DELEGATED DECISION REPORT

DET/2020/0050 **Valid 09/10/2020**	**HURST FARM EARLSWAY WATERHOUSES**	**DEMOLITION OF FORMER AGRICULTURAL BUILDINGS** **(DEMOLITION DETERMINATION)**

MAIN ISSUES

- The impact on bats as a protected species
- The impact on the appearance of the area after site restoration following the demolition of the buildings

DESCRIPTION OF SITE

The site is in the open countryside to the south of the village of Waterhouses and comprises a number of former farm buildings which lie on the east side of Earlsway, directly to the other side of the road from the Lafarge cement works.

PROPOSAL

The application is a "Prior Notification" application for the prior approval of the Council to demolish all of the former farm buildings on site. Class B of Part 11 of the GPDO allows the demolition of certain types of building without the need to apply for full planning permission. However, the same legislation also requires that the site owner apply to the Council for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site. The reason for the demolition of the building is to prepare the land for a proposed "fuel storage and feed system" development which was approved by Staffs County Council, although it appears the formal decision is subject to the completion of a S106 Agreement.

On 6th November 2020, a "Prior Approval Required" Decision Notice was issued and the further information required to be submitted is as follows:

a. Details of bat protection measures
b. Details of bat mitigation measures
c. Details of site restoration in the event the site is not redeveloped

The required information has been submitted in the form of a Biodiversity Management Plan received via an email on 9.12.20 and also an email dated 14.12.20 which states the details of restoration which are as follows:

"The land would be returned to pasture land in the very unlikely event that construction of the alternative fuels platform does not proceed."

The Council must decide if the Biodiversity/bat protection details and site restoration details are acceptable and if so, an “Approval” Notice can be issued, and the applicant can proceed onto the demolition of the buildings. This is the focus of this new delegated report.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

See previous report.

CONSULTATIONS

See previous report.

OFFICER COMMENTS

An email from the SCC Ecologist dated 26.11.20 confirmed acceptance of the bat protection and mitigation measures outlined in the Biodiversity Management Plan.

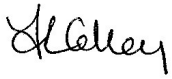
The restoration of the site in the event of the proposed development not being implemented, comprising a “return” to pasture land, which is what the existing area surrounding the buildings comprises, is also therefore acceptable and in keeping with the character and appearance of the area.

It is also recommended that a condition be imposed setting out working times for the demolition operations, in the interest of the residential amenities of surrounding neighbours including Shaw Fam which lies approx. 100m to the south west.

As the required further details submitted are acceptable, an approval is now recommended for the demolition of the buildings to prepare for the proposed development.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 14/12/2020

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council