

2023/0813

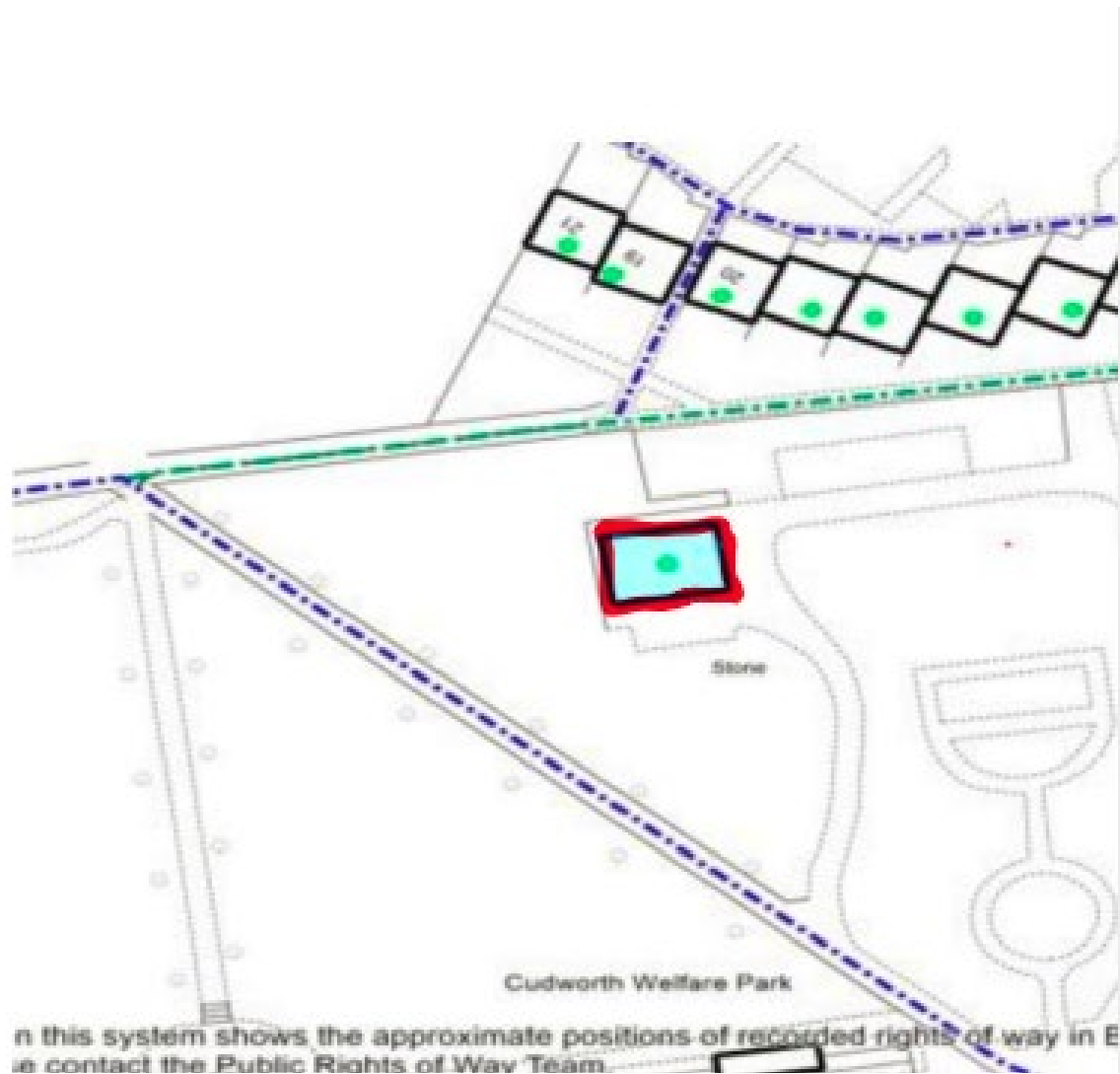
Mr Paul Wright

Demolition of Cudworth park bungalow (prior approval)
Cudworth Park Bungalow, Carlton Street, Cudworth, Barnsley, S72 8SU

Description

Cudworth park bungalow is a former park keepers' bungalow and is situated off Carlton Street. The building has not been used for a number of years and has fallen into a state of disrepair and is now unsafe. The applicant BMBC estates wish to demolish the building, remove all rubble from the site and make good with a grassed surface. The rubble would be removed by a licenced contractor.





Proposed Development

The application was submitted as a Prior Notification of the intended demolition of the building under 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 had 28 days for consider whether or not Prior Approval was required for the proposed method of demolition and means of site restoration. The time limit of the application was extended by the applicant so that further information could be submitted in the form of a demolition method statement and a bat survey of the building.

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

In respect of this prior approval application, relevant Local Plan policies include:

GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1: High Quality Design and Place Making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. For decision-taking this means:-

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Consultations

Biodiversity – No objections subject to conditions

Highways – No objections subject to informative

Pollution Control – No comments received

Ward Councillors – No objection from Cllr Cherryholme

Representations

None

Assessment

Principle of development

The site is not set within the Conservation Area nor is the building listed.

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.

Notice has to 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

The closest residential dwellings are set to the north off Almond Avenue. 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 for some time and its removal would benefit the area.

The contractor would need to work in accordance with Building Regulations and Health and Safety Legislation. A condition should be included to restrict the hours of demolition.

Visual Amenity

There are no implications for visual amenity through the loss of the building as the building does not have any special or significant architectural merit. The site would be laid to grass to blend in with the existing grassed areas surrounding the site.

Impact on Ecology

Colleagues in Ecology were consulted on the application due to fact that an old building was being demolished. An updated bat survey has been submitted by the applicant, at the request of the Council's Ecologist. The updated building inspection undertaken included a thorough external survey, involving an endoscopic inspection of potential bat roosting and access features. This visit also included an inspection of the loft space, which is welcomed. During this inspection no signs of roosting bats were detected, and an overall assessment of negligible potential was given for the building.

The report recommends that prior to the proposed building demolition, a tool box talk is given by a licensed bat ecologist and that if works are delayed by six months, then a further survey is undertaken by an ecologist to re-assess the potential use of the building by bats.

No signs of nesting birds were noted during the inspection, and it is recommended that if demolition works take place within the nesting season (March – August inclusive) works are proceeded by a check undertaken by a qualified ecologist, where active nests have been confirmed as absent.

The report recommends the installation of three bat boxes on trees within the park, which is welcomed and would aim to enhance bat roosting opportunities.

A condition should be included as part of the permission that recommendations made within the report should be implemented on site. This would include a tool box talk, works to halt and advice sort from a licenced bat ecologists if bats/signs of bats found during works, re-assessment if six months pass from the date of this assessment (9th October 2023), nesting bird check if works undertaken during nesting season and the installation of three bat boxes within the park.

The Councils' ecologists have agreed with the findings of the document and recommended approval providing that a condition is attached to ensure that the report is complied with, and the mitigation strategy is adhered to.

Highway Safety

Highways DC have no objections to the proposal or the Demolition Method Statement. Further detail would need to be submitted to Highways and Engineering through the submission of the demolition notice and accompanying statement.

Recommendation

Prior Approval Not Required subject to conditions