

29th November 2023

Dear Sir/Madam,

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 11, Class B 'Demolition of Buildings': Application for a Determination as to Whether Prior Approval is Required for the Partial Demolition of the Building (Building 1 and Adkins ward) at Hinckley & District Hospital, Mount Rd Hinckley, LE10 1AG.

NHS Property Services (NHSPS) are submitting an application for prior notification of proposed demolition to Hinckley & Bosworth Borough Council as per Schedule 2 Part 11 Class B 'Demolition of Buildings' of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

NHSPS seek confirmation as to whether the prior approval of Hinckley & Bosworth Borough Council is required for the method of the partial demolition of a building (later 1920s/30s extensions) at Hinckley & District Hospital, Mount Rd, Hinckley, LE10 1AG.

NHSPS have submitted an Outline planning application (some matters reserved except for access, scale and layout) for the erection of a Community Diagnostic Centre and Endoscopy building (Use Class E(e)) (Planning application ref. 23/00851/OUT).

NHSPS is looking to move the partial demolition stage forward separately to facilitate other enabling works at the site including the site access, parking arrangements, drainage and utilities installations (subject to a separate full planning application) for the proposed Community Diagnostic Centre (CDC) and Endoscopy Facility.

NHSPS will need to proceed with the works to undertake the partial demolition early in 2024 to enable the development of the CDC by the end of March 2025.

Application Documents

This application comprises the following documentation, plans and supporting information:

- Application Form;
- Copy of Site Notice;
- This Cover Letter, prepared by NHS Property Services;
- Preliminary Ecological Appraisal, prepared by Geosphere Environmental Ltd;
- Updated Bat Preliminary Roost Assessment and associated nocturnal surveys prepared by CGO Ecology Ltd (including all buildings within scope of the prior approval);
- Non-licensed Working Method Statement for bats prepared by CGO Ecology Ltd; and
- Demolition Method Statement, prepared by DSM Demolition.

Description of site/building/area

The site is located within the ward of Hinckley Castle in the administrative area of Hinckley & Bosworth Borough Council. The site falls within the Hinckley Town Centre boundary and is circa 230m of the designated Primary Shopping Area at Castle Street.

According to the Environment Agency's Planning Flood Map, the site is located within Flood Zone 1, which means that the land is assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

The site does not contain any statutory listed buildings and does not fall within a conservation area (although Hinckley Town Centre Conservation Area falls immediately to the west).

The buildings proposed to be demolished are 'Building 1' and 'Adkins ward' are later extensions (1920s/30s) to the Cottage Hospital, in accordance with the supporting Demolition Method Statement prepared by DSM Demolition. The existing Community Hospital building has been developed in a piecemeal basis after the development of the original front portion fronting Mount Road in the late 19th/early 20th centuries. The whole building is well past its useful economic life and is no longer suitable for the provision of modern healthcare. The existing Hospital buildings are occupied by endoscopy, xray and day case surgery services.

The replacement facilities being provided in the proposed CDC building (subject to a separate outline application ref. 23/00851/OUT) will enable the provision of new services on site and the provision of improved facilities for the endoscopy and xray services that currently occupy the existing Hospital buildings. The whole site will remain in use for healthcare.

The demolition of the c. 450sqm of the later extensions to the existing hospital building will enable the development of c. 1541.32 sqm of new health floorspace (excluding plant area) for new and existing healthcare services for the people of Hinckley and the surrounding areas.

Prior Approval Application for Demolition of a Building

The application is for the determination as to whether prior approval is required by the Council for the proposed method of demolition of the existing 1920s/1930s extensions located on the site at Hinckley & District Hospital Mount Rd, Hinckley, LE10 1AG.

Schedule 2, Part 11, *Class B - Demolition of Buildings* of the GPDO confirms that the following is permitted development:

B. Any building operation consisting of the demolition of a building.

Class B.1 confirms that demolition is not permitted by Class B if:

- (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;*
- (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); or*
- (c) the building is used, or was last used, for a purpose falling within—*
 - (i) article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or*
 - (ii) article 3(6)(q) (drinking establishments with expanded food provision) of that Order;*
- (d) the building is used, or was last used, for the purpose of—*
 - (i) a concert hall;*
 - (ii) a venue for live music performance; or*
 - (iii) a theatre; or*
- (e) the demolition relates to a statue, memorial or monument (“a commemorative structure”) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure—*
 - (i) that is a listed building;*
 - (ii) that is a scheduled monument;*
 - (iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship;*
 - (iv) within the grounds of a museum or art gallery; or*

- (v) *within the curtilage of a dwellinghouse*

None of the above conditions apply to the proposed partial demolition works. The 1920s/1930s extensions have not been rendered 'unsafe'. The demolition works would not be classified as "relevant demolition" and the site is not used, nor formerly used, as a drinking establishment (Former Use Class A4), concert hall, live music performance nor a theatre.

Class B is subject to conditions. The proposed demolition works is not urgently necessary in the interests of safety or health, therefore Condition B2(a) does not apply. The relevant condition to the proposed demolition works is Condition B.2(b).

Part 11, B.2 states the Conditions and includes B.2(b)(i), which states that:

"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".

An application must be accompanied by a written description of the proposed development, a statement that a notice (a 'site notice') has been posted and any fee required to be paid.

A site notice must be displayed on or near the land on which the buildings to be demolished are sited and must be left in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the Local Planning Authority.

Part 11, B.2 (vii), confirms that the demolition must not begin before the occurrence of one of the following:

- (aa) the receipt by the applicant from the Local Planning Authority of a written notice of their determination that such prior approval is not required;*
- (bb) where the Local Planning Authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or*
- (cc) the expiry of 28 days following the date on which the application was received by the Local Planning Authority without the Local Planning Authority making any determination as to whether such approval is required or notifying the applicant of their determination.*

Part 11, B.2 (viii) states that the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—

(aa)where prior approval is required, in accordance with the details approved;

(bb)where prior approval is not required, in accordance with the details submitted with the application;

Compliance with Class B of the GPDO

The application includes a Demolition Method Statement prepared by DSM Demolition. This document provides a written description of the proposed demolition works in accordance with Condition B.2(b)(i) of Part 11 of the GPDO, including:

- The location of the buildings to be demolished;
- Photos of the buildings to be demolished;
- The scope of the demolition works;
- The timing of the demolition period; and
- The condition that the land would be left in following demolition and any proposed restoration of the site.

Submission Detail

The application has been submitted via the Planning Portal. A payment sum of £160.00 will be made to the Planning Portal under separate cover.

I trust that the enclosed is in order and look forward to receiving confirmation that the prior approval application has been validated and can be determined in line with the statutory timescales.

Should you require any further information please do not hesitate to contact me directly.

Yours sincerely,

Anna McComb MRTPI | Associate Town Planner