

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0089-25 **Applicant:** Sutton Bridge Parish Council

Proposal: Demolition of existing football changing rooms/pavilion

Location: Pavilion, The Curlew Centre 51 Bridge Road Sutton Bridge

Terminal Date: 14th March 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Schedule 2, Class B, Part 11 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

This application is for the LPA to consider whether prior approval of for the Demolition of existing football changing rooms/pavilion is required.

Site Description

This area of Memorial Park is located within allocated recreational open space as well as within flood zone 3 in accordance with Environment Agencies Mapping Systems.

At present there is an existing pavilion which is 95sqm on the western boundary of the park, this is dilapidated and unfit for purpose. This is owned and used by Sutton Bridge United FC. The proposal is to demolish this building. Outline permission already exists for a replacement building on this site. There is a TPO in the area and the application site is located away from the RPAs of those trees.

The Curlew Centre is accessed from Bridge Road, car parking exists to both the front and rear of the building. A play area is located to the east of the Memorial Park.

History

H18-0055-12 - Part use of first floor accommodation (Rooms B, C, D and E) as either office space for business use (Class B1) or for a purpose ancillary to the community centre. Approved 02-04-12
H18-0793-10 - Proposed multi-use community centre. Approved 10-11-10
H18-0671-09 - Proposed multi-use community centre. Approved 07-06-10
H18-0098-12 - Removal of Condition 5 of H18-0793-10 relating to erection of timber fencing. Approved 10-04-12

Consultation Responses

None - Required

Planning Considerations

Schedule 2, Class B, Part 11 Class B of Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 indicates that any building operation consisting of the demolition of a building would be considered permitted development, subject to conformity with the relevant limitations. Assessing the proposal against the Order, the following is considered:

(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 the 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 used for those purposes.

*(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.

Summary

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

Conditions Section B.2 of Part 11 outlines the relevant conditions demolition must conform to in order to be permitted. Paragraph b(i) requires a description of the demolition method. This information has been provided by the submission of a 'conditional survey' carried out by linked engineering limited as well as the application for which states:

THE BUILDING AND CONCRETE BASE WILL BE DEMOLISHED MECHANICALLY UTILISING

SPECIALIZED DEMOLITION EQUIPMENT, INCLUDING EXCAVATORS, BULLDOZERS, CONCRETE CRUSHERS, TIPPERS, AND MORE. THE EXCAVATORS AND BULLDOZERS WILL CAREFULLY DISMANTLE THE STRUCTURE, WHILE THE LOW LOADERS AND TIPPERS WILL BE USED TO TRANSPORT THE DEBRIS AWAY FROM THE SITE ALL UNDERTAKEN BY A PROFESSIONAL DEMOLITION CONTRACTOR AND

THE SPOIL & RUBBLE WILL BE DISPOSED OF BY THE PROFESSIONAL DEMOLITION CONTRACTOR WITH THE AIM TO RECYCLE AS MUCH RUBBLE AS POSSIBLE SO THIS WILL BE TRANSPORTED BACK TO THE CONTRACTORS RECYCLING YARD FOR CRUSHING TO SELL ON AS RECYCLED AGGREGATES.

Given the existing pavilion is located in a field some distance from the public highway this method is considered acceptable.

Paragraph b(iv) requires the applicant to display a site notice on or near the land on which the building to be demolished is sited and must leave the notice 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.

It has been demonstrated that an appropriate notice has been put in place. As such, it is considered that the proposal has conformed to the relevant conditions of this Class.

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 is permitted development.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority. Prior Approval is not required

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.