



Delegated Report

Planning Application

Planning Application No: 20231285

Location: Southern Valley Golf Club, Thong Lane, Gravesend DA12 4LT

Description: Application for determination as to whether prior approval is required for the demolition of the building previously used as a golf course clubhouse that is no longer in use.

Applicant: Mr Jake Shaw

Site Visit Date: 10 January 2024

Submitted Documents/Plans

Application form
Covering letter
Copy of site notice
Clubhouse photos
Clubhouse Survey and Demolition Scope
Site location plan

Relevant Planning History

19920672	Outline application for the provision of a 9 and 18 hole golf course with clubhouse and store and construction of a roundabout at the junction of Thong Lane and Vigilant Way.	Permitted	22.08.1994
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Development Plan

The nature of this application is such that adopted plan and national planning policies are not relevant, since it relates to whether the proposed demolition requires prior approval from the Local Planning Authority. This is assessed under the parameters of Class B (demolition of buildings) under Part 11 (Heritage and demolition) of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Consultations, Publicity and Representations

In accordance with Paragraph B.2 (b) (iv) the applicant must display a site notice on or near the land on which the building to be demolished is sited. The notice must be 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 included a copy of the site notice with the submission.

Officer's Analysis

This application is seeking a determination Under Class B of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as to whether the proposed demolition of a building previously used as a golf course clubhouse that is no longer in use requires prior approval. The following aerial photograph shows the building in question subject to this application circled in red:



Under Class B of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), any building operation consisting of the demolition of a building is permitted development, providing limitations and conditions set out in Class B are met. The assessment of the proposal against those limitations and conditions is set out below.

Limitations

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 has not been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land. The reason given for the demolition is that the building is no longer in use and has been vandalised with evidence of fire damage making the building inhabitable.
b	the demolition is “relevant demolition” for the	The buildings/structures are

	purposes of section 196D of the Act (demolition of an unlisted etc. building in a conservation area); or	not located in a conservation area and therefore the demolition is not 'relevant demolition'.
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 use class for a golf club house is former D1 or sui generis if the primary use is unclear.
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; or	The building has not been used for these uses.
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.	Not applicable.

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;	Demolition 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 -	The demolition does not fall within paragraph (a) and is not excluded demolition as defined in Class B.3
	(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;	This application requests such a determination. A detailed demolition scope of works has been provided and a contractor engaged.

	(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 was accompanied by a written description of the proposal, including details that a site notice has been displayed at the site and the relevant fee has been paid.
	(iii) Omitted by Statutory Instrument 2017 No. 619	N/A
	(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;	See above
	(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;	See above
	(vi) Omitted by Statutory Instrument 2017 No. 619	N/A
	(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;	No commentary required
	(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;	No commentary required

	(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)	No commentary required
	(x) Omitted by Statutory Instrument 2017 No. 619	N/A

In order to ensure the amenity of wider area is safeguarded during the demolition works, it is also proposed to include relevant informatives.

Conclusion & Recommendation

The recommendation is for the application is that Prior Approval is not required for this development subject to the following informative(s) being included on the decision notice.

INFORMATIVES:-

- 1 BUILDING REGULATIONS AND PARTY WALL ACT
- 2 WORKS OF CONSTRUCTION
- 3 APPROVED DRAWINGS AND DOCUMENTS
- 4 WATCHING BRIEF (CONTAMINATED LAND)

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	10 January 2024	Dated:	10th January 2023