

4.3 SE/16/00774/DEMNOT Date expires 11 April 2016

PROPOSAL: Demolition of working men's club and bank buildings

LOCATION: Swanley Working Men's Club, 18 High Street, Swanley  
BR8 8BG

WARD(S): Swanley Christchurch & Swanley Village

#### ITEM FOR DECISION

The application has been referred to Development Control Committee because the application site belongs to the Council.

RECOMMENDATION: That prior approval will be required and approved.

#### Description of Proposal

1 Demolition of buildings at 16-18 High Street.

#### Description of Site

2 As existing the site comprises a substantial two-storey (plus roof level) building, formerly in use as the Swanley Working Mans Club with ancillary parking and attached part single, part two-storey building, formerly a Citizens Advice Bureau. Both buildings are vacant.

#### Constraints

3 Swanley town centre

4 Urban confines Swanley

#### Policies

##### *Core Strategy*

5 Policy - SP1

##### *Allocations and Development Management Plan (2015)*

6 Policies EN1 and EN4

##### *Other*

7 Town & Country Planning General Permitted Development Order 2015  
(Schedule 2, Part 11)

8 National Planning Policy Framework

## Relevant Planning History

10 None.

## Consultations

*Swanley Town Council:*

## Representations

11 None received.

## Chief Planning Officer's Appraisal

12 In the majority of cases demolition constitutes permitted development under Class B, Part 11, Schedule 2 of the GPDO '*Any building operation consisting of the demolition of a building*'. However, before carrying out demolition work an application has to be made to the Local Planning Authority for a determination as to whether prior approval will be required for the method of demolition and any proposed restoration of the site. The purpose of this control is to give local planning authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity.

13 This does not apply where demolition is on land which is the subject of planning permission for its redevelopment, granted on an application, or deemed to be granted under Part III of the Act.

14 Class B1 of Part 11 states:

*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 building is not unsafe or otherwise uninhabitable.*

*(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)(2); or*

*The demolition of 16-18 High Street would not constitute 'relevant demolition'*

*(c) the building is a specified building and the development is undertaken during the specified period, regardless of whether, in relation to the development, a prior approval event has occurred.*

*16 High Street is a vacant Citizen's Advice Bureau (Class A2) and 18 High Street is a vacant Working Men's Club (Class D2). Neither building is therefore a 'specified building' which is a building used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order which is a community asset; or in relation to which the local planning authority has notified the developer of a nomination.*

15 And is subject to the following 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;*

*The demolition of 16-18 High Street is not urgently necessary in the interests of safety or health.*

*(b) where the demolition does not fall within paragraph (a) and is not excluded demolition— .*

*(i) the developer must, before beginning the development—*

*aa) in all cases, 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; and*

*This application requests such determination.*

*(bb) in cases where the building is not a community asset and is used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order, send a written request to the local planning authority as to whether the building has been nominated;*

*16-18 High Street is not used for a purpose falling within Class A4 of the Use Classes Order.*

*(ii) an application described in paragraph (b)(i)(aa) 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;*

*This application is accompanied by a written description, a statement that a notice was posted (on 08.03.2016) and the requisite fee (£80).*

*(iii) a request described in paragraph (b)(i)(bb) must include the address of the building, the developer's contact address and, if the*

developer is content to receive communications electronically, the developer's email address;

*Such a request is not required and has not been submitted.*

(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;

*This application is accompanied by a statement that a site notice has been displayed in accordance with the requirements.*

(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;

*There is no evidence that the site notice has been removed, obscured or defaced.*

(vi) where the building is used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order and the building is nominated, whether at the date of request under paragraph (b)(i)(bb) or on a later date, the local planning authority must notify the developer as soon as is reasonably practicable after it is aware of the nomination, and on notification development is not permitted for the specified period;

*16-18 High Street is not used for a purpose falling within Class A4 of the Use Classes Order.*

(vii) subject to paragraph (b)(x), 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;

*(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; .*

*(ix) subject to paragraph (b)(x), 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 .*

*(x) where the building is used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order, in addition to the requirements of paragraph (b)(vii) and (ix), the development must not begin before the expiry of a period of 56 days following the date of request under paragraph (b)(i)(bb) and must be completed within a period of 1 year of the date of that request.*

**Noted.**

- 16 It is now necessary to consider whether prior approval is required as to the method of demolition and restoration of the site in accordance with B.2(b)(i) above.
- 17 The site is located within Swanley town centre at the junction of the High Street, Goldsel Road and Bevan Place and within close proximity of existing residential dwellings (1-11 Bevan Place). In this context the demolition of the building has the potential to impact on local amenity and prior approval is required as to the method of demolition.
- 18 The application is accompanied by a demolition methodology which refers to setting up of the site, erection of scaffolding, means of enclosure of the site boundary (with solid hoarding) and welfare establishment. It also contains details relating to dust suppression, noise control and asbestos removal prior to stripping out, demolition of building fabric and waste removal.
- 19 With regards to the intended restoration of the site, the content of the Cabinet Report dated 03 March 2016 is relevant and confirms that the Council has owned property comprising Bevan Place Car Park and 16 High Street (a former bank), Swanley, for some time. More recently it acquired the Swanley Working Men's Club. The intention is to develop the 16 - 18 High Street site for residential use with some business use in the form of incubator, innovation or business start-up space and some retail. The

prominent site needs to have a genuine quality gateway feel to the town centre. High quality development will serve the needs of Swanley and improve this important gateway site into the town thus supporting the Council's Economic Development Strategy.

- 20 It is considered that sufficient information has been submitted to grant prior approval for the demolition of 16-18 High Street, Swanley.

**Recommendation: Prior approval required and approved**

### **Background Papers**

#### Site Plans

Contact Officer(s): Matthew Durling Extension 7448

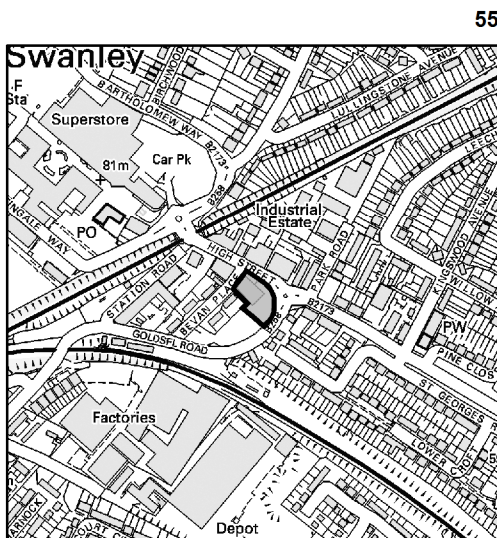
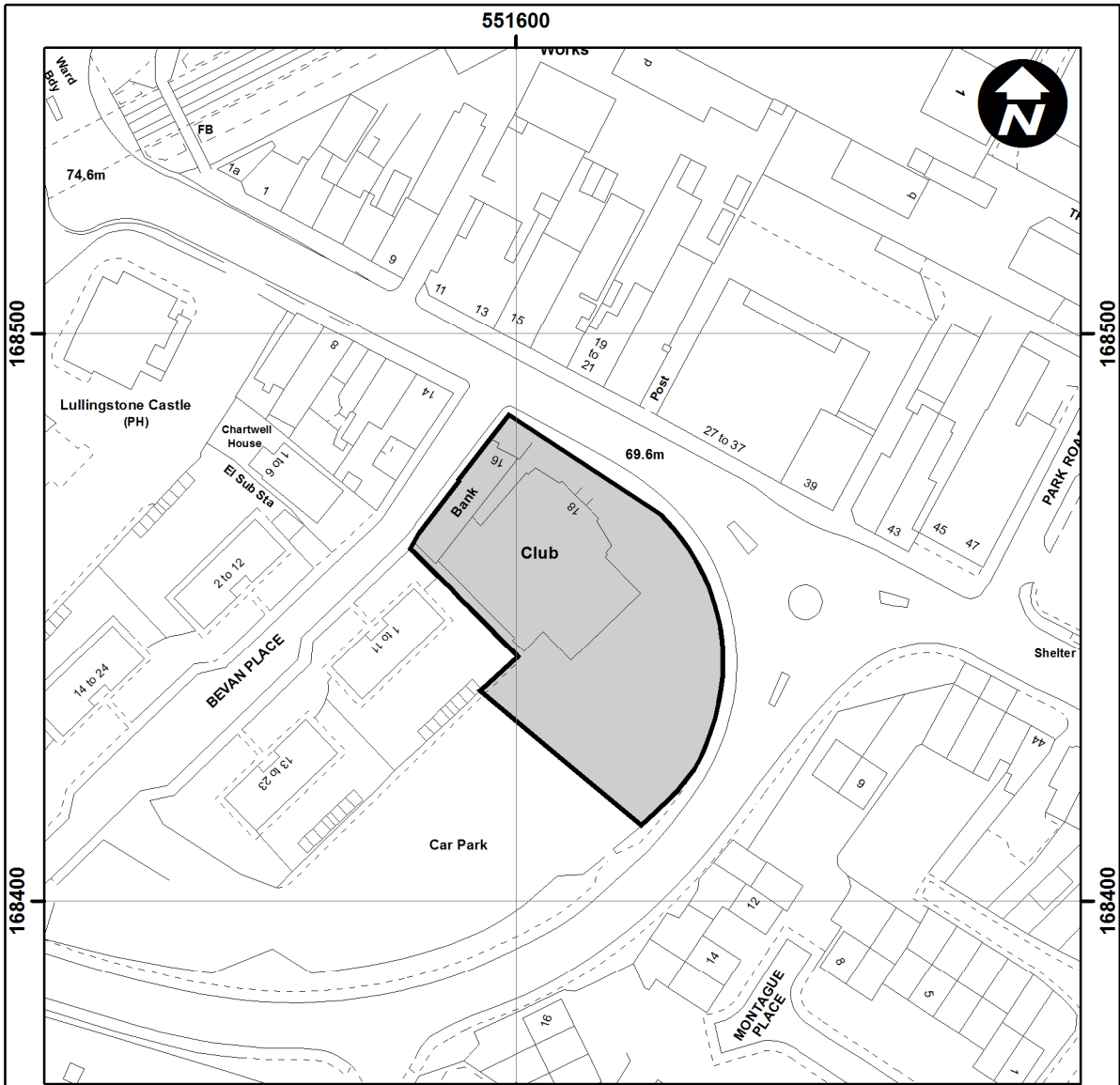
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O411ASBK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O411ASBK0L000>



# Site Plan

Scale 1:1,250

Date 21/03/2016



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Ordnance Survey 100019428.



Block Plan

