

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:	2026/N /91535/W
Site Address:	Riverbank Court, Wakefield Road, Aspley, Huddersfield, HD5 9AA
Description:	Prior notification for demolition of building
Recommending Officer:	John Holmes

DECISION – PRIOR NOTIFICATION - 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.**

Sarah Longbottom

AUTHORISED OFFICER

Date: 25-Jun-2026

SITE DESCRIPTION

The application site relates to two buildings adjacent to St Andrews Road, Huddersfield. To the east of the site is the River Colne, with Wakefield Road running to the south of the site. To the north of the site is a car park.

To the west is Aspley Basin (17m at its closest point) which is utilised by canal boats for residential purposes. To the east the nearest dwellings are at a distance of 100m consisting of dwellings on Ivy Street / Wakefield Road.

To the south dwellings are at a distance of 47m.

DESCRIPTION OF DEVELOPMENT

The applicant seeks determination for whether prior approval is required for the method of demolition of the existing building complex as well as means of restoring the site.

Within the application form the buildings are described as being 'three storey detached office block and separate stores being brick and metal sheet clad under a flat roof'

The form sets out that the method of demolition would be:

Mechanical demolition using excavators with various attachments such as pulverisers, breakers and steel shears

Spoil / rubble is details as being intended to be 'segregated at source for off-site recycling via 8-wheeler tipper vehicles'

The means of restoration detailed is for level access that would be used for car parking.

Officer Note: As this application seeks demolition consent, the use of the land following demolition of the buildings is not under consideration.

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

No negotiations have taken place and no amended plans have been received.

PLANNING HISTORY

The planning history of the site relates to the change of use and alterations of the existing buildings.

REPRESENTATIONS

The Local Planning Authority did not publicise the Prior Notification application, as the duty lies with the applicant to advertise their intention to demolish the building. A photo of a site notice at the site has been provided by

the applicant's agent. It is considered that the Prior Notification application met the conditions of Schedule 2, Part 11, Class B.2 (b) of the Town and Country Planning (General Permitted Development) Order 2015, with regard to publicising the application and the applicant's contact details.

In this case no representations have been received.

CONSULTATIONS

KC Ecology: No objection subject to condition

Within their consultation response KC Ecology set out that the site is immediately adjacent to the River Colne and an area of deciduous woodland. However, the surrounding environment is urban, and there is a low likelihood of protected species being present within the development footprint.

They go on to advise that there is a potential for pollution impacts on the River and the deciduous woodland and recommend a condition requiring a Construction Environmental Management Plan in relation to Biodiversity is secured as a condition of any consent.

Given the nature of the proposal and fact it relates to an application for prior approval in relation to the means of demolition and restoration of the site, it is considered it would go beyond the scope of the application to require a construction environment management plan to be submitted prior to the determination of this application seeking prior approval in this case.

It is noted that separate legislation would require that there is no pollution arising from the development / relevant action could be taken in such an occurrence.

KC Environmental Health: Standing Advice Provided

Standing advice has been provided in relation to this case. It is considered that noise & dust have the potential to arise as a result of the development. An assessment of this is undertaken in the 'Assessment' section of this report.

Procedural Matters and Policy Context

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ["GPDO"].

Assessment

An application has been submitted for determination as to whether prior approval for the method of demolition and/or restoration of the site is necessary and is required to be determined under Class B of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 ["GPDO"]. This requires a site notice to be displayed on or near the land for not less than 21 days.

Class B of Part 11, Schedule 2 of the GPDO gives Permitted Development rights for demolition that has obtained prior approval. An Application for Prior Notification of Proposed Demolition triggers a 28-day process in which the Local Planning Authority has to determine whether or not formal approval is needed for the works. If so, then details of the method of the demolition and means of restoring the site need to be approved.

Part B.2 of Part 11 of Schedule 2 of the GPDO makes it clear that such prior approval is not needed for demolition that is considered to be 'excluded demolition'. 'Excluded demolition' is defined at Para B.3 (GPDO) to mean 'any development on land which is the subject of a planning permission, for the redevelopment of the land'.

There are no current extant planning consents relating to the existing buildings. Therefore, the development set out in the prior notification application does not fall into the category of 'excluded demolition'. Furthermore, the development is not considered to be 'urgently necessary in the interests of health and safety'.

Where demolition is not 'excluded development' or 'urgently necessary', the applicant is required to apply to the Local Planning Authority (LPA) for the determination as to whether prior approval of the LPA is required as to the method of demolition and any proposed restoration of the site.

Method of demolition and site restoration

The submitted documents outline that the principles of demolition and restoration this is detailed earlier in this report.

The method of demolition would lead to a level of noise and dust arising during the demolition works, the extent of the works in relation to neighbouring occupiers is not considered to be significant given the distance of neighbouring properties from the site, and the size / scale of the buildings to be demolished. Whilst there would be some level of disturbance works it is considered that 'Mechanical demolition using excavators with various attachments such as pulverisers, breakers and steel shears' would be an acceptable method in this case and to insist upon alternative methods of demolition would not be reasonable by the LPA in this instance.

The restoration of the site is that it is to be levelled, it is not detailed if this is to be hard or soft landscaped however it is considered that on the basis the site is left as one level which is the same as the existing levels of the car park, the means of restoration of the site is acceptable in this case. There would be no retention of spoil within the site, and the overall appearance would not be unsightly or have an adverse visual impact given the intention to remove the majority of spoil from the site.

It is considered that the buildings, being of a relatively modern design / construction would not be likely to host bats. Having regard to the response of

the Ecology Team it is considered the impact of the proposals in this respect has been satisfactorily considered and insofar as the scope of this application allows for the means of demolition to be considered, the proposal would be acceptable in this regard. It would be beyond the remit of the LPA to insist upon measures during the demolition phase given the requirements of separate legislation in respect of any potential for pollution to arise from the demolition process and measures would need to be in place by the applicant / contractor to ensure this does not occur and that conformance with other legislative requirements is adhered to.

It is therefore considered that the impact of the method of demolition and means of restoration is acceptable in this case.

Representations

No representations have been received.

Conclusion

It is recommended that prior approval for the demolition of the existing buildings is granted.

Recommendation: APPROVE – Prior Approval Not Required

Decision Authorisation – Delegated Powers

Application number – 2026/91535

I refer to your submission of details relative to demolition proposals as described above. The proposal as described is acceptable and, subject to all works being carried out in accordance with the description contained in the notification, the Council will not require the submission of further details. Prior approval is not, therefore, required and the works described may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan	PP-14988795v2	8 th June 2026
Site Plan		8 th June 2026
Application Form		8 th June 2026
Letter dated 5 th June 2026	TP0826	8 th June 2026