

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H15-0431-25 **Applicant:** Mr M Burrell
Proposal: Demolition of 3 Bed Derelict House
Location: The Burrells Town Drove Quadring
Terminal Date: 11th June 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

	Object	Support	No Obj.	Comments
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks to establish if prior approval is required for the demolition of a 3-bedroom dwelling, The Burrells, Town Drove, Quadring.

The application is submitted on the basis that the proposal complies with Schedule 2, Part 11, Class B of the (General Permitted Development) (England) Order (GPDO) 2015 (as amended). One of the conditions of Class B is that the applicant must apply to the relevant local planning authority (LPA) to establish if prior approval is required for the proposed demolition (B.2(i)). The application therefore seeks to comply with this requirement.

Site Description

The building within the site comprises a detached two storey dwelling located to the north of Town Drove, Quadring. There are some dwellings located to the east and north-east of the site. There is a steel fabricator business, Premier Pits, located to the north-west of the site which includes various buildings and open storage.

Relevant Planning History

No planning application dicate when the house was built.

The following applications overlap the eastern side of the site:

H15-0152-98: (Full Application) Proposed storemans office extension - approved 24 March 1998

H15-0174-04: (Full Application) Proposed single storey extension to office - approved 23 March 2004

H15-0450-04: (Discharge of Conditions) Details of finished floor levels for FRA (Condition 3 of H15/0174/04) - approved 07 September 2004

H15-1651-04: (Full Application) Proposed extensions to workshop - approved 28 January 2005

H15-1270-07: (Full Application) Proposed extensions to workshop and spraybooth - approved 15 November 2007

H15-0858-14: (Full Application) Proposed extension to form office - approved 27 November 2014

H15-1063-14: (Full Application) Proposed extension to form office - approved 26 January 2015

H15-1033-20: (Full Application) Proposed extension to workshop and change of use of agricultural land to industrial - approved 03 February 2021

Consultation

There is no specific requirement to consult statutory consultees for a demolition prior approval application. The council's ecology officer has however provided a response in this instance which is set out below for reference.

SHDC Ecology Officer: We will require at least a preliminary roost assessment to be completed due to the scale of demolition and having looked at the dwelling that is proposed to be demolished on google street view. The survey work should be completed before the application can be determined. The bat survey should be carried out by a licensed and experienced bat worker and should include a detailed search for bat field signs. If it is not possible to draw clear conclusions from this search alone, then it may also be necessary to carry out at least one dusk/dawn emergence count, using standard methods. Such a survey would need to take place between May and September. Depending on the findings of the first survey, it may be necessary to carry out one or more further dusk/dawn counts, in accordance with the standing advice. Local meteorological data should be provided for the survey date(s) along with the survey results. The approach used and survey effort applied must be clearly justified in the survey report to be submitted.

Public Representations

One of the conditions of Class B is that the applicant must display a site notice for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the LPA (B.2(iv)). The applicant displayed a site notice at the site on 14 May 2025. The notice therefore expires on 05 June (as there was a bank holiday on 26 May). No letters of representation have been received from members of the public.

Key Planning Considerations

National and local planning policies are not relevant in this case as the application seeks only to establish if prior approval is required for the demolition of the building within the site. It is therefore only necessary to assess the proposal against the requirements of Class B.

Whether the Proposal Accords with the Conditions of Class B

Class B of Part 11 of the GPDO indicates that any building operation consisting of the demolition of a building would be considered permitted development, subject to conforming with the relevant limitations of the class. The proposed demolition is assessed against these criteria below.

"(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 existing building is not unsafe and still appears to be structurally sound.

"(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 proposal would not be considered relevant demolition due to its positioning outside of any identified Conservation Area.

*"(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 is not a drinking establishment.

*"(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 has not been used as any of the above.

*"(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 demolition would not relate to a statue, memorial or monument.

The proposal therefore represents permitted development as it does not exceed any of the limitations set out under B.1.

Whether Prior Approval is Required for Demolition

According to the submission, the applicant has submitted the current application as the dwelling is derelict and has not been occupied in over 10 years. According to the application form, the applicant intends to use Monksview Demolition Company and the dwelling will be levelled to the ground. The proposed method of demolition is not specified however, the application form sets out that Monksview Demolition Company are proposed to be used for the demolition.

As set out above, the council's ecology officer has requested that a preliminary bat roost assessment (PBRA) is provided. A bat survey might be needed depending on the recommendations of the PBRA. Councils have a legal duty to consider the conservation of protected species such as bats when considering development proposals. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. The applicant has been contacted to ascertain whether a PBRA has been prepared, however, no response has been received. In the absence of this information, it is considered that prior approval should not be granted at this stage.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

No survey information has been provided to establish if there are bats within the site. In the absence of this information, the local authority cannot ascertain whether any mitigation is necessary such as appropriate demolition methods or whether it is necessary to obtain a license from Natural England for the proposed demolition.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under delegated authority. Prior Approval is required and is not granted in this instance.