Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0121
Bentons Place, Hooklands Lane, Shipley, West Sussex, RH13 8PY

DESCRIPTION:

Prior notification for the demolition of an agricultural barn.

RELEVANT PLANNING HISTORY:

DC/19/1458	Change of use from an agricultural and workshop building to form x7 small industrial units	Application Permitted on 17.04.2020.
DC/21/0901	Prior notification for the existing track and gateways to be resurfaced.	Prior Approval Not Required on 01.07.2021.
DC/25/0008	Application to confirm that on the balance of probabilities the bund was 87% substantially complete by September 2019 (Lawful Development Certificate - Existing)	Pending Consideration

PLANNING ASSESSMENT

This application relates to the prior notification for the demolition of an agricultural barn at Bentons Place, Hooklands Lane, Shipley. Bentons Place is outside the built-up area boundary and is to the west of Grade II Listed Building Bentons Place (listed 1959).

Class B of Part 11 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relates to any building operation consisting of the demolition of a building.

Article B.2(b) states that *"where the demolition does not fall within paragraph (a) and is not excluded demolition-*

(i) the developer must, before beginning the development, 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,

(ii) An application described in paragraph (b)(i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid."

The agricultural building is located to the west of Bentons Place, close to a unit with 7x small industrial units within, as permitted by DC/19/1458. The application includes a Demolition Statement detailing how the building will be demolished and it has been confirmed by the agent that a site notice has been posted within the site during the application process.

Method of Demolition:

The Demolition Statement provides a detailed demolition method statement which includes details of the proposed demolition methods and removal of waste from the site.

The proposed demolition at Bentons Farm will be undertaken by a professional demolition company by hand and using specialist plant. Spoil/rubble will be disposed of offsite at a licensed waste site. The statement outlines that the proposed demolition would take place between 09:00-17:30 Monday-Friday, 09:00-13:00 Saturday and no working hours on Sunday. Welfare facilities will also be provided on site. The nearest dwelling to site is approximately 120m away and so it is not anticipated that the demolition would have significant disruption to neighbouring properties.

The proposed demolition method is considered acceptable given the nature of the works and their location, with no unacceptable impacts envisaged.

Proposed Restoration of the Site:

The application form and Demolition Statement state that the site will be returned to soil and seeded with grass, following demolition. This is considered acceptable.

Ecology Impacts:

Regulation 9 of The Conservation of Habitats and Species Regulations 2010 states that *"the competent authority must exercise their functions which are relevant to nature conservation…so as to secure compliance with the requirements of the Directives".* Accordingly, competent authorities must consider the Directives in making decisions relating to any of their planning functions.

A licence from Natural England, pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017, authorising the specified activity may be required. The Applicant is advised to liaise with Natural England directly.

Conclusion:

It is considered that prior approval is not required in respect of the method of demolition and means of restoration.

Recommendation: Prior Approval Not Required

NOTE TO APPLICANT
Wildlife and Countryside Act 1981
The Applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.

The Conservation of Habitats and Species Regulations 2017
The Applicant is advised that a licence from Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead may be required. The Applicant is advised to liaise with Natural England directly.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/0121
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Block and Location	2412BE_R0_000 REV 000	27.01.2025
Supporting Statement	Demolition	NONE	27.01.2025
Supporting Statement	Agent Site Notice	NONE	29.01.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 14.02.2025

Authorising Officer sign/initial Tamara Dale Date: 21.02.2025