approval is required over the method of demolition and means of restoration)

9 Broom Close, Kendray Barnsley S70 3EG

Site Location and Description

The application relates to a detached residential property located within Kendray which was a former caretakers dwelling associated with Kendray Recreation ground.

Proposed Development

The applicant wishes to demolish the building; there are currently no plans to re-develop the site at this time.

The application has been submitted as a Prior Notification of the intended demolition of the proposed works under Part 11 'Heritage and Demolition', Class B of the Town and Country Planning (General Permitted Development) Order 2015. Under this procedure the Council has 28 days to consider whether or not Prior Approval is required for the proposed method of demolition and means of site restoration. After demolition, the site is to be left in a safe presentable manner for any future, potential development.

The proposal is to demolish the building and remove all rubble/debris off site with the spoil/rubble being taken to the contractor's yard and recycled. The site is not set within the Conservation Area nor is the building Listed.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan

The site is allocated as Urban Fabric within the Adopted Local Plan, which has no specific land allocation and therefore the following policies are relevant:

Policy GD1 General Development
Policy D1 High Quality Design and Place Making

Policy T4
Policy POLL1

National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the Governments planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Consultations

Biodiversity – Initially requested that a preliminary roost assessment for bats should be submitted to support the application for demolishing the buildings. Upon receipt of this, no objection was received

Forestry Officer – No objections

Highways – No objections

Pollution Control – No objections, requested a condition to restrict demolition times.

Ward Councillors – No comments

Representations

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice; no representations have been received.

Assessment

Principle of development

Demolition is a form of permitted development under Part 11 'Heritage and Demolition', Class B of the Town and Country Planning (General Permitted Development) Order 2015 and so there are no grounds to oppose the demolition of the building in principle, which is not listed or located within a Conservation Area.

The information submitted in support of the application is standard and non-specific, however, consultees have not raised objection to the proposals in principle subject to additional information being submitted through a discharge of conditions application. Furthermore, notice must be given to Building Control and Highways and Engineering where further controls and legislation apply. In addition, the contractor would have to adhere to Health and Safety Legislation set out by the Health and Safety Executive and Environment Agency.

Residential Amenity

There would be noise and disturbance as a result of the proposed demolition works, however, long standing residential amenity issues are not envisaged once all the materials have been removed. The building has clearly fallen into disrepair and has been disused since and its removal would benefit the area, allowing the land to be used more suitably.

Pollution Control have been consulted on the application and have raised no objections to the proposals subject to the inclusion of a condition limited construction and demolition hours.

Visual Amenity

There are no implications for visual amenity through the loss of the building as the buildings do not have any special or significant architectural merit. The site would be left in a safe and level condition until detailed proposals are put forward for its re-development, however no details have been submitted at this stage.

Impact on Ecology and Trees

The council's Ecologists were consulted on the application due to the fact that an old building was being demolished. A preliminary bat survey was requested by the Council's ecologists which was duly submitted and assessed. The findings of the report were satisfactory by the ecologists with a couple of minor recommendations. The report found that the building has low suitability to support roosting bats and no signs of bats were identified during the inspection by the applicant's ecological consultant. Mitigation measures were suggested in the report which recommended that one tree-mounted bat box is installed on a tree within the site. No specific details regarding the specification of the bat box to be installed has been provided; therefore, a condition will be included requiring the details of the bat box to be submitted and approved.

There are several semi-mature trees within the site; a tree survey has been undertaken which outlines that the trees on site are to be retained, with an arboricultural method statement also submitted which states that the demolition of the building would not impact on the trees and that suitable tree protection fencing is to be installed. The forestry officer has been consulted on the application and has raised no objections to the proposal subject to compliance with the submitted information.

Highway Safety

Highways have been consulted on the application and requested the submission of a demolition management plan prior to commencement on site; the applicant has submitted the information during the application process and highways have raised no objection to the proposal subject to the works being undertaken in line with the approved document.

Recommendation

Approve subject to conditions