

Application Number:	2019/0848/PAD
Site Address:	Garfield View, Garfield Close, Lincoln
Target Date:	16th November 2019
Agent Name:	None
Applicant Name:	City of Lincoln Council
Proposal:	Determination as to whether or not Prior Approval is required for the demolition of block of 12no. flats

Background - Site Location and Description

The application site is the three storey flats known as Woodburn View, which sits at the northern end on Woodburn Close off Queen Elizabeth Road on Ermine West. The application proposes to demolish the block as preparatory works for the development of the site to the north for housing. The site already has planning permission for 325 houses and Garfield Close has been identified as one of at least two points of access. Work is progressing on bringing forward the housing development but in the meantime it is proposed to demolish both this block and also a separate block at the eastern end of the site on Woodburn Close. The latter proposal is the subject of a separate application for demolition.

Site History

2017/1393/RG3 - Erection of 325no. dwellinghouses, including 8no. flats, facilitated by the demolition of existing flats known as Garfield View and Woodburn View. Associated infrastructure and external works including new footpath link to Clarendon Gardens, the provision of new parking bays to Garfield Close and Woodburn Close and hard and soft landscaping and children's play area

Case Officer Site Visit

Undertaken on 24th October 2019.

Policies Referred to

There are no relevant policies that address the specifics of this application for demolition – the site is however situated in a predominantly residential area.

Issues

The Local Planning Authority, in considering applications for demolition such as this, is only able to take account of the method of demolition and the manner in which the site will be left after demolition.

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

Public Consultation Responses

No responses received.

Consideration

The Town and County Planning General Development Order grants permitted development rights for the demolition of all buildings but, by a direction from the Secretary of State, those buildings which are either a dwellinghouse, or adjoining a dwellinghouse are excluded and can benefit from these rights only following a prior approval procedure in respect of the method of demolition and subsequent restoration of the application site.

Such a determination will not be necessary in some circumstances, for example in case of urgent necessity in the interests of health or safety, or where planning permission has been granted for redevelopment.

Part 11, Class B of the 'The Town and Country Planning (General Permitted Development) (England) Order 2015' requires applicants to 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. Under this procedure the developer must post a site notice. The Local Planning Authority will then have 28 days to consider whether they wish to their prior approval to the method and restoration. If the Local Planning Authority do not notify the developer within the 28 day period that prior approval of these details is required, demolition may proceed according to the details submitted to the authority in the application for determination or to those otherwise agreed.

This process gives Local Planning Authorities the means of regulating the details of demolition in order to minimise its impact on local amenity. Demolition should be carried out in accordance with the details agreed by the authority; demolition undertaken in breach of those details may be the subject of enforcement action.

In this case the applicant seeks to demolish the whole block on the site. As the regulations deal with demolition of whole buildings, it is considered that the demolition should be classed as development and therefore that prior approval is required for the demolition with regard to the method of demolition and the restoration of the site.

There is no requirement as part of this application process for the applicant to demonstrate why retention is not possible.

The demolition of the buildings has the potential to impact upon the amenity of nearby residents and as such should be subject to the usual hours of work condition that would be applied to other building operations in the vicinity of residential properties.

The building would be demolished by an approved demolition contractor and following the completion of the works the site is proposed to be laid to grass pending redevelopment.

Conclusion

The means of demolition will be that of a registered contractor and the conventional nature of the building means that the demolition is not expected to be either complicated or lengthy. There are no objections to the demolition of the block.

Application Determined within Target Date

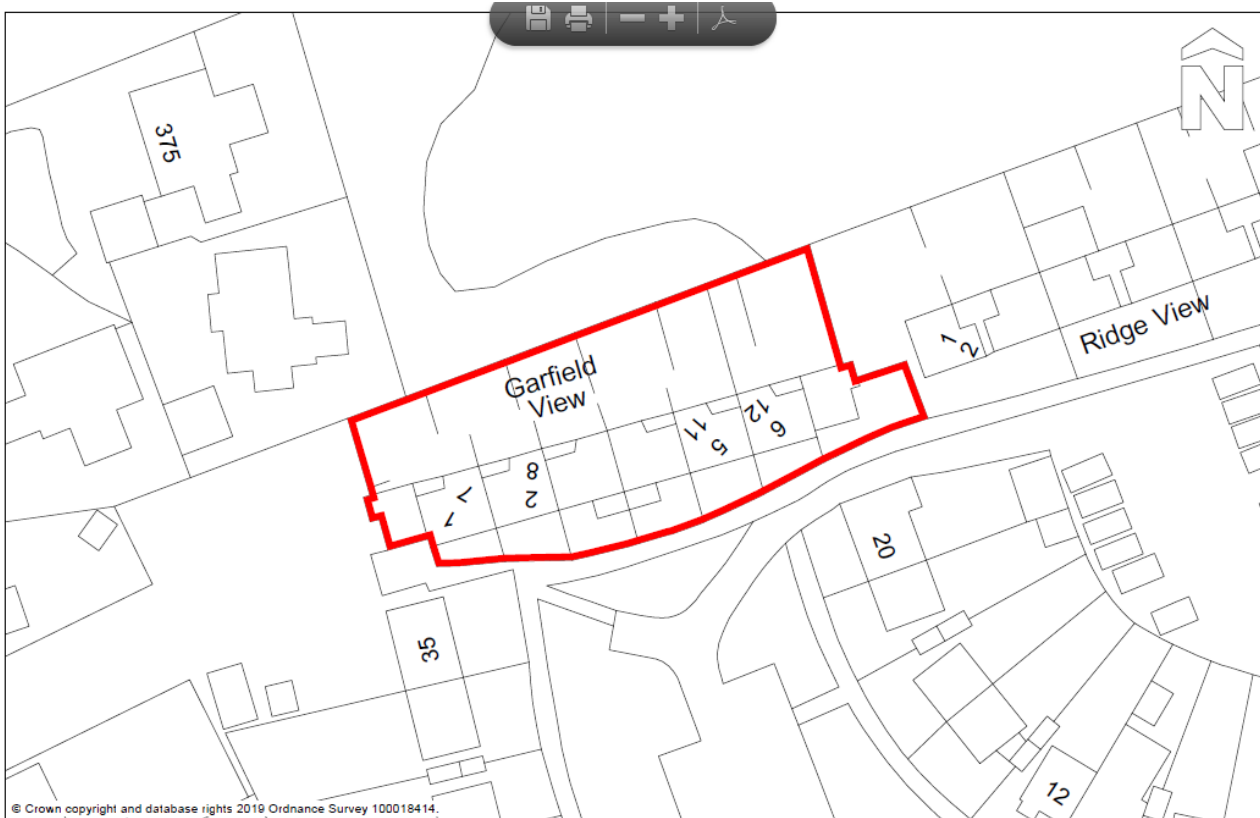
Yes.

Recommendation

That prior approval is required and that it is GRANTED.

Standard Conditions

1. The works hereby approved shall only be undertaken between the hours of 7.30am and 6.00pm Monday to Friday, 7.30am to 1.00pm on Saturday and not at all on a Sunday or Bank Holiday.



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Garfield View

Scale: 1:500 at A4

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