

Parish:	King's Lynn	
Proposal:	Prior Notification: Demolition of remains of old brick kiln	
Location:	The Brick Kiln Baines Road King's Lynn Norfolk	
Applicant:	Borough Council of King's Lynn & West Norfolk	
Case No:	19/01201/DM (Demolition Prior Notification)	
Case Officer:	Mr James Sheldrake	Date for Determination: 6 August 2019

Reason for Referral to Planning Committee – Called in by Cllr Kemp

Neighbourhood Plan: No

Case Summary

The application is submitted under the prior approval process for proposed demolition under the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 11. The demolition is permitted development, with the only considerations for the application being whether prior approval is required for the method of demolition and the proposed restoration of the site.

The building, a former brick kiln located near Baines Road in South Lynn, falls within the Nar Ouse Regeneration Area. The building is not a listed building (it was de-listed in August 2018) and is in a poor condition and covered in vegetation. It is located within an open area, and is some 30 metres away from the nearest garden and 40 metres away from the nearest dwelling (No. 8 Baines Road). Issues such as the impact on form and character and loss of non-designated heritage assets cannot be considered through this application.

Recommendation

PRIOR APPROVAL IS NOT REQUIRED

THE SITE AND APPLICATION

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A method statement for demolition is set out below.

SUPPORTING CASE

The following case was submitted detailing the method of demolition:

'Before the demolition works start an ecologist will be employed to check the site and advise on nesting birds etc.

Subject to the sign off by the ecologist the fence and vegetation will be carefully removed to allow an Architect to record the building by drawing the remains and produce a full photographic record.

Once these works have been signed off the demolition works will start and as many bricks recovered as possible.

The demolition itself will be carried out, by a 'qualified person' having regard for all health and safety aspects, dealing with any waste in accordance with the sites Contaminated Land Method Statement.

In practice the kiln and a safe working area around it will be fenced off to allow a machine to demolish the structure without anyone needing to get too close. This will ensure the safety of all as the demolition takes place as previous photo evidence shows that part of the roof has already fallen in and other parts of the external fabric is in a poor state.

Once the structure is on the ground, useable bricks will be recovered, cleaned and stored for future use, any remaining rubble will be removed from site, depressions filled with clean material and the site left in a safe level condition.

The works are planned to take place between 12 August and 30th of September.'

PLANNING HISTORY

18/00765/FM: Application Permitted: 28/09/18 - New Land Rover dealership comprising showroom, workshop and MOT testing and valeting facilities plus associated parking, used car display and car storage (delegated decision)

Note: The car dealership, part of the wider NORA site, was proposed to surround the location of the old Brick Kiln.

CONSULTATIONS

Environment Quality Officer: NO OBJECTION

Community Safety and Neighbourhood Nuisance Officer: NO OBJECTION

REPRESENTATIONS

1 objection was received from Councillor Kemp. In summary the reasons for objection are due to the loss of the brick kiln as a heritage asset given that:

- There is a weight of opinion for preserving Borough historic assets
- It is part of the industrial heritage of Lynn
- The Borough has let the kiln fall into disrepair and got it de-listed.
- it was constructed by a prominent local builder;
- its restoration could draw inward investment and could be used to showcase the skills of local builders; and
- it could be utilised as a heritage feature if restored.
- A detailed historical evaluation of the brick kiln was submitted.

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

As this proposed demolition is permitted development and covered by the prior approval process set out in Schedule 2, Part 11 of the General Permitted Development Order 2015, the only issues to be considered are the method of demolition and the proposed restoration of the site.

The process is essentially to allow concerns about how demolition will occur, and how the site will be restored, to be considered. This is not a planning application, and the Governments planning practice guidance is clear in stating that "The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light touch process which applies when the principle of the development has already been established."

Method of demolition

The brick kiln is set some distance from nearby dwellings and is surrounded by a cleared area of land. The size of the building will allow for a relatively quick demolition using appropriate machinery and the closest neighbour is 30- 40 metres away, so the disruption caused to nearby properties by the demolition will be extremely small. During the demolition an architect will produce a drawing and photographic record of the building and an ecologist will be on site to ensure legislation relating to protected species is followed.

The information submitted as part of the application, detailing the proposed method of demolition by a qualified person or company, the relevant recording, and the fact that it is in accordance with the wider NORA Contaminated Land Method Statement, is considered entirely sufficient for the purposes of the prior notification process.

Proposed restoration of the site

Demolition debris will be removed from the site and as many bricks as possible will be cleaned and stored for future reuse and then the site will be filled and levelled with clean material (soil). The information submitted as part of the application detailing the proposed

restoration of the site is considered sufficient for the purposes of the prior notification process and will follow the wider NORA Contaminated Land Method Statement.

Response to objection

The decision to demolish the brick kiln and the reasons behind the demolition are not considerations of this application, neither is the potential for it to be restored and used for alternative purposes. The procedure set out within the Town and Country Planning (General Permitted Development) Order 2015 at Schedule 2, Part 11 clearly states that the only considerations are the method of demolition and the proposed restoration. Commentary on these two issues is set out above.

CONCLUSION

The method of demolition and the proposed restoration of the site submitted as part of the application have been assessed and are considered to be acceptable.

There will be minimal impacts upon residents caused by the demolition given the short time it will take and the distance from the nearest properties. It will also be carried out by properly qualified or competent persons/company, and there will be drawings and photographs of the building so there is a record of it. An ecologist will also ensure relevant legislation with regards to protected species is complied with.

The site will be filled and levelled in accordance with the wider NORA Contaminated Land Method Statement.

Given the above, prior approval is not required.

RECOMMENDATION:

PRAPNR - Prior Approval not required