

Delegated Report

Planning Ref: 25/00223/DGDO
Applicant: LONX FOUR Ltd
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 8 Wood Lane, Norton Juxta Twycross

Proposal: Prior notification of the demolition of agricultural barn

1. Recommendations

1.1. Prior approval not required.

2. Planning application description

2.1. This application is submitted under the prior notification procedure contained within Schedule 2, Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). It seeks a determination as to whether the prior approval of the local planning authority is required for the method of demolition of an agricultural barn at 8 Wood Lane, Norton Juxta Twycross.

2.2. The application is supported by a covering letter.

3. Description of the site and surrounding area

3.1. The site measures 0.77 hectares and is located outside the settlement boundary of Norton Juxta Twycross, on the south side of Wood Lane and to the rear of a large farmhouse and range of former farm buildings. The building to be demolished is an agricultural storage barn, located towards the southern boundary of the site as identified on the attached Demolition Site Plan. The barn has a GEA of circa. 560sqm and is constructed from a steel frame. The walls are constructed from a mixture of blockwork and corrugated metal sheeting. There is corrugated metal sheeting to the roof, and a solid concrete floor throughout

3.2. The application site comprises three large scale buildings associated with the former agricultural uses of the site and areas of overgrown scrub. There are residential properties to the west of the site, an established engineering factory and works to the east of the site and open agricultural fields to the south. The farmhouse and former farm buildings located to the north (outside the application boundary) are subject to an extant planning permission (13/01095/FUL) for the conversion of former farm buildings into four residential dwellings, refurbishment of the farmhouse and the erection of one new dwelling with associated access drive and parking. There are a variety of boundary treatments enclosing the site. A public footpath crosses through the south west corner.

4. Relevant planning history

23/00962/DISCON

- Application to discharge conditions 3 (SuDS), 4 (SuDS Long Term Maintenance) 6 (Hard and Soft Landscaping), 7 (Landscaping Management Plan), 8 (Boundary Treatments), 9 (Bat/bird boxes), 10 (Materials), 17 (Waste and Recycling) attached to planning permission 20/01250/FUL

- Discharged
- 23.02.2024

20/01250/FUL

- Conversion of agricultural buildings into 2 residential dwellings, refurbishment of farmhouse and erection of 4 new dwellings with associated access and landscaping

- Planning permission
- 12.07.2023

15/00536/OUT

- Erection of 3 dwellings (outline - access and layout) (revised scheme)

- Refused (Appeal Dismissed)
- 20.04.2016

13/01095/FUL

- Conversion of agricultural buildings into 4 residential dwellings, refurbishment of farm house and erection of 1 new dwelling with associated access drive and parking

- Planning permission
- 23.01.2015

5. Publicity

- 5.1. The applicant has confirmed that a site notice has been posted at the site in accordance with paragraph B.2(b)(iv) of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and a copy of the notice has been submitted with the application.

6. Consultation

- 6.1. No consultations are required for this type of application, however HBBC Environmental Health (Pollution) were consulted regarding asbestos safety, submitting the response as follows:

"The demolition of the barn should be carried out with regard to current health and safety protocols. The regulatory authority is the HSE.

Following demolition any future development of the site would require potential land contamination to be assessed."

7. Policy

- Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Schedule 2, Part 11, Class B

8. Appraisal

- 8.1. The main consideration with regard to this application is whether the prior approval of the local planning authority is required for the method of demolition of the building and any proposed restoration.
- 8.2. The building proposed to be demolished is an agricultural storage barn which is no longer required for agricultural purposes due to the wider redevelopment of the site.
- 8.3. The Demolition Method Statement sets out in detail the methods and programme for demolition. This includes securing the site boundary with Heras fencing, to enclose and separate the working demolition areas from the wider site.

- 8.4 Electrical cabling will first be removed prior to soft stripping the building will be undertaken which will involve the removal of all residual items, fixture, fittings, and floor coverings etc, these will be carefully segregated and placed in designated waste skips prior to transporting to an approved recycling facility for further processing to enable further recycling or re-use.
- 8.5 Once the soft strip has been completed, demolition of the super structure down to slab level will take place via mechanical means. The metal roof and wall cladded sheets will all be removed by use of a demolition excavator fitted with a grapple type attachment (bar for the bay closest to the adjoining grain store to be retained, which will be taken down by hand to avoid any accidental damage from machinery). The blockwork will be removed using a bucket attachment, to push the walls over into the building footprint. Once the building has been reduced to a steel frame, it will be systematically cut down using the shears on the 10t excavator. Each roof truss will be cut free of the head of one of the supporting columns and lowered towards the ground; the other end of the roof truss will be free of the head of the supporting column and lowered to the ground, still using the shears attachment on the 10t excavator. Isolated columns will be folded-over horizontally by application of force at two-thirds height by the 10t excavator. Once horizontal, the column will be cut at its base and recycled as scrap. The floor slab will be left in-situ any excavated areas will be backfilled using certified site won or imported material. All of the materials gathered from this will transported off site for recycling, or disposal if the former is not possible.
- 8.6 A 'no smoking on site' policy will be adhered to at all times. All operatives on site must wear full PPE in accordance with HSE requirements including safety boots, hard hats and a high visibility vest and LEP (Light Eye Protection). A supply of spare health and safety equipment will be kept on site for the duration of the demolition, to include hard hats, hi-vis vests, overalls, gloves, goggles and masks.
- 8.7 Adequate segregation of pedestrians and vehicular traffic will be maintained at all times. Reversing of vehicles and plant will be minimised at all times. This will be emphasised on the site induction for all operatives.
- 8.8 Working at height will be restricted to the minimum with the majority of high-level demolition work being carried out via mechanical means, such as demolition type excavators and plant fitted with controlled attachments (e.g. mechanical grapples, concrete breakers, concrete pulverisers and buckets). Where working at height may be required, access will be gained by using a Cherry Picker or Scissor Lift type Mobile Elevated Work Platform. All non-asbestos roof and wall sheets will be removed by mechanical means, to prevent workers from being put at unnecessary risk.
- 8.9 If asbestos is found to be present in the building to be demolished, a licensed Asbestos Removal Contractor (ARC) will be appointed to carry out the removal of all asbestos containing products, and the HSE will be notified under the statutory ASB5 form. No further activities will be carried out on the building to be demolished until confirmation from the ARC that the areas are safe to enter has been received.
- 8.10 Upon request from the Local Planning Authority, the applicant produced an Asbestos Survey (HICH Roof & Property Consultants, received 30.05.25), which confirmed the presence of asbestos in the roof and walls. This survey includes a task manual produced by the health and Safety executive which should be followed during demolition of the building.
- 8.11 The method of demolition as outlined above is considered suitable for the type of building to be demolished. The health and safety of workers and visitors has been considered, with suitable measures put in place to ensure everyone's safety.

Schedule 2 > Part 11 > Class B – demolition of buildings checklist

- 8.12 Development is not permitted by Class B if—
- 8.13 (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;

The building has not been rendered unsafe or otherwise uninhabitable

- 8.14 (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)

The building is not within a conservation area

- 8.15 (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;

The building does not fall within the above use classes.

- 8.16 (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

The building is not used and was not used for any of the above purposes

- 8.17 (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

The building is not used and was not used for any of the above purposes

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The building is no longer required for agricultural use and would not form part of the wider future redevelopment of the site. Having regard to the submitted details, the local planning authority considers that the proposed method of demolition would be acceptable and that in accordance with the Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 11, Class B, further prior approval is not required.

11. Recommendation

- 11.1 **Prior approval not required.**

- 11.2 **Reasons**

- 1) Having regard to the proposed method of demolition, the local planning authority is satisfied that prior approval is not required.

- 11.3 **Notes to applicant**

- 1) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
 - 2) The applicant is advised to follow the guidance from the Health and Safety executive regarding asbestos safety: <https://www.hse.gov.uk/asbestos/>
 - 3) The development must be carried out in accordance with the submitted details.