DELEGATED REPORT

Recommendation Made:

Reference:- 11/00708/GDO **Parish:- Earl Shilton Town Council**

Applicant:- Mr Ian Dyke
45 Kiln Garth
Rothley
Leicester
Leicestershire

Location:- 40 High Street Earl Shilton Leicester Leicestershire LE9 7DG

Proposal:- DEMOLITION OF FITNESS CENTRE AND FACTORY PREMISES

Introduction:-

This an application for a determination as to whether the prior approval of the Local Planning authority is required for the method of demolition (and any proposed restoration of the site) of a fitness centre and factory premises at 40 High Street, Earl Shilton, submitted under Part 31 Class A to Schedule 2 of The General Permitted Development Order 1995 (as amended).

Consultations:-

No consultations

Development Plan Policies:-

Town and Country Planning (General Permitted Development Order) 1995 (as amended)

Appraisal:-

The main consideration with regards to this application is whether the prior approval of the Local Planning Authority is required for the method of demolition and any proposed restoration of the site.

The site lies on the west side of High Street in Earl Shilton and the building is immediately adjacent the public highway, and a public footpath extends along the west boundary of the site. The existing building has recently been used as a two storey fitness centre and factory premises but currently stands vacant. The applicant has stated that the building is redundant and not fit for purpose, and there has been no response to advertisements for replacement occupiers.

Method of demolition

The building is constructed of brick and single panel glazing with a two storey frontage onto High Street. The building has little architectural merit and is detached from the adjacent commercial and residential buildings and there appears to be sufficient open space within the site for demolition machinery to manoeuvre appropriately. As such, the Local Planning Authority considers that demolition by way of mechanical means as proposed by the applicant is acceptable.

Proposed restoration of the site.

Additional information was requested by the Local Planning Authority in respect of the proposed restoration of the site. This information was received on the 30th of September and is summarised below:-
Material which will arise from the demolition of the building (brick and concrete) will be used as a barrier to prevent unauthorised vehicle access and placed mainly along the northeast and eastern boundaries no higher than 2m tall and no wider than 4m wide amounting to approximately 230cu.m. Any surplus material is to then be stockpiled in the middle of the site for crushing and re use by the redevelopers.

The site will be fenced during the works and thereafter with heras fencing, in addition to the existing factory wall on the north of the site remaining in situ at 1.8m to act as a secure boundary to the north of the site.

Other materials such as wood, metal, glass, plastic will be sent for recycling with soft furnishings and plaster based waste going to the tip. Asbestos waste will be disposed of to a licensed facility,

High Street is a main vehicle and pedestrian access route in to the Town centre and the proposal to screen the site with heras fencing will result in the waste bunds and stockpile being visible to the users of High Street and the public footpath. The Local Planning Authority considers that this method of site restoration will adversely affect the visual appearance of the area and will be detrimental to the street scene. Therefore the Local Planning Authority considers that prior approval for the method of proposed site restoration is required.

Reasons :-

1 The Local Planning Authority considers that this method of site restoration will adversely affect the visual appearance of the area and will be detrimental to the street scene. Therefore the Local Planning Authority considers that prior approval for the method of proposed site restoration is required.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Nick Cox Ext 5659