

DELEGATED DECISION REPORT

DET/2024/0009 Valid 19/03/2024	TEAN LEYS FARM TEAN LEYS LOWER TEAN	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR THE PROPOSED DEMOLITION OF REDUNDANT CATTLE SHED (DEMOLITION DETERMINATION)
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MAIN ISSUES

- Whether or not the method of demolition of the buildings applied for and any proposed restoration of the site is acceptable.

DESCRIPTION OF SITE

The site is part of a farm which lies about 1km to the south-west of Lower Tean and a short distance to the north of the A50 dual carriageway. It comprises a traditional brick and tile L-shaped farm storage building which is within a tight group of farm buildings, mostly modern metal portal framed buildings. The farm access road runs past the building to the south and the farmhouse is directly to the other side of the road, which connects onto Leigh Lane (a country lane about 1km to the east), next to the A50 bridge.

PROPOSAL

The application is a “Prior Notification” application for the prior approval of the Council to demolish the entire L-shaped building. 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 is to replace the building with a more modern farm building that is better suited to modern farming needs as the current building, probably dating from Victorian times, is now longer considered to be fit for purpose.

A corresponding Prior Approval application has been submitted for the proposed replacement farm building (under Part 6 of the GPDO), ref DET/2024/0008.

The application was submitted with an application form and a photo of a site notice.

It was considered on this basis that Prior Approval would be required with the decision issued on 16.4.24. Shortly following this, a Location Plan was submitted to

identify which building to be demolished, a photo of another site notice installed at the site (with the date of 18.4.24), photo's of the building to be demolished and a Demolition Report giving details of the procedures and methods of demolition, including what machinery is to be used, the hours of operation, the duration of the demolition works (three weeks), the labour used, vehicular movements (for delivery of labour and machinery and removal of demolition waste) and the clearing up of the site after demolition, although the forms state a majority of the materials will be salvaged for re-use.

On 9th October 2024, a CEMP (Construction and Environmental Management Plan), a Bat Survey Report and an Asbestos Removal Report was received.

Further information relating to bats was received in early November 2024 from the applicants Ecologist.

In early December 2024, an Asbestos Risk Report was received.

In February 2025, an amended Bat Report was received.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2024/0008: Prior Approval application for new farm building (to replace the one proposed to be demolished). Prior Approval Required. Decision pending.

CONSULTATIONS

Publicity

Site Notice: The applicant is required to place a site notice as required under Part 11 of the GPDO. This was done twice, once when the application was first submitted and again on 18.4.24 just after the Prior Approval Required decision was issued.

Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

Environmental Health

Original consultation Response:

No objection subject to conditions which require before demolition, the submission of a Construction and Environmental Management Plan (CEMP) for approval, with details of the control of dust, noise and other forms of pollution from the demolition process and also details of the control of asbestos from the demolition process also to be submitted for approval before works are carried out. Another condition is recommended to restrict the hours of demolition.

Comments dated 27.11.24 in response to the receipt of a CEMP and Asbestos Removal Report:

The CEMP is acceptable. An Asbestos Risk Assessment should be undertaken prior to the final planning decision.

Final consultation response dated 17.1.25 in response to the receipt of the Asbestos Risk Assessment Report:

The report is accepted. No objection raised subject to conditions restricting the hours of works/demolition and for the works to be carried out in accordance with the previously approved CEMP.

Staffordshire Wildlife Trust

Comments dated 31.10.24 in response to the original Bat Report:

Holding Objection: Whilst we generally concur with the findings that bat roosts are present, we request further clarification on a number of points to ensure that the survey methods and findings and proposed mitigation are robust. Further information required:

1. Clarification on bat survey methods, results and mitigation.

Furthermore, irrespective of whether Prior Approval is needed or granted, the applicant should note the presence of confirmed bat roosts means that a bat licence will be required from Natural England prior to any demolition taking place. We therefore recommend the application is determined as Prior Approval (or indeed as requiring a planning application if appropriate) with suitably worded conditions as follows:

1. Bat licence to be obtained from Natural England prior to any demolition
2. Bat mitigation and enhancement measures, as detailed in the Evolution Ecology Report (2024) to be implemented; and
3. A sensitive lighting scheme to avoid disturbance to roosting and foraging bats.

Comments dated 13.3.25 in response to additional comments from the applicant's Ecologist in November 2024 and the amended Bat Report:

No objection. We have reviewed the revised bat and bird survey report (Evolution Ecology 2025, Version Three). We welcome the additional information provided, and have updated our comments below:

1. Further clarification has been provided to confirm that no moth/butterfly remains were recorded on the floor of the loft space. Whilst this is contradictory to the information in Table 3 which suggests that moth/butterfly remains were recorded during the PRA, we assume this is an error and accept the conclusion that a feeding roost is not present.

2. We note and welcome the hibernation roost inspection which was completed on 10th February 2025. The report confirms that no hibernating bats were seen but access under the ridge tiles was not possible and hibernation roost boxes are recommended as a precaution. Additional information has been provided to confirm that the timing of works will be considered at the time of submitting a licence to Natural England. This approach is accepted.

3. Additional information has now been provided on the lighting proposals for the new steel framed cattle shed. The report confirms that lighting will be internal only and will match that within the existing cattle sheds. There will be no lighting in the straw shed where the 4no. new bat boxes are to be installed. We are satisfied the lighting proposals are unlikely to have a significant impact on roosting bats and recommend a condition to secure the proposed lighting scheme.

4. We previously requested the report to be updated to confirm that the proposed bird and bat boxes can be securely fixed to the modern barn structure. This information has not been added to the report, but we recommend a condition to ensure the recommended bat mitigation and enhancement measures are implemented in full, including the installation of 4no. bat boxes in the straw shed. We would re-iterate the need for the applicant to secure a bat licence prior to demolition.

OFFICER COMMENTS

The demolition of buildings can lead to potential harms such as noise/polluting impacts on nearby neighbours, harm to the appearance of the area, loss of heritage assets (if the buildings have historical interest) and in rural areas, harm to the ecological value of the site as bats tend to roost in rural buildings particularly if vacant. The main potential harms that could be identified in this particular demolition case would be harm to the character and appearance of the area due to the loss of a historic barn and harm to the ecological value of the area by virtue of bats roosting in the building. There are no dwellings in the area other than the farmhouse within the same property which is a short distance across the yard to the south-west.

The loss of the old traditional red-brick barn would be unfortunate as it is the only traditional barn at a farm dominated by much larger modern metal sheeted agricultural building. The only other "historic" building is the adjacent farmhouse. However, the barn is not listed and it is recognised that the agricultural needs associated with its demolition and provision of a new modern built-for purpose building would outweigh its amenity value. The value of the barn to the character and appearance of the area is in any case somewhat limited by it being enclosed on three sides by much larger portal framed modern buildings which effectively screen

the barn from the north, east and west. It is not visible from any roads and although there is a public footpath crossing the farm on a north/south axis, the building cannot be seen from the path when approaching the farm from the north and when approaching from the south is largely obscured by the farmhouse with the same red-brick materials and which is a far more prominent building when viewed from the path.

With regard to the ecological value of the site, whilst bats, a protected species, have been discovered using the barn as a roost, the amended Bat Report sets out measures and methodologies to protect the bats during the building demolition process which Staffordshire Wildlife Trust concurs with. The report also sets out mitigation measures including the installation of bat boxes and appropriate lighting to be applied for the proposed new building although these are not matters to be taken into consideration in the determination of a Demolition Prior Approval application which focuses on the method of demolition. The applicant is required in any case to obtain a Bat Licence under separate legislation before the demolition can take place.

SMDC Environmental Health Section are also satisfied that the demolition can be carried out without harming the amenities of the area and avoid harm caused by significant dust, asbestos, noise and disturbance, in accordance with the reports submitted and the Construction and Environment Management Plan (CEMP).

CONCLUSION

The Council decided that Prior Approval was required regarding the method of demolition and restoration. On the basis of additional information and amended reports, the Council is satisfied that the method of demolition will not cause significant harms to the character and amenities of the area or the ecological value of the area.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 25/03/2025

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council