KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR DEMOLITION OF BUILDINGS – Town and Country Planning (General Permitted Development) Order 2015 (amended) – Class B, Part 11 of Schedule 2.

Reference No:	**2023/N /91535/E**
Site Address:	Dry Hill Farm, Dry Hill Lane, Denby Dale, Huddersfield, HD8 8YN
Description:	Prior notification for demolition of buildings
Recommending Officer:	Alice Downham

DECISION – DEMOLITION DETAILS APPROVED

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Kevin Walton

AUTHORISED OFFICER

Date: 26-Jun-2023

Officer Report

Site Description

This application relates to an agricultural building, which is attached to other agricultural buildings to either side. The building is a portal-frame structure with concrete panels and corrugated sheeting to the walls and a pitched roof finished in asbestos-type cladding. The building can be accessed via Dry Hill Lane, Denby Dale, which is the closest road to the building.

Description of Proposal

Prior approval is sought for the demolition of a building. The reason for the demolition is as extant planning permission 2022/93996 cannot be built without the removal of the building as indicated on drawing 01_03 A.

The proposed method of demolition is localised on site, sequential demolition.

The application form confirms that spoil/rubble would be removed from site and the site would be left in a clean and tidy state.

History of negotiations/amendments received

No amendments were sought or received during consideration of the application.

Relevant Planning History

At the application site:

2015/93255 – Outline application for the erection of 8 dwellings. Withdrawn.

2016/93033 – Prior approval for proposed change of use of agricultural building to one dwelling and associated operational development. Details approved.

2016/93148 – Outline application for erection of 7 dwellings. Refused.

2017/91267 – Outline application for demolition of existing farm buildings and erection of 5 detached dwellings. Refused.

2018/90188 – Change of use and alterations to existing agricultural building to form dwelling. Conditional full permission.

2019/92231 – Change of use of former agricultural buildings for caravan storage (B8). Conditional full permission.

2021/92194 – Non material amendment to previous permission 2018/90188 for change of use and alterations to existing agricultural building to form dwelling. Refused.

2021/93120 – Variation of condition 2 (plans and specifications) on previous permission 2018/90188) for change of use and alterations to existing agricultural building to form dwelling. Approved.

2021/93287 – Outline application for erection of residential development. Not yet determined.

2021/94737 – Variation of condition 1 (plans and specifications) on previous permission no. 2021/93120 for variation of condition 2 (plans and specifications) on previous permission 2018/90188 for change of use and alterations to existing agricultural barn to form dwelling. Approved.

2022/93996 – Variation of condition 1 (plans) on previous permission 2021/94737 for variation of condition 1 (plans and specifications) on previous permission no. 2021/93120 for Variation of condition 2 (plans and specifications) on previous permission 2018/90188 for change of use and alterations to existing agricultural barn to form dwelling. Approved.

Representations

The application was advertised by 2 site notices by the applicant, with photographs demonstrating the site notices in situ forming part of this application. No letters of representation have been received as a result of this publicity. The agent has confirmed that the site notice was erected on 30th May 2023.

Consultation Responses

None required.

Policy

Schedule 2, Part 11 of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended).

<u>Assessment</u>

Part 11 of the Town and Country Planning (General Permitted Development) (England)Order 2015(as amended) details the procedures surrounding the demolition of buildings. Demolition of a building is not permitted if the buildings is or was last used for amongst other things, within a Conservation Area, a drinking establishment, drinking establishment with expanded food provision, a concert hall, venue for live music, theatre of if the building relates to a statue, memorial or monument that has been in place for at least 10 years.

No planning application is required because planning permission for the demolition is granted by the Order, subject to conditions set out in Part 11.

Paragraph B.2 ((b)(i)) states that the issues that the Local Planning Authority are entitled to consider. This includes the method of demolition and any

proposed restoration of the site. The applicant has provided details of the method of demolition and how the site would be retained.

There is one site-specific constraint for consideration in terms of this application, which is that that the building is located within a high-risk coal area. It is considered that the demolition of the building would not result in significant ground disturbance. Any redevelopment or change of use of the site would require planning permission and would therefore be subject to a formal consultation with Environmental Health.

Method of demolition

The proposed method of demolition is localised on site, sequential demolition. Given the materials of construction and limited scale of the building, this is considered to be acceptable.

Restoration of the site

It is considered that the clearance of the site in the manner proposed is acceptable.

Conclusion

It is recommended that the Approval of Details for the prior notification for the demolition of the existing buildings is granted.

Recommendation **APPROVE**

Decision Authorisation - Delegated Powers

Application Number: 2023/91535

Officer Recommendation: Grant Prior Approval

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	00_02		01/06/2023
Site Plan	01_03	A	01/06/2023
Existing Plans and Elevations	00_01		01/06/2023
Statement	-		01/06/2023