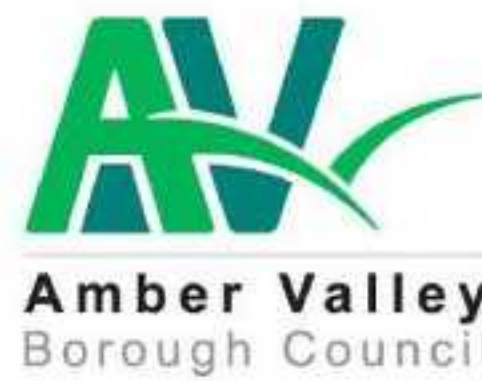


**AMBER VALLEY BOROUGH COUNCIL**

**PLANNING AND REGENERATION  
DEVELOPMENT MANAGEMENT**

**PLANNING APPLICATION  
RECOMMENDATION**



**Date: 21 May 2021**

**Code No. : PDR/2021/0033 (MARKP)**  
**File No. : PP-09798289**  
**Valid Date : 5 May 2021**

**Parish : Turnditch And Windley CP**  
**Ward : South West Parishes**

**Proposal** Application to determine if prior approval is required for proposed demolition of agricultural buildings  
**Location** Nether House Farm Hillcliff Lane Turnditch  
**Applicant** Mrs Greatholder  
**Agent** Mr James Filer Filer Williamson Limited Unit 1 & 2, Windlehill Farm Tythe Barn Lane

**RECOMMENDATION**

**Prior Approval Not Required**

**REASON FOR RECOMMENDATION**

**The Town and Country Planning (General Permitted Development) (England) Order 2015  
Schedule 2, Part 11 Class B**

**ANALYSIS**


**DELEGATED REPORT**

<b>Planning Application Ref.</b>	PDR/2021/0033
<b>Proposal description &amp; Location</b>	Nether House Farm Hillcliff Lane Turnditch Belper Derbyshire DE56 2EA  Application to determine if prior approval is required for proposed demolition of agricultural buildings
<b>Recommendation</b>	Prior Approval Not Required
<b>Policy</b>	<b>The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 11 Class B</b>
<b>Relevant Planning History</b>	<b>PDR/2020/0096</b> - Application to determine if Prior Approval is required for the Change of Use of an Agricultural Building to 3 Dwelling Houses – Pending

	<p><b>PDR/2020/0098</b> - Application to determine if Prior Approval is required for the Change of use of Agricultural building to a dwelling house – Pending</p> <p><b>ACA/2021/0129</b> - The change of use of an agricultural building to create a dwelling house – Pending</p>
<b>Summary of Consultation Responses and Public Representations</b>	None Received
<b>Summary</b>	<p>This is a Prior Notification application to determine whether the Prior Approval of the Local Planning Authority is necessary for the demolition of agricultural buildings at Nether House Farm, Hillcliff Lane, Turnditch.</p> <p>The vacant farmstead is currently being considered for redevelopment for residential purposes under pending applications PDR/2020/0096, PDR/2020/0098 and AVA/2021/0129, which are for the conversion of the most suitable farm buildings to dwellinghouses.</p> <p>The remaining agricultural buildings are not suitable for conversion and are therefore proposed for demolition under this application after farming activities have ceased. The submitted site plan demonstrates those buildings to be demolished and those to be retained for the proposed residential uses.</p> <p>The application is made in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 11, Class B.</p> <p>Part B enables any building operation consisting of the demolition of a building subject to meeting specific criteria.</p> <p>Part B.1 sets out circumstances where Part 11 is not applicable as follows:</p> <p>Development is not permitted by Class B if—</p> <p>(a) the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support;</p> <p>(b) the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area) (a); or</p> <p>(c) the building is a specified building and the development is undertaken during the specified period, regardless of whether, in relation to the development, a prior approval event has occurred.</p> <p>None of the above are applicable to the application site.</p> <p>The applicant has posted a site notice at the vehicular entrance to the site fully in accordance with the regulations.</p>

	<p>The Order requires, in all cases, for an applicant 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. Therefore, any other planning considerations are not engaged.</p> <p>These considerations are as follows:</p> <p><u>Method of demolition</u></p> <p>The agent advises that the appointed contractor will demolish each building separately, where materials can be recycled / reused they will be. The contractor will use a 360 tracked excavator with a bucket and snippers to take each building down in sections carefully, keeping noise and dust to a minimum.</p> <p>The appointed contractor will remove the roof and cladding of the buildings before the frames are taken down. The relevant statutory bodies will be notified in accordance with best practice and the relevant legislation.</p> <p>Ultimately demolition of the buildings will be required to be undertaken fully in accordance with other legislation. The farmhouse is currently empty and there are no other dwellings within the direct proximity of the buildings that could be adversely impacted on by the demolition method.</p> <p><u>Restoration of the site</u></p> <p>The agent confirms that once the roof and cladding have been removed from the Agricultural Buildings they will be stacked neatly and removed from site. The frame of the Agricultural Buildings may be reused / recycled and if suitable, sold.</p> <p>Should the frame of any building be in a state of disrepair where it cannot be reused or recycled, it will be disposed of by a licensed waste carrier.</p> <p>The spoil / rubble left over once the Agricultural Buildings have been demolished will be reused to create a level site area where the Agricultural Buildings previously stood.</p> <p><b>Conclusion</b></p> <p>It is considered that the proposed method of demolition and restoration of the site are acceptable for planning purposes and that the Prior Approval of the Local Planning Authority is not required.</p>
<b>Recommendation</b>	Prior Approval Not Required

<b>Reason If Out of Time</b>
Not applicable

	Signed	Dated
Case Officer		21/05/2021
Principal Officer		
Planning Manager		21/05/21

**Electronic File/Back Office Disclaimer:**

I confirm as case officer that the Uniform back office reflects accurately all data that has been used/processed/analysed during the lifespan of the case now a planning recommendation has been made.

I confirm as case officer that all associated case documentation has been scanned and indexed to Civica and the paper file can be destroyed

**Officer Signature:**



**Date: 21/05/2021**

I confirm as case administrator that the Officer's recommendation and Manager's sign-off, and decision notice will be scanned and indexed into Civica.

**Admin Officer Signature:**

**Date: 02/06/2021**

