

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2021/0451/PN14
Location: 29 Broadwater Road Welwyn Garden City AL7 3BQ
Proposal: Demolition of property
Officer: Mr Michael Robinson

Recommendation: Prior Approval Required and Refused

6/2021/0451/PN14

Context			
Site and Application description	Demolition of office building at 29 Broadwater Road, Welwyn Garden City.		
Constraints (as defined within WHDP 2005)	LBC - LISTED BUILDING 1938-40 by Otto R Salvisberg of Zurich in - Distance: 37.99 Wards - Peartree - Distance: 0 A4DES - Article 4 Direction Employment Sites() - Distance: 0 BLR - Brownfield Land Registry(Welwyn Garden City - 29 Broadwater) - Distance: 0		
Relevant planning history	Application Number: 6/2019/3024/MAJ Decision: Decision Date: Proposal: Demolition of office building and erection of 128 flats with associated car parking, landscaping, amenity space, bin and cycle storage, with alterations to existing and formation of new access on Broadwater Road and alterations to the existing access on Broad Court. Application Number: 6/2019/0108/PN11 Decision: Prior Approval Required and Granted Decision Date: 29 April 2019 Proposal: Prior approval for change of use from Offices (B1) to residential (C3) 72 Self Contained Flats		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site notice displayed by the applicant in accordance with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).		
Summary of neighbour responses	None received		

Consultees and responses	<p>1. WHBC - Public Health and Protection - Public Health and Protection - more information is required before the method of demolition is approved.</p> <p>2. Hertfordshire County Council - Historic Environment Advisor. No comments.</p>
Main Issues	
Method of demolition and proposed restoration of the site.	<p>Demolition of buildings falls within Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which states that any building operation consisting of the demolition of a building (unless specified in B.1) is permitted development subject to the conditions specified at B.2.</p> <p>The demolition proposed by this application does not fall within B.1, B.2(a) and is not excluded demolition. Therefore, in accordance with B.2(b) the developer must, before beginning the development, apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required for the method of demolition and any proposed restoration of the site.</p> <p>In respect of the method of demolition, where the application form asks to describe the proposed method of demolition it states “Demolition will involve a soft strip of the building and demolition by machine. A full method statement of demolition will be provided by the demolition contractor once appointed”.</p> <p>A request for a more detailed description of the method of demolition, other than “by machine” has not resulted in more information being provided, and consequently the Council’s public health and protection team has been unable to assess the effects of the demolition on the local area and its occupants.</p> <p>There is no information provided with the application that demonstrates that such impacts have been taken into account.</p> <p>Accordingly, it is considered that the submitted documents/information provides inadequate detail of the proposed method of demolition and inadequate measures to ensure that the demolition will be carried out in a safe manner.</p> <p>Prior approval is therefore considered to be required for the method of demolition and in the absence of this information prior approval is refused.</p>
Other matters	<p>It is noted that public consultation has also been undertaken by the Council. This was not necessary in line with the legislation. That consultation however is still ongoing and ends 18 March. That is after the determination period of this application. Accordingly, given the recommendation of the application, whilst not ideal, a decision of the application is required to be made, otherwise the applicant would receive prior approval.</p>
Conclusion	
<p>The application contains insufficient information on which to base an assessment of the method of demolition and any proposed restoration of the site. The Council’s prior approval of the method of demolition and restoration of the site is required and in the absence of adequate information its approval is REFUSED.</p>	

Reasons for Refusal:

1. The application contains insufficient information on which to base an assessment of the method of demolition and any proposed restoration of the site in accordance with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Council's prior approval of the method of demolition and restoration of the site is required and in the absence of adequate information its approval is REFUSED.

REFUSED DRAWING NUMBERS

- 2.

Determined By:

Mrs Sarah Smith
10 March 2021