Lewis & Co Planning
town planning consultants

SUPPORTING STATEMENT

1 – 8 ASHCROFT, 100 KINGSTON LANE, SHOREHAM-BY-SEA, BN43 6YU

APPLICATION ON BEHALF OF ADUR AND WORTHING COUNCILS
FOR PRIOR APPROVAL UNDER SCHEDULE 2, PART 11, CLASS B OF THE GENERAL PERMITTED DEVELOPMENT ORDER

JUNE 2024

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Client: Adur and Worthing Councils

Site Location: 1 – 8 Ashcroft, 100 Kingston Lane, Shoreham-by-Sea, BN43 6YU

Job History:

Version	Date	Author	Checked	Notes
V1	07/05/2024	J Pearson	L Carter	
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V3	30/05/2024	J Pearson L Carter		Following receipt of final documents
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CONTENTS

1	**Introduction**	Page 4
2	**Site and Surrounding Area**	Page 6
3	**Development Proposals**	Page 7
4	**Compliance with GPDO**	Page 10
5	**Conclusions**	Page 16

1.0 INTRODUCTION

1.1 This statement is submitted in support of the application for prior approval by Adur and Worthing Councils relating to the site at 1 - 8 Ashcroft, Shoreham-by-Sea.

1.2 Prior approval is sought for the demolition of the existing building under Class B (Demolition of Buildings) within Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

1.3 There is no Article 4 direction currently in force that would restrict the use of this permitted development right.

1.4 The application details the reasons why demolition is required, the measures to be taken that will minimise the impact upon adjoining residential amenities and how the land will be restored following demolition.

1.5 The application follows an earlier planning permission for the demolition of the Ashcroft apartment building within the wider site, and many of these measures have therefore already been put in place as part of this process. The previous permission, submitted in 2022, originally sought the retention of the bungalows within the site – however it has now become apparent that the current standard of accommodation and costs associated with bringing these dwellings up to modern standards are prohibitive for the Council.

1.6 A Safe System of Work (SSoW safety method statement), Demolition Management Plan and Traffic Management Plan have been submitted as part of this application to outline the measures to safely manage the demolition process. This includes clear procedures and management of site access and egress, hours of work, protection measures and control of noise and dust emissions from the site.

1.7 This application is comprised of the following documents:

- Application forms
- Site Location Plan
- Demolition Management Plan
- Safe System of Work Document
- Traffic Management Plan
- Supporting Statement by Lewis & Co Planning

1.8 This statement will demonstrate that prior approval can be granted for the proposed demolition. It provides an analysis of:

- The site and area
- The proposed demolition, including specific measures within the management plan
- Compliance with the GPDO

2.0 SITE & AREA

2.1 The application site is comprised of the eight existing bungalows (postal address 1 – 8 Ashcroft, 100 Kingston Lane) within the wider Adur District Council sheltered housing site at Ashcroft. The site is located on the western side of Kingston Lane, between Ashcroft Close and Rectory Road/Rectory Close.

2.2 The site has historically been comprised of Ashcroft House and eight bungalows within the grounds. The entire site has been vacated and empty for several years after the accommodation failed a Type 1 and Type 4 Fire Risk Assessment and the accommodation was found to not meet the requirements of the Homes (Fitness for Human Habitation) Act 2018.

2.3 Between April and May 2024 the main apartment building was demolished ahead of a new development of 44 new sheltered housing units within a new three storey residential building.

2.4 The bungalows were built for sheltered housing use following application SU/412/79/13718 in 1979. It was previously intended that the bungalows would be retained and refurbished as part of the wider redevelopment of the site.

3.0 PROPOSED DEVELOPMENT

3.1 The proposed development is for the demolition of existing structures within the site formerly in use as residential bungalows, numbered 1 – 8 Ashcroft. The works will also include the restoration of the site ahead of any future consent for alternative use/s of this part of the site.

3.2 The wider site has extant planning permission for the erection of a three-storey residential building for Council managed sheltered housing. Consideration will be given to how the application site can be utilised as part of this wider development proposal.

3.3 Former residents of the bungalows have now been relocated to other accommodation and it is understood that none wish to return to the existing dwellings at a later date. The buildings have been vacant and secured behind Heras fencing for 18 months.

3.4 The proposals include the measures for securely protecting and managing the site during demolition and post-demolition, as well as access arrangements. Vehicle access to the site is strictly controlled through the traffic management plan and control measures set out within the Risk Assessment – Part A within the Safe System of Work document.

3.5 Post demolition, the site accesses and boundary treatments will remain unchanged; until works associated with the redevelopment of the wider site are implemented.

3.6 The existing hardstanding that surrounds the current building will remain in place and be swept clear of any debris, until these parts of the site are redeveloped as part of the wider permission for the Ashcroft site.

3.7 A temporary 2.4-metre-high timber hoarding will be erected around the site boundary, as well as fencing around the demolition working zone/s displaying appropriate Health and Safety warning signage. Additionally, tree protection zones will be set up around existing trees that are to be retained (as agreed through the application for the wider site).

3.8 All demolition will be carried out in accordance with BS6187 – code of practice for demolition works. Any asbestos containing materials will be removed by a licensed, specialist sub-contractor. All rubbish and soft strip items within the buildings are to be removed and placed into the correct waste stream, working from roof-level downwards.

3.9 These measures are shown in full detail on the submitted SSoW and Demolition Management Plan.

3.10 The sequence of works is fully described within the submitted documents. These documents show that suitable and sufficient measures will be in place to manage works, mitigate against risks and manage associated vehicle movements

3.11 Demolition works are to be limited to between 0800 and 1800 each weekday, and Saturdays between 0800 and 1300, if required. The works are anticipated to last 2 weeks.

3.12 The proposed measures to control and minimise the noise and dust emissions are fully described within the supporting documents. Wheel-washing facilities are detailed within the Traffic Management Plan and identify that all vehicles leaving the site shall have their wheels washed by an operative using jet wash facilities. The SSoW details measures to assist with site maintenance and dust suppression, including the use of road sweepers and a Motofog/Dust Boss dust suppression unit.

3.13 The whole site has been subject to a Preliminary Ecological Appraisal that considered the potential of the site as a habitat for protected species. Appropriate recommendations were identified for all stages of development to protect and mitigate against impacts on wildlife. As part of this work, the PEA recommended a watching brief for the removal of roofing materials in case bats or nesting birds were later found to be present prior to works. This precautionary approach has been taken for the demolition of the main building at Ashcroft (now complete) and will again be undertaken for the demolition of the bungalows.

3.14 If roosting birds or bats are found to be present as part of this process, then demolition would be immediately ceased and the Environment Agency would be consulted for appropriate next steps.

3.15 No trees will be removed and existing site boundaries will be retained (either permanently or until replaced, as permitted within the planning permission for the wider Ashcroft site). A full plan for disconnecting/terminating services is set out within the SSoW document under Live Services.

4.0 COMPLIANCE WITH GPDO

4.1 To demonstrate the proposed change of use is permitted development for which prior approval should be granted the conditions of Schedule 2, Part 11, Class B of the GPDO (as amended) will now be addressed.

4.2 The relevant extract detailing the Class B permitted development right from the GPDO is included *in italics* below with comments following in blue.

Class B – demolition of buildings

Permitted Development

B. Any building operation consisting of the demolition of a building.

"*Development not permitted*

B.1 Development is not permitted by Class B if—

(a) the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support;

The property is not currently unsafe or uninhabitable and could continue to be used safely until the preparatory stages of demolition begin. However, the wider site has already been subject to demolition activity and all residents have therefore moved to alternative accommodation. No works of repair or temporary support are necessary to secure the safety of the buildings.

(b) the demolition is "relevant demolition" for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area);

The site is not located within any conservation area and the demolition is not relevant demolition under Section 196D.

(c) the building is used, or was last used, for a purpose falling within—
(i) article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or

(ii) article 3(6)(q) (drinking establishments with expanded food provision) of that Order;

The site is not a specified building and is not used as a drinking establishment of any sort.

(d) the building is used, or was last used, for the purpose of—
(i) a concert hall;
(ii) a venue for live music performance; or
(iii) a theatre

The site is not in use as either a concert hall, venue for live music performance or a theatre.

(e) the demolition relates to a statue, memorial or monument ("a commemorative structure") in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure—
(i) that is a listed building;
(ii) that is a scheduled monument;
(iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship;
(iv) within the grounds of a museum or art gallery; or
(v) within the curtilage of a dwellinghouse

The proposed demolition does not relate to any statue, memorial or monument.

"Conditions
***B.2** Development is permitted by Class B subject to the following conditions—*

(a) where demolition is urgently necessary in the interests of safety or health and the measures immediately necessary in such interests are the demolition of the building the developer must, as soon as reasonably practicable, give the local planning authority a written justification of the demolition;
(b) where the demolition does not fall within paragraph (a) and is not excluded demolition—

(i) 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 as to the method of demolition and any proposed restoration of the site

An application for prior approval has been made to the local planning authority in accordance with paragraph B.2.(B)(i).

(ii) an application described in paragraph (b)(i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid;

The application is accompanied by a written description of the proposed development (see submitted application forms, Safe System of Work (SSoW) 001 document (incorporating Risk Assessments and Method Statement), Demolition Management Plan, Traffic Management Plan and this Supporting Statement).

The application is also accompanied by a Site Notice Statement. The Statement confirms that a site notice has been displayed on the land on X June 2024 in accordance with paragraph (b)(iv) and will remain in place for at least 21 days following the submission of the application to the local planning authority (Adur District Council).

This Statement confirms that the required application fee has been paid to the local planning authority on the date of submission via the Planning Portal.

(iii) [Omitted by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 (S.I. 2017/619), arts. 1, 4(d) (with art. 5)]

No longer applicable.

(iv) subject to paragraph (b)(v), the applicant must display a site notice by site display 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;

As set out above, a site notice has been displayed on the land on 26th June 2024 accordance with paragraph (b)(iv) and will remain in place for at least 21 days following the submission of the application to the local planning authority (Mid Sussex District Council).

(v) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in paragraph (b)(iv) has elapsed, the applicant is treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;

Reasonable steps will be taken to ensure the protection and/or replacement of the site notice during the 21-day minimum period.

(vi) [omitted (23.5.2017) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 (S.I. 2017/619), arts. 1, 4(e) (with art. 5)]

No longer applicable.

(vii) the development must not begin before the occurrence of one of the following—

(aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or

(cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

The proposed demolition will not be undertaken until one of (aa), (bb) or (cc) occurs. The preliminary date for the commencement of development is stated on the application forms (29th July 2024) but can be delayed if required in order to comply with paragraph (b)(vii) if necessary.

(viii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—

(aa) where prior approval is required, in accordance with the details approved;

(bb) where prior approval is not required, in accordance with the details submitted with the application;

The proposed development will be carried out in full compliance with the submitted/approved details.

(ix) the development must be carried out—

(aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;

(bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b)(ii); and

The proposed demolition will be carried out within the relevant five-year period, with the intention for these works to be completed in Summer 2024.

(x) [omitted (23.5.2017) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 (S.I. 2017/619), arts. 1, 4(g) (with art. 5]

No longer applicable.

5.0 CONCLUSIONS

5.1 Prior approval is sought under Schedule 2, Part 11, Class B of the GPDO (as amended) for the proposed demolition of the existing building/s at 1 - 8 Ashcroft, Shoreham-by-Sea.

5.2 The application building is eligible for demolition under Class B and is not located within a conservation area or in use as a drinking establishment.

5.3 The existing use of the existing building is not unsafe and could have continued in the short term, however the existing accommodation does not meet modern standards and would need to be refurbished before the Council would consider allocating this to new occupants. The wider site is to be redeveloped, but any proposals for the application site would be the subject of a separate planning application and do not fall to be considered under the Class B prior approval process. The site will be made safe in the interim.

5.4 Appropriate measures are proposed to ensure the safe demolition of the building and include measures for traffic management and to restrict demolition to daytime hours between 0800 and 1800. The works are anticipated to last two weeks.

5.5 The application is accompanied by a detailed SSoW, Demolition Management Plan and Traffic Management Plan to ensure that the works are undertaken safely.

5.6 The proposed development therefore satisfies all considerations of Class B of the GPDO.

5.7 In light of the above, Adur District Council is respectfully requested to grant prior approval for the proposed development.

Lewis & Co Planning
June 2024