

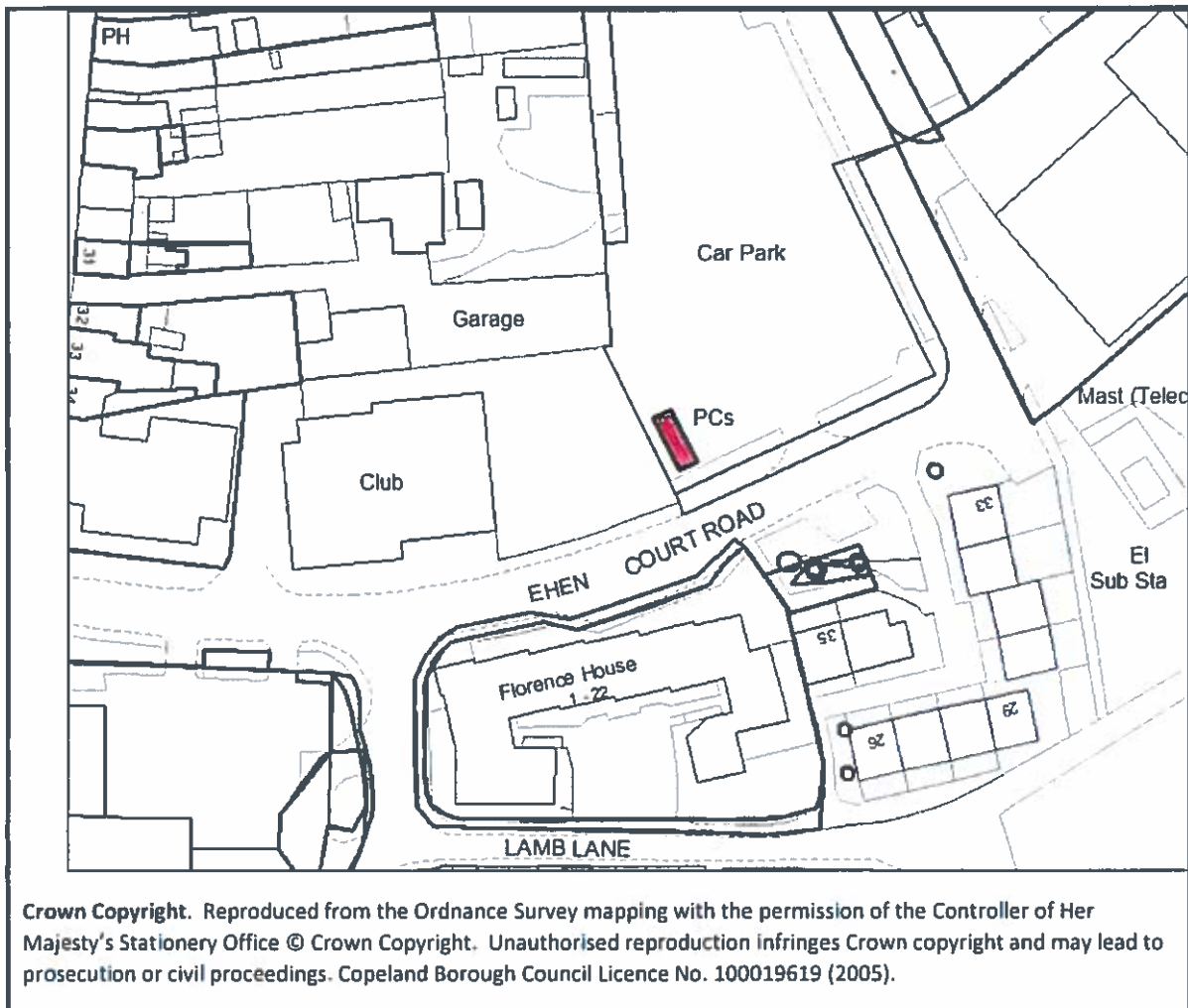


**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 05/08/2020**

<b>Application Number:</b>	4/20/2261/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Copeland Borough Council
<b>Application Address:</b>	PUBLIC TOILETS, CHAPEL STREET CAR PARK, EGREMONT
<b>Proposal</b>	PRIOR NOTIFICATION OF PROPOSED DEMOLITION OF PUBLIC TOILETS
<b>Parish:</b>	Egremont
<b>Recommendation Summary:</b>	Approve Demolition



### **Reason for Determination by Planning Panel**

This application is brought for consideration by Members of the Planning Panel as the proposal has been submitted by and relates to a building which is owned by Copeland Borough Council.

### **The Site**

This application relates to the public toilets sited within Chapel Street car park within the centre of Egremont. The site is no longer in use, as the toilets have been closed since 2013.

### **Relevant Planning History**

4/95/0669/0 – Replacement toilet block

### **Proposal**

This application gives prior notification of the proposed demolition of the public toilets at this site. The building is single storey, measuring 4m x 10m, constructed from brick and

finished in render. The building has been closed for seven years and all of the facilities have been disconnected.

Prior to works commencing an asbestos survey will be undertaken.

In terms of the method of demolition it has been confirmed that the site will be fenced off, the internal fixtures and the fittings will be removed prior to the full demolition of the building. All spoil/rubble will be taken away from the site by an appointed contractor and disposed of accordingly. Following demolition the site will be finished with a level subbase. This will also create an opportunity to create additional parking spaces in the future if required.

The application is accompanied by a Bat Survey which has been compiled by a qualified ecologist. This report confirms that the former toilet building is considered to offer 'negligible' potential for roosting bats.

### **Consultation Responses**

Subject to Part 11 Class B paragraph (b)(v) of the Town and County Planning (General Permitted Development) Order 2015, the applicant must display a site notice on or near the land on which the building to be demolished is sited, and must leave the notice in place for a period of not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority. The applicant has provided evidence which confirms that this site notice has been erected.

Three letters of objection have been received in relation to this application, raising the following concerns:

- Copeland Borough Council have locked these toilets so that they cannot be used. There is still demand for this facility.
- Public toilets, particularly in an area where tourism is being both supported and encouraged, should be an essential basic available amenity.
- The toilets were closed some years ago at a time of Council austerity with little or no consideration of alternative access to town visitors.
- There was objection to the original closure.
- The way forward should be either be to repair and update the specific building, or if this is not possible, plan and provide a modern replacement.

### **Planning Policy**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Development Plan**

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

#### Core Strategy

Policy ST1 – Strategic Development Principles

**Policy ST2 – Spatial Development Strategy**

**Policy ER7 – Principle Town Centre, Key Service Centres, Local Centres and other service areas: Role and Functions**

**Policy ER9 – The Key Service Centres, Local Centres and other smaller centres**

**Policy SS4 – Community and Cultural Facilities and Services**

**Policy ENV3 – Biodiversity and Geodiversity**

**Development Management Policies (DMP)**

**Policy DM10 – Achieving Quality of Place**

**Policy DM21 – Protecting Community Facilities**

**Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species**

### **Other Material Planning Considerations**

**National Planning Policy Framework (2019)**

**The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)**

### **Assessment**

Demolition is classed as permitted development under Schedule 2 Part 11 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015. This Order sets out certain conditions for the prior approval of demolition, which requires the submission of details of the method of demolition and also details of the proposed restoration of the site following demolition.

Under this schedule, the applicant is only required to give prior notification of the proposed demolition. Members should note that this does not permit the Local Planning Authority to object to the removal of the buildings but does ensure that the method of demolition is satisfactory and the site is restored appropriately.

### **Conclusion**

The proposal seeks to demolish a community facility, which has been closed for a significant period of time. Whilst the permanent loss of this facility is unfortunate, this cannot be considered as part of this application as demolition is classed as permitted development under the planning legislation. It is, however, considered that the submitted details for this application are adequate and will ensure that the building is demolished in a satisfactory manner and, following demolition, the site is restored appropriately. The demolition will also allow for the creation of additional car parking facilities should they be required in the future.

### **Recommendation:-**

No objections

### **Conditions**

1. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-

- Site Location Plan, Scale 1:1250, Drawing No CST-JW-001, Rev 1, received by the Local Planning Authority on the 14<sup>th</sup> July 2020.
- Supporting Statement (Amended), received by the Local Planning Authority on the 24<sup>th</sup> July 2020.
- Bat Survey, Prepared by Hesketh Ecology on the 2<sup>nd</sup> July 2020, received by the Local Planning Authority on the 14<sup>th</sup> July 2020.

**Reason**

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. Demolition must be carried out in strict accordance with the approved document Supporting Statement (Amended), received by the Local Planning Authority on the 24<sup>th</sup> July 2020.

**Reason**

To ensure a satisfactory standard of demolition.

3. The development shall be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document Bat Survey, Prepared by Hesketh Ecology on the 2<sup>nd</sup> July 2020, received by the Local Planning Authority on the 14<sup>th</sup> July 2020, and shall be maintained as such at all times thereafter.

**Reason**

To protect the ecological interests evident on the site.

**Statement:**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

