Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0034
Stumbleholme Farm, Rusper Road, Ifield, West Sussex, RH11 0LQ

DESCRIPTION:
Prior Notification for demolition of existing agricultural barns

RELEVANT PLANNING HISTORY:

DC/23/1839	Prior Notification for Change of Use of Agricultural Building to 5no. dwellinghouses (C3 Use class).	Refused on 27/11/2023
DC/23/1840	Prior Notification for Change of Use of 2No Agricultural Buildings to 5No dwellinghouses (C3 Use class).	Refused on 27/11/2023
DC/24/0037	Prior Notification for demolition of existing agricultural barn	Under consideration
DC/24/0038	Prior Notification for demolition of existing agricultural barn	Under consideration

PLANNING ASSESSMENT
It is noted that the description of the application pertains to the demolition of an existing agricultural barn, it is though evident from the site visit that the land within the red edge of the submitted location plan includes two agricultural barns. This is confirmed from the existing block plan received on 03/10/2023 as part of application DC/23/1840. The agricultural barns in this case are referred to as Barn D and E. Notwithstanding this incorrect description, the current application pertains to the demolition of both of these barns, with the description therefore amended to include reference to 'barns'.

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 –

(aa) in all cases, 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; and

(bb) in cases where the building is not a community asset and is used for a purpose falling within Class A4(drinking establishments) of the Schedule to the Use Classes Order, send a written request to the local planning authority as to whether the building has been nominated

(ii) An application described in paragraph (b)(i)(aa) 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."

Method of Demolition

The Applicant has submitted a supporting statement which advise that the building will be dismantled by hand and using specialist equipment where appropriate. The statement sets out that the following stages would be followed:

- The concrete hard standings will under the buildings will be broken up and all would be removed from the site.
- The waste materials from the demolition and concrete materials will be separated into skips for each relevant material and taken from the site by a licensed waste carrier.
- The building will be inspected for asbestos prior to commencement but if asbestos is found at any part of the demolition, an appropriately qualified person will be used for the dismantling works.
- Welfare facilities will be installed on the site.
- The building will be dismantled by hand and by machine where appropriate down to ground slab level.
- All materials arising from the demolition will be sorted into skips and transported off site for recycling or disposal.
- All operators will hold CPCS licences.
- Work will be undertaken between 9am and 5.30pm Monday to Friday and 9-13:00 Saturdays.
- The process of dismantling/demolition and removal of waste is anticipated to take one month or less.
- The closest residential property is the Stumbleholme Farm within the wider site to the north east.

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 supporting statement states that the site will be left cleared, cleaned and tidy, and restored to grass after the removal of all concrete hardstanding under the building. This is considered acceptable given the location of the site.

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.

There is no evidence to suggest the demolition would impact on protected species or habitat. 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 should any be discovered. An informative is recommended to advise the applicant of the possible need 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

- The Applicant is advised that this decision relates solely to the matters of Prior Approval under Class B of Part 11 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and makes no determination of any other prior approval matters under other Classes and Parts of the Order.

- 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 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.

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

- The applicant is reminded that it is an offence to obstruct the public highway which runs immediately to the north of the application site.

Plans list for: DC/24/0034
(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
Location plan		NONE	09.01.2024
Supporting Docs	Agent Site Notice	NONE	09.01.2024
Supporting Statement		NONE	09.01.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 29/01/2024

Authorising Officer sign/initial Guy Everest Date: 05.02.2024