

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0096-26 **Applicant:** South Lincolnshire Academies Trust

Proposal: Demolition of 2no. single storey pitched roof buildings

Location: Spalding Academy Neville Avenue Spalding

Terminal Date: 6th March 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Schedule 2, Class B of Part 11 of the Town and Country Planning (General Permitted Development) Order 2015

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

The proposal seeks to establish if prior approval is required for the demolition of 2 single storey buildings located at Spalding Academy.

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)). Therefore, the application seeks to comply with this requirement.

Site Description

The buildings are both single storey structures, comprising masonry construction and profile sheet roofing. The buildings are located at Spalding Academy, to the west of the school's car park and to the north of the school's kitchen building.

Relevant Planning History

Within the site:

H16-0156-26: (Full Application) Erection of a Single-Storey Modular Building - pending determination

The following applications over the eastern part of the site:

H16-0878-20: (Full Application) Proposed extension and alterations to music block - approved 03 December 2020

H16-0041-24: (Full Application) Proposed facade alterations and internal alterations - approved 20 March 2024

H16-0136-25: (Full Application) Erection of Single-Storey Extension and Installation of Security Fencing & Access Gates - approved 18 March 2025

Consultation

There is no specific requirement to consult statutory consultees for a demolition prior approval application.

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 02 February 2026 and as such, the notice expires on 02 March 2026. 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. Therefore, it is 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 buildings are not unsafe and still appear 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 as 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 buildings are 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 buildings have not been used as any of the above purposes.

"(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.

Therefore, the proposal 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 submitted Method Statement, the buildings are proposed to be demolished as the buildings are in a poor state of repair and are no longer fit for purpose.

An Asbestos Demolition Survey has been undertaken and an Asbestos Removal Strategy will be implemented. No demolition works will commence until all Asbestos Containing Materials have been removed and the areas declared safe. The management and safe removal of asbestos is covered under separate legislation.

It is proposed to undertake a soft strip of the buildings following which the roofs are proposed to be removed. Masonry walls are to be demolished using a mechanical excavator fitted with appropriate attachments with demolition undertaken in a controlled top-down sequence. Dust suppression (water spray) is to be used as required. Ground bearing slab and foundations are proposed to be retained and reused. Continuous monitoring of visible dust is to be undertaken throughout with works halted if unacceptable dust migration occurs.

The overall duration of the demolition works will be short-term and coordinated to minimise disruption to the surrounding site. Once demolition is complete, the site will be cleared of any remaining debris, hazardous materials and equipment to ensure it is cleared and safe for future use.

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

Taking these factors into consideration, the proposal is considered to comply with the provisions of Schedule 2, Part 11, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015, and as such the proposal is permitted development.

Recommendation

Based on the assessment detailed above, it is considered that prior approval is not required in this instance.