

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2095/OF1	
2.	Proposed Development:	PRIOR NOTIFICATION OF DEMOLITION OF DERELICT SWIMMING POOL BUILDING	
3.	Location:	BROCKWOOD HALL, WHICHAM	
4.	Parish:	Millom Without	
5.	Constraints:	ASC;Adverts - ASC;Adverts, TPO - TPO, Coal - Off Coalfield - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	No
		Site Notice	Yes
		Press Notice	No
		Consultation Reponses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to Brockwood Hall, located within Whicham Valley. The site is a holiday retreat, including a guest house and a number of holiday lodges.	
	Proposal		
		This application gives prior notification of the proposed demolition of a derelict swimming pool building located within the north east of the site to the rear of the main house. The building has a cubic content of 587.4m ₃ .	
		The demolition is required as the pool has not been used for a number of years due to structural failures.	

In terms of method of demolition, although asbestos is not evident on site if evidence is found an asbestos removal contractor will be appointed. The building will be internally stripped by hand. The roof and walls will then be removed mechanically. All materials removed from the site will be recycled or disposed of correctly. Finally the raised foundation and levels will be removed and the swimming pool will be back filled and levelled.

The proposed restoration of the site will include a mixture of soft and hard landscaping.

Consultation Responses

Subject to Part 11 Class B paragraph (b)(v) of the Town and Country 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 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 a copy of the notice and has confirmed that this site notice has been erected. No comment have been received in relation to this notification period.

Millom without Parish Council have been consulted on this application and have resolved to support the application.

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 ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (2019)

The Conservation of Habitats and Species Regulation 2017 (CHSR)

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

	<p>Assessment</p> <p>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 a method of demolition and details of the proposed restoration of the site.</p> <p>Under this schedule, the applicant is only required to give prior notification of the demolition. 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.</p> <p><u>Method of Demolition</u></p> <p>The submitted details for this application are considered adequate and demolition of the derelict swimming pool will allow for the removal of dilapidated and redundant building. The proposed restoration of this site following demolition is a suitable treatment for the land.</p> <p><u>Ecology</u></p> <p>A bat inspection survey report was submitted as part of the application. The bat survey confirmed that there is no indication of bat found within the building and therefore it is considered that the proposed demolition will not have a harmful impact on protected species. It is however considered appropriate to attach an informative note to cover the situation if bats are discovered after development has started.</p> <p><u>Conclusion</u></p> <p>Overall, the submitted details for this application are considered to be appropriate and prior approval is not required.</p>
8.	<p>Recommendation:</p> <p>Prior approval not required</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> 1. The development must be carried out entirely in accordance with the details submitted. 2. The development must be carried out within a period of five years from the date of this letter. <p>Informative note:</p> <p>If bats are discovered after development has started, all works shall stop and expert help should sought from a qualified and licensed ecologist. A survey should be undertaken and mitigation plans developed on the basis of this study. Bats and their roosts are protected by law and it is an offence to wilfully injure or kill a bat or damage or destroy a bat roost.</p>

Case Officer: C. Burns	Date : 30.03.2021
Authorising Officer: N.J. Hayhurst	Date : 30/03/2021
Dedicated responses to:- N/A	