

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Kelly	<p>Prior Notification of proposed demolition of redundant buildings and structures</p> <p>Bordesley Hall, The Holloway, Alvechurch, Birmingham, Worcestershire B48 7QA</p>		22/00092/DEM

RECOMMENDATION: That prior approval is required and approved for the demolition of the building

Consultations

Highways - Bromsgrove

Views awaited

Arboricultural Officer

No Objection

The recommendations made within the Ruskins Tree Consultancy Arboricultural Method Statement reference 0122-10008 dated January 2022 are sufficient to ensure the protection and welfare of the trees to be retrained within the site during the demolition phase of the work on the site.

Section 4 Arboricultural Method Statement, paragraph 4.2 of the report highlights that a suitably qualified Arboricultural Clerk of Works will be appointed to the project and that per commencement site inspection of the tree protection measures will take place with the site manager. I request that a member of the Councils Arboricultural Officer team is invited to attend the initial site inspection of the tree protection measures once they are in place. Also, that contact details are provided to the Council for both the Site Manager and Arboricultural Clerk of Works in case a need for urgent communication is arises during the works.

WRS - Contaminated Land

No Objection

We note the method statement includes asbestos removal prior to demolition. The submission also states there will be a redevelopment proposal at a later date, The need for a ground investigation and risk assessment should be reconsidered upon receipt of the future development plan. We have no adverse comment at this time.

WRS - Noise

No Objection

The submitted Demolition Method Statement appears satisfactory in terms of the proposed methods to monitor and mitigation potential nuisance from noise, vibration and dust emissions during the demolition phase.

Building Control

Views awaited

Relevant Policies

This is a Prior Notification application, submitted under Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). Therefore, the Development Plan is not applicable to this application.

Relevant Planning History

21/00684/HYB	Hybrid application consisting of a full application for the demolition of employment buildings and the conversion of Bordesley Hall into 3 apartments and an outline application (with all matters reserved with the exception of access) for the construction of up to 46 dwellings and all associated works.	Pending
20/00273/CUP RIO	Prior approval for Change of use from offices (Use Class B1(a)) to 54 no. residential apartments (Use Class C3)	28.04.2020

Public Consultation

The agent has submitted a copy of the notice of the proposed demolition, which has been posted for a period of 21 days by the applicant expiring on 18th January 2022 in accordance with the requirements of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Two objections have been received from current occupiers of the site. Raising the following concerns:

- Disruption regarding the access to the site
- Disruption to remaining businesses (e.g. electricity cut off)
- Loss of premises without suitable replacement

Assessment of Proposal

The Site

Bordesley Hall, is a former 18th Century country house. The site contains a number of buildings and features which surround the original structure of Bordesley Hall. The building accommodates a number of offices and ancillary office accommodation split over various floors. There are also areas of hardstanding, garages and industrial units as well as

associated infrastructure. Access to the site is via The Holloway and Storage Lane, located at the site's northern boundary. Car parking areas are located around the site in various locations which can accommodate in excess of 130 cars.

Proposal

The application is made under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) and seeks confirmation as to whether the prior approval of the local planning authority is required and will be given to demolish the majority of the buildings on the site. The Hall itself will be retained and does not form part of this application.

The following documents have been submitted in support of the application:

- Site Location Plan
- Main Method Statement
- Arboricultural Method Statement
- Travel Management Plan
- Access Route Plan

Assessment

The buildings on site are not listed, an ancient monument, or situated within a conservation area. As such, the buildings have no statutory protection from demolition. Given that no statutory protection exists via listing or conservation area designation, the demolition can, therefore, be considered against Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended).

Class B outlines permitted development rights for the demolition of buildings. Sub-section B.1 (a) and (b) confirm that demolition is not permitted by Class A where a building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person not having an interest in the land and it is practicable to secure safety by repair works; constitutes "relevant demolition" (as defined) or is a "specified building" (as defined at Part B.3 (e)).

There is no evidence that the structures on this site have been rendered unsafe by the action or inaction of anyone having an interest in this site and the demolition proposed would not constitute "relevant demolition" or demolition of a "specified building". In this case the building does not fall into Class B.1 and is therefore subject to Class B.2 which sets out conditions that must be met in order for demolition to be permitted under Class B. Condition B.2(b) is relevant and requires the developer to apply to the LPA for determination as to whether prior approval of the method of demolition and proposed restoration of the site is required.

Part B.2 requires an application to the LPA to see whether prior approval is required for method of demolition. In this situation demolition is not urgently required for reasons of health or safety pursuant sub clause (a) and is therefore subject to the following requirements under sub clause (b) including:

- An application to the LPA for determination if prior approval is required

- The application shall be accompanied by a written description of the proposed development, a statement that a notice has been posted and a fee paid
- The display of a site notice concerning the demolition for 21 days
- That demolition will not commence before 28 days of the application being made to the LPA.

The purpose of prior approval is intended to give Local Planning Authorities the opportunity to regulate the details of demolition and restoration of a site to minimise the impact on the environment and local amenity. Therefore, consideration of prior approval is solely concerned with the acceptability of the method of demolition and any proposed restoration of the site.

The submitted application form states that demolition is required to facilitate the economic regeneration of the site. Details of this are being considered under Planning application 21/00684/HYB, which is being considered elsewhere on this Agenda.

In this case it is considered that prior approval is required, due to the nature of the site including potential effects on local amenity in terms of pollution, ground contamination, transport matters and drainage.

The method of demolition would comprise a conventional deconstruction methodology by an experienced demolition contractor. Materials would be salvaged/repurposed where economically feasible.

A Statement for Demolition and Associated Works has been submitted which includes mitigation measures in relation asbestos, noise, dust, vibration, control of substances hazardous to health, contaminated land, hardcore crushing and removal of materials/ WRS have raised no objection to the proposal on this basis.

The submitted documents state that prior to any demolition works commencing, ecologist from FPCR will attend site to give Tool Box Talks to all operatives with regards to bats and carry out mitigation works to inspect suspected roosting area. An informative regarding protected species would be attached to any decision notice to ensure that the applicant takes appropriate measures in the case of protected species.

In terms of restoration, the site would be levelled to existing ground levels and crushed rubble arising would be retained on site for future use.

Subject to compliance with the submitted Method Statements the proposed method of demolition and proposed restoration of the site is considered acceptable as proposed.

RECOMMENDATION: That prior approval is required and approved for the demolition of the building subject to the conditions and reasons shown below.

Conditions

1. The demolition shall not begin later than five years from the date of this approval.

Reason: In order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

2. The development shall be carried out in accordance with the details submitted with the application including the approved measures set out in the method statements submitted as part the application.

Reason: In order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

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