

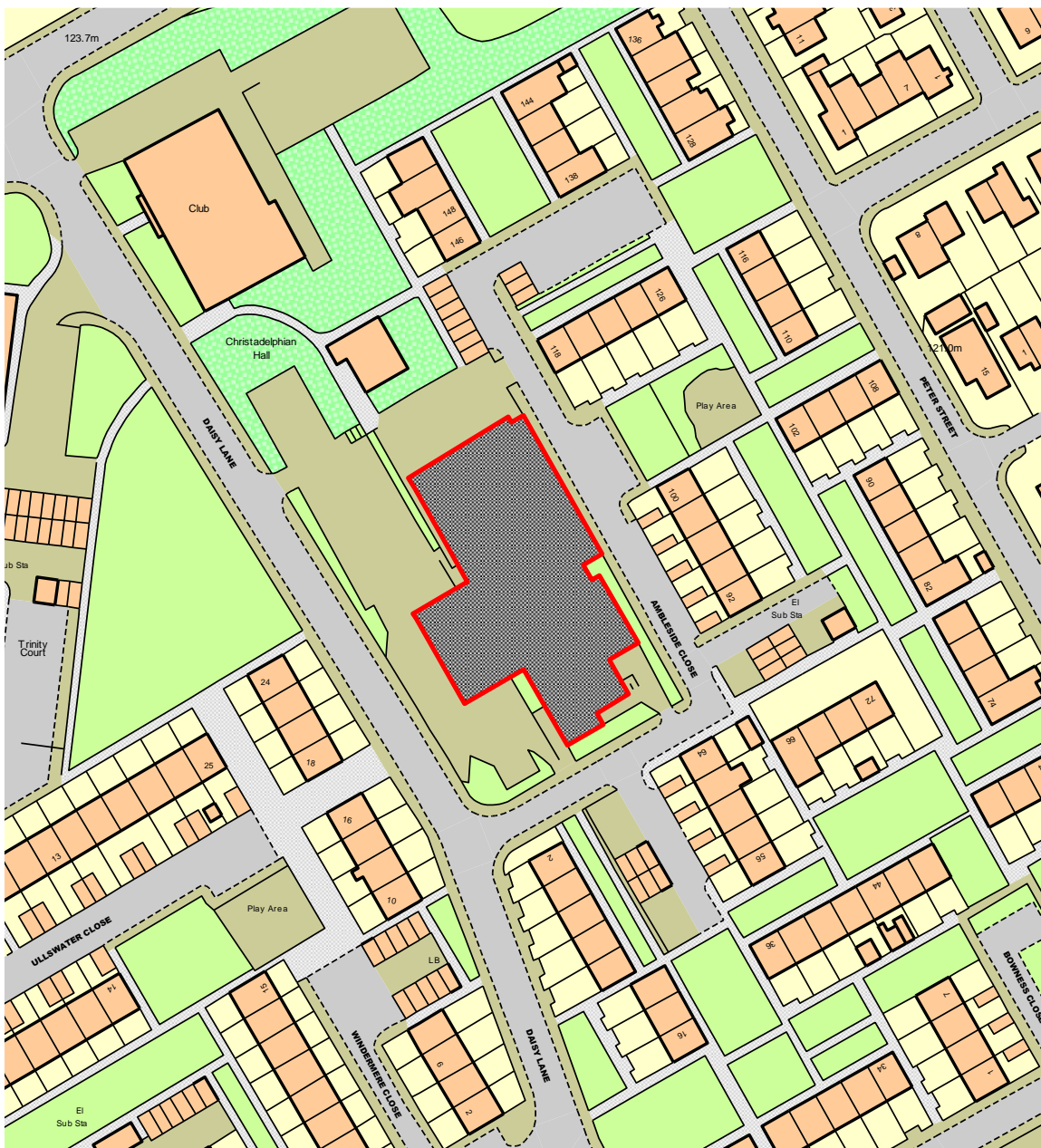
Proposed Development: Demolition of building

Site Address: Daisyfield Pools, Daisy Lane, Blackburn, BB1 5LR

Applicant: Blackburn with Darwen Borough Council

Ward: Bastwell & Daisyfield

**Councillor Parwaiz Akhtar
Councillor Shaukat Hussain
Councillor Rana Khan**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is recommended to be granted prior approval, subject to conditions detailed below in Section 5.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This application is presented to the Planning and Highways Committee in the interests of transparency as the application is a Prior Notification and the application site is Council owned.
- 2.2 There is no public consultation exercise that the Council must undertake for this type of application. Four site notices were displayed by the applicant on 12/09/2024. No public comments have been received for the application so far. Should any be received ahead of the committee meeting they will be presented as part of a committee update report.
- 2.3 The Council's development plan supports demolition works, provided they constitute sustainable development and accord with the relevant legislation.
- 2.4 This application is made under Schedule 2, Part 11, Class B of the General Permitted Development Order (GPDO). Prior approval is sought for the entire demolition of the building. The submitted Demolition Method Statement clarifies that various mechanical and hand demolition techniques would be utilised. The works are scheduled to commence on 06/01/2025 and are expected to take around 3 months.
- 2.5 The key issues to be addressed in determining this application are follows;
- Ensuring compliance with the initial requirements of Schedule 2, Part 11, Class B of the GPDO.
 - Assessing the method of demolition.
 - Assessing any proposed restoration of the site.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The site is a vacant swimming baths that is located within the settlement of Blackburn. The submitted application forms states that the building is in a dilapidated state and is no longer fit for purpose. The wider site covers circa 1.1 acres and comprises of a single large building, carparks and soft landscaped areas. Residential land uses surround to three sides with a vacant working man's club positioned to the north.

Figure One – Satellite image of the site

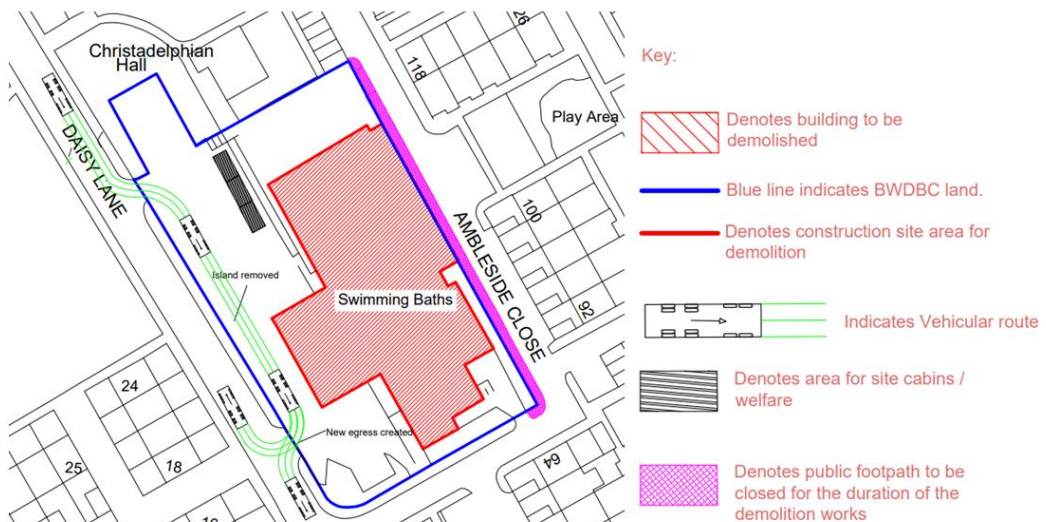


3.2 Proposed Development

3.2.1 As detailed above, this application is made under Schedule 2, Part 11, Class B of the General Permitted Development Order (GPDO). Prior approval is sought for the entire demolition of the building and associated restoration works. The submitted Demolition Method Statement clarifies that various mechanical and hand demolition techniques would be utilised. The works are to commence on 06/01/2025. They are expected to take around 3 months and be complete by 11/04/2025.

3.2.2 All demolition traffic would utilise the existing access point from Daisy Lane. The site compound including the site office, welfare facilities, parking and overnight plant storage would be situated within the existing carpark. Various enabling works would be implemented within the carpark to improve manoeuvrability for larger vehicles. Temporary mesh fencing, pedestrian gates and vehicular gates would be provided to the full perimeter of the site by the demolition contractor. A banksman would also be utilised to manage comings and goings.

Figure Two – Compound Layout and Vehicle Manoeuvring Plan



3.2.3 All HGV loading/unloading will take place within the site. No HGVs will be allowed to park outside site or queue on the approaching roads. Vehicles will be parked on site in the designated area as identified on the site plan drawing. Exact locations will be confirmed by the demolition contractor on appointment. Hours of site work will be solely restricted to Monday to Friday, 08:00 - 17:00 hours and Saturday 09:00 - 13:00 hours.

3.3 Case Officer Site Photos



3.4 Local Plan (2021 – 2037)

- Policy DM02: Protecting Living and Working Environments
- Policy DM15: Protection and Enhancement of Wildlife Habitats
- Policy DM17: Trees and Woodland
- Policy DM29: Transport and Accessibility

4.0 ASSESSMENT

4.1 The GPDO

4.1.1 Schedule 2, Part 11, Class B allows for any building operation consisting of the demolition of a building. Development is not permitted by Class B if;

- 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;*
- 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);*
- 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) (ii) article 3(6)(q) (drinking establishments with expanded food provision) of that Order;
- 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; or
- 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.

4.1.2 The proposed demolition does not conflict with any of those limitations.

4.1.3 The principle of development is ultimately established by the GPDO and the provisions of Schedule 2, Part 11, Class B do not specifically require regard be had to the development plan. However, the policies of the development plan are material considerations as they are relevant to matters relating the method of demolition and any proposed restoration of the site.

4.2 Method of Demolition

4.2.1 The methods of demolition detailed above are relatively standard for this type of development. A demolition contractor is yet to be appointed and some of the specifics relating to the exact types of machinery to be used are currently an unknown. That said, the site is large enough to prevent any adverse disruptions for the immediate neighbours beyond those that are typically expected for this type of development.

4.2.2 Regarding limiting noise emissions, all plant and machinery would be operated in compliance with current legislation. Inspections will be made daily to ensure it is functioning correctly. Plant will not be run outside working hours and will be switched off when standing for prolonged periods. The use of impact breakers will be kept to a minimum with the main demolition operations carried out by power rotating grabbers or shears attached to excavators.

4.2.3 Regarding limiting dust emissions, water spraying would be used for dampening down debris on the ground, stockpiled materials, and debris prior to removal from site. This is not anticipated to be much of an issue though given the timings of the proposed works over the winter period. Prior to leaving the site all skips/lorries are to be inspected for dirt/loose debris and sheeted

appropriately. Crushing plant will be operated fully in accordance the relevant guidelines.

- 4.2.4 BwD Public Protection have reviewed the merits of the application. Some additional details have been requested regarding ensuring compliance with BS 5228 and the need to undertake a public consultation exercise prior to the works being commenced. The Agent is aware of those comments. They will be reflected as part of an updated Demolition Method Statement, which will be presented as part of the committee update report. They ultimately have no fundamental bearing on the recommendation to approve as they can be readily rectified.
- 4.2.5 The submitted compound layout and vehicle manouvering plan confirms that large tipper type vehicles up to 10.2m in length can both enter and leave the site in a forward gear. A one-way system will be operated internally with various ground works implemented within the existing carpark to improve manouvering arrangements.
- 4.2.6 For clarity, no trees would be felled as part of those works. Some pruning works are required around the existing access point. The BwD Arboricultural Advisor has requested the submission of an Arboricultural Method Statement (AMS) with supporting Tree Protection Plan (TPP). However, the submission of such details is not necessary as the demolition works would be undertaken from existing hardstanding and no additional soil compaction would be caused. Tree protection measures are also detailed within the submitted Arboricultural Constraints Report, which must be adhered to.
- 4.2.7 A Bat Survey Report has been submitted in support of the application, which concluded that *the building possesses a low potential value for roosting bats, and the subsequent dusk bat emergence survey concluded the likely absence of roosting bats on site. A very low level of commuting or foraging bat activity was recorded on site during the dusk survey. It is therefore not considered that the proposed works would adversely impact upon roosting bats and thus the conservation status of roosting bats, neither will it affect the foraging/commuting habits of local bat populations.*
- 4.2.8 A number of Reasonable Avoidance Measures are detailed within the submitted report. The appointed demolition contractor should be made aware of those recommendations as they form part of the details to be approved and must be adhered to at all times.

4.3 Proposed Restoration of the Site

- 4.3.1 The submitted information states that the foundations would be grubbed up with slabs removed and any voids filled in. Temporary metal fencing would also be retained around the site following completion of the proposed demolition works. Those restoration works are relatively standard for this type of development and no further measures are required as the site will be redeveloped in the future.

4.4 Summary

- 4.4.1 As detailed above, this application is made under Schedule 2, Part 11, Class B of the GPDO. Prior approval is sought for the entire demolition of the building together with associated restoration works.
- 4.4.2 Subject to the comments provided by BwD Public Protection being adequately reflected as part of an updated Demolition Method Statement, the proposed development would be acceptable with reference to the method of demolition and any proposed restoration of the site, in accordance with the policies detailed in Section 3.4.
- 4.4.3 The proposed development therefore complies with the relevant requirements of the GPDO alongside those of the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

5.0 **RECOMMENDATION:**

Delegated authority is given to the Deputy Chief Executive and Strategic Director of Growth and Development to give prior approval, subject to the relevant conditions contained within Schedule 2, Part 11, Class B of the GPDO, as follows:

- 5.1 The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out, where prior approval is required, in accordance with the details approved.

REASON: In order to ensure compliance with the relevant requirements of Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order (The GPDO) 2015 (as amended).

- 5.1.1 The development must be carried out, where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given.

REASON: In order to ensure compliance with the relevant requirements of Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order (The GPDO) 2015 (as amended).

6.0 **PLANNING HISTORY**

- 6.1 No relevant planning history.

7.0 **CONSULTATIONS**

- 7.1 BwD Property Services – No objections.
- 7.2 BwD Public Protection – This section would like to see the Outline Method Statement be bolstered in line with guidance from British Standard 5228. The

environmental constraints are quite generic in their explanations of noise control, taking into account the sensitivity of nearby receptors.

- 7.3 Strengthening the environmental constraints will give more confidence to consultees and to residents, that the works will not give undue risk of causing statutory nuisance, and loss of amenity. We would also like to see a note in the OMS, showing how residents will be notified of the works, prior to commencement. Prior engagement and notification is shown to increase understanding of receptors and reduces the risk of nuisance complaints.
- 7.4 BwD Arboricultural Advisor – A Tree Constraints Plan and Survey has been submitted in support of the above application. It has noted that no trees require removal in order to facilitate the proposed development. Before consent can be given, there will be a requirement to understand how the trees are going to be correctly protected during the proposed construction. This will need to be detailed within an Arboricultural Method Statement (AMS) with supporting Tree Protection Plan (TPP).
- 7.5 Ward Cllrs – No objections.
- 7.6 No public responses have been received
- 8.0 **CONTACT OFFICER:** Christian Barton – Senior Planner
- 9.0 **DATE PREPARED:** 1st October 2024
- 10.0 **SUMMARY OF REPRESENTATIONS** – none received.