

Application to determine if 'Prior Approval' is required for the proposed demolition of farm buildings pursuant of Schedule 2 Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

at:

Lower Westholme Farm
Pilton
BA4 4HW

Supporting submission on behalf of the Applicant,

Mr Franklin

By:

D Foster BSc (Hons) MA MRTPI



Salmon Planning Company

Date: September 2023

Our Ref. PL4936

1.0 Summary of the background and the proposal

- 1.1 Lower Westholme Farm comprises of a detached farmhouse with a wide range of dairy and livestock buildings adjacent, all the farm buildings date from the post-war period onwards.
- 1.2 The Applicant has recently purchased the farm and having reviewed the building stock there are several farm buildings which are surplus to requirements, including some which are nearing the end of their useful working life.
- 1.3 On that basis that Applicant is proposing to demolish six buildings which are identified on drawing PL4936/1.
- 1.4 It is permitted development to demolish a building pursuant of Schedule 2 Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), but paragraph B.2 (b) (i) says that:
- “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”*
- 1.5 This Application seeks confirmation from the Council that ‘prior approval’ is not required in this instance.
- 1.6 The Applicant will ensure a site notice is displayed on or near the land on which the buildings to be demolished are sited for not less than 21 days in the period of 28 days beginning with the date on which the application is submitted to the local planning authority (in accordance with paragraph B.2 (b) (iv)).

2.0 **The case**

2.1 The site and buildings are not subject of any of the exclusions set out in paragraphs B.1, B.2 and B.3 of Part 1, namely:

- the buildings have not been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land;
- The proposal is not for demolition of an unlisted building in a conservation area;
- the buildings were not last used for any of the specified purposes (drinking establishment, concert hall, live music or a theatre) given in paragraph B.1 (c) and (d);
- the demolition does not relate to a statue, memorial or monument;
- the demolition is not 'excluded demolition' as defined in paragraph B.3;

2.2 On the basis of the above the demolition is permitted development, subject to the Council's 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*".

2.3 The purpose of the control is to give LPAs the opportunity to regulate details of demolition to minimize the impact on local amenity.

2.4 The buildings to be demolished comprise:

Building 1 – Steel framed barn with corrugated sheet exterior, c. 13 x 15 m

Building 2 – shed, timber clad and fibre cement sheet roof, 17 x 6 m

Building 3 – small extension to adjacent barn, 9 x 7 m

Building 4 – general purpose shed 12 x 10 m, steel portal framed concrete block under fibre cement roof.

Building 5 – former farm office 6 x 3.4 m, blockwork under tiled roof

Building 6 – collecting yard and parlour 26.5 x 9 m, steel portal frame, part block and corrugated steel/fibre sheet.

2.5 The method of demolition will comprise of:

- Secure the buildings to be demolished.
- The disconnect services. If asbestos is found onsite, a suitably approved licensed Asbestos Removal Contractor will be appointed to carry out the removal of all asbestos containing products.
- Carry out internal soft strip of the buildings, to remove deleterious materials. All soft stripped materials will be processed and segregated into individual waste/recycling streams. All materials deemed suitable for recycling will be loaded into suitable skips and transferred from the site to a suitable recycling venue.
- Hand demolition to separate any structures (buildings 3, 4 and 6) which adjoin the structure to be demolished and that of the buildings that are to be retained.
- Mechanical demolition of the super structure down to ground slab level by an excavator. The processing of all materials arising from the demolition works which will be transported off site for recycling / disposal as appropriate.
- The works described above will be carried out in such a way as to minimise the impact of that work, including taking all reasonable steps to minimise the creation of dust, including paying attention to wind direction to anticipate the impact of any work downwind of the working area. All plant and machinery will be fit for its purpose and adequately maintained so that noise generation is within the manufacturer's stated maximum noise level.
- Working hours will be 08:00 am - 18.30pm Monday-Friday and 8.00am – 1:00pm Saturday and no working hours on Sunday.
- Given the position of the buildings which are to be demolished, within and abutting the established farm complex, the floor slabs are to be retained following the demolition of the above ground structure.

3.0 Conclusion

5.1 The Application relates to the demolition of six modern farm buildings which are small/modest sized structures – ranging from the smallest barn of circa 20 sqm to the largest at approximately 240 sqm.

4.2 The only matter for consideration is “*the method of demolition and any proposed restoration of the site*”. Given the location of the proposed buildings, their scale and the proposed method of demolition and restoration the works should be uncontentious. As such, it is respectfully requested that the Council confirm that ‘prior approval’ is not required.