



Planning Services

DELEGATED REPORT

APPLICATION DETAILS

Application No: DM/14/02136/PND

Site Location: Tudhoe Grange Comprehensive School, Durham Road, Spennymoor

Proposal: Demolition of school

DESCRIPTION OF SITE AND PROPOSAL

Site:

Former Tudhoe Grange Comprehensive School located within the Spennymoor residential settlement.

Proposal:

Following a court of appeal judgment, the Town and Country Planning (Demolition – Description of Buildings) Direction 1995, contained within DoE Circular 10/95 (WO 31/95), the demolition of certain buildings, such as the former Tudhoe Grange Comprehensive School, is now 'development'.

Permitted development rights for such development apply under Part 31 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. Before exercising a permitted development right to demolish a building, the developer is required to apply to the Local Planning Authority for a determination of whether the prior approval of the authority will be required as to the method of the proposed demolition and any proposed restoration of the site.

The current proposals therefore seek a determination as to whether the prior approval of the authority is required for the method of demolition of the existing buildings and subsequent landscaping of the site. (The purpose of this control is to give Local Planning Authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity).

Once demolished, all services to the site would be permanently disconnected and drains removed/sealed. Works are anticipated to begin in August 2014, with the newly created vacant space to be seeded and grassed.

PLANNING HISTORY

- 7/2013/0085/DM (Formation of new access and associated gates) – APPROVED 22 April 2013
- 7/2010/0161/DM (Construction of a pedestrian link footpath and insertion of gates in existing fence to front entrance) – APPROVED 16 July 2010
- 7/2006/0644/CM (Provision of cycle storage shelter) – APPROVED 20 November 2006
- 7/2002/0568/CM (Erection of steel palisade fence on top of existing wall) – APPROVED 20 November 2002
- 7/1997/0455/CM (Re-roofing of assembly hall building) – APPROVED 10 December 1997

PLANNING POLICY

National policy:

- Department of the Environment Circular 10/95

Local plan policy:

- D1 (*General principles for the layout and design of new developments*)

CONSULTATION AND PUBLICITY RESPONSES

The application has been advertised by the applicant for a period of 21 days prior to this recommendation being made in accordance with the requirements of Class A, Part 31, Schedule 2 of the Town and Country (General Permitted Development) Order 1995.

Statutory responses:

- Town Council – No comments received.

Internal consultee responses:

- Ecology – Following a recent ecological survey of the site it is advised that it is unlikely that the demolition of the building would impact on any ecological interest.
- Environmental Health (Contaminated land) – No objections.
- Environmental Health (Pollution) – No objections, subject to control over sensitive working practices.

Public Responses:

- No comments received.

PLANNING CONSIDERATIONS AND ASSESSMENT

This notification relates to all former school buildings making up the Durham Road Tudhoe Grange School site. This site is now vacant.

A demolition method statement has been submitted in support of the application specifying all works to be undertaken in accordance with current BS 6187. The footprint of the buildings are to be levelled and graded to follow existing contours and the area seeded and grassed until a future use for the site is established.

The Councils Environmental Health and Ecology sections have been consulted in respect of the current proposals and following a recent survey undertaken at the site, it is advised that it is unlikely that the demolition of the building would impact on any ecological interest.

On the basis of the submitted information and in light of the above, the proposed nature and methods of demolition are considered appropriate to the building and location in question and the works are not considered to have any unacceptable impact to the amenity of residential occupiers. Informatives have been included to remind the applicant of the need for sensitive site working practices.

RECOMMENDATIONS AND CONDITIONS

Recommendation that:

PRIOR APPROVAL IS NOT REQUIRED

STATEMENT OF PROACTIVE ENGAGEMENT

- The Local Planning Authority have worked with the applicant in a positive and proactive manner in ensuring the prompt determination of this application within the statutory determination period.

ADDITIONAL MATTERS

INFORMATIVE

The applicant is reminded of the requirements of the Control of Asbestos Regulations 2012.

The best practicable means shall be used to prevent noise/ dust nuisance or disturbance to local residents resulting from the building work which would be carried out at the premises. The contractor shall have regard to the relevant parts of BS5228 1997 'Noise and Vibration Control on Construction and Open Sites' during the planning and implementation of site activities and operations.

No construction activities, including the use of plant, equipment and deliveries, which are likely to give rise to disturbance to local residents should take place before 0800 hours and continue after 1800 hours Monday to Friday, or commence before 0800 hours and continue after 1300 hours on Saturday. No works should be carried out on a Sunday or Bank Holiday.

INFORMATIVE

The best practicable means should be used to prevent noise/dust nuisance or disturbance to local residents resulting from any site activities, including all demolition works, building works and deliveries. The contractor should have regard to the relevant parts of the current edition of BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The local planning authority expects that the best practical means available in accordance with the current edition of BS 5228 Parts 1 to 4 shall be employed at all times to minimize the emission of noise from the site.

The burning of combustible material on site shall be prohibited unless it is not reasonably practicable to dispose of the material in any other suitable manner.

If the burning of combustible material on site takes place, the best practicable means shall be used to minimize the volume of materials burnt and to prevent nuisance and disturbance caused by the emissions of smoke from the site. The burning of materials likely to cause the emission of dark or black smoke e.g. rubber, oil etc. shall be prohibited at all times. Note: burning should not normally occur unless it is not practicable to remove the materials from the site for disposal.

All plant, vehicles, equipment and machinery used in connection with any site activities shall be properly operated, used and maintained so as to control and minimize the propagation and emission of dust suppression e.g. screens, water sprays, enclosures etc.

No construction/demolition activities, including the use of plant, equipment and deliveries, which are likely to give rise to disturbance to local residents should take place before 0800 hours and continue after 1700 hours Monday to Friday. No works should be carried out on a Saturday, Sunday or Bank Holiday.

The contractor shall have regard to the relevant parts of the current edition of BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The above comments relate to the potential of the development to cause a statutory nuisance, as defined by the Environmental Protection Act 1990. However, the Planning Authority may wish to consider the comments provided above, in determining whether there will be a loss of amenity as a result of the proposal.

ENSURING DUE DILIGENCE IN DECISION MAKING

Part 1 - To be completed by the Case Officer:

Have the correct neighbour consultations been initiated? Y

Has the 21/14 day period for consultation responses expired (including from weekly list)? Y

Has the correct statutory publicity been initiated with copies of relevant Notices on file? Y

Has the correct CLG PS1 Code been attributed to the application? Y

Are all neighbour / statutory consultee comments properly appraised in the report? Y

Signature:

Date:

Case Officer

Part 2 - To be completed by the Authorising Officer

Do the recommended conditions meet the relevant tests; including being necessary to allow the development to proceed and enforceable? Y / N

In the case of refusal is there an audit trail to demonstrate the applicant has been advised of refusal recommendation and invited to withdraw? Y / N

In the case of refusal is this clearly justified with a good chance of the decision being supported at appeal? Y / N

Does the application fall within the delegation criteria as detailed in the Council's Constitution? Y / N

Signature

Date:

Authorising Officer

Application report within target determination date:

☐ YES ☐ NO

If no please give reason(s):



