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Site Address: The Wellington Public House, 73 London Road,  
Waterlooville, PO7 7EX  
Proposal: Application to determine whether prior approval is required for the  
demolition of The Wellington Public House and any proposed restoration of the site.  
Application No: APP/17/00282                      Expiry Date: 14/04/2017  
Applicant: Mr M Forfar Limited  
Agent: Mr Howells                      Case Officer: Lewis Oliver  
Pure Town Planning  
Ward: Waterloo

Recommendation:

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## **1 Site Description**

The Wellington Public House, 73 London Road, Waterlooville, is located within the defined urban area.

## **2 Planning History**

97/54369/002 - Externally illuminated and non-illuminated signs on front, side and rear elevations of building, PERM,26/01/1998  
03/54369/003 - Display of 1 No. externally illuminated projecting sign, 1 No. externally illuminated fascia sign and 2 No. internally illuminated poster case signs all to the south east elevation., PERM,07/08/2003  
07/54369/004 - Retention of lantern roof over part of courtyard., PERM,18/01/2008  
APP/11/00062 - Display of 1No. illuminated fascia sign to rear, 1No. hanging sign, 9No. non-illuminated fascia signs, 8No. floodlights (6No. to the front elevation and 2No. to the rear elevation), 1No. new lantern to front entrance and refurbish 1No. existing half lantern to rear. , PERM,23/03/2011  
GEN/16/01257 - Classification of use ; opening hours., ,28/11/2016 10:39:10

## **3 Proposal**

Application to determine whether prior approval is required for the demolition of The Wellington Public House and any proposed restoration of the site.

## **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.  
Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

### **Building Control, Havant Borough Council**

A foul water public sewer shown on the map of sewers crosses the site and this should be protected during demolition, as should all other drainage.

An application under Section 80 of the Building Act 1984 will need to be submitted to Building Control at least 6 week prior to demolition commencing on site

### **Economic Development - Retail and Town Centres**

I worry about the time scale between pulling down the building and constructing a new building there. Suggest an enforceable time limit is made on how long the site remains undeveloped.

### **Environmental Health Manager, Community Group**

It would appear that the application site has been occupied by a public house, and 'hall' since the earliest available mapping (1867). Some construction work appears to have been undertaken (in the form of minor extension, and construction of link-building-) between 1932 & 1952, and post 1974. There is a possibility therefore that asbestos containing materials may be present within the building as a result of these phases of alteration / refurbishment. Whilst I would recommend that a pre-demolition asbestos survey be undertaken, and that appropriate contractors be engaged to undertake any necessary removal, prior to commencement of demolition; this is principally a Health & Safety issue. It is not necessarily appropriate to address it as part of the planning process.

It is understood that an application is expected for redevelopment of the site - it may be appropriate to screen soils for asbestos containing materials / fibres as a condition of consent for redevelopment. It may at this stage also be appropriate to undertake a preliminary site investigation to confirm the absence of significant contamination risk, as on-site disposal of waste is a possibility in association with a Public House. Whilst a relatively low risk, this has proven to be the case at other Public Houses in the Area. I anticipate some provision for site investigation in connection with future development, however I do not consider that any provisions are necessary in connection with the method of demolition or site reinstatement.

### **Landscape Team**

No response

### **Communities Team**

The building is not a designated building or an Asset of Community Value (ACV)

## **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 0

Number of site notices: 1 - Erected by applicant as part of the requirements under Part 11

Statutory advertisement: Not applicable.

Number of representations received: 0

| Comment | Officer Comment |
|---------|-----------------|
|---------|-----------------|

## 7 Planning Considerations

- 7.1 This application is a prior notification under Schedule 2 Part 11 of the GPDO 2015 for the demolition of the existing pub. The GPDO sets a series of tests under B.2 stating that 'Development is permitted by Class B subject to the following conditions. These are considered below in turn:

(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 development is not considered to be urgently necessary, however written justification has been provided, which is considered against the other elements below

(b)where the demolition does not fall within paragraph (a) and is not excluded demolition (this development is not excluded development, as outlined below).

(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;

It would appear that the application site has been occupied by a public house, and 'hall' since the earliest available mapping (1867). Some construction work appears to have been undertaken (in the form of minor extension, and construction of link-building-) between 1932 & 1952, and post 1974. There is a possibility therefore that asbestos containing materials may be present within the building as a result of these phases of alteration / refurbishment. Whilst it would be ideal that a pre-demolition asbestos survey be undertaken, and that appropriate contractors be engaged to undertake any necessary removal, prior to commencement of demolition; this is principally a Health & Safety issue and is dealt with application under Section 80 of the Building Act 1984, and is therefore not necessarily appropriate to address it as part of the planning process.

The developer has submitted further information with regard to restoration of the site, it is proposed that 1. Surround the perimeter of the site with at least 1.8 metre high boarding, to be painted a natural colour. 2. Employ a demolition company to demolish the building by hand, down to ground floor slab level. 3. Remove all debris from site in accordance with environmental requirements and regulations. The agent has also clarified that the planning application for the redevelopment of the site will be

submitted week commencing 18/4/17, (to allow for the Easter Period. It is considered that these details are acceptable with regard to the method of demolition and the proposed restoration of the site, in the terms laid out for permitted development.

and

(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;

The agent for this application has sent in with the prior approval application a written request to the LPA, as to whether the building has been nominated. The Communities Team Leader has confirmed that the former Wellington House has not been nominated, as an Asset of Community Value (ACV)

(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 requirement has been met.

(iii)a request described in paragraph (b)(i)(bb) must include the address of the building, the developers contact address and, if the developer is content to receive communications electronically, the developer's email address; .

This requirement has been met.

(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 requirement has been met.

(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; .

Not applicable

(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;

As identified above, it has been confirmed by the Communities Team that the building has not been nominated as an Asset of Community Value (ACV), therefore this part of the application is not relevant to this notification.

(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;

A written notice will be given to the applicant within the designated period.

(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;

Prior approval is not required and therefore a condition has been placed on this prior approval, that the development should be carried out in accordance with the submitted details.

(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  
See consideration below under section (x)

(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.

The building is not a community asset neither has it been nominated for such a purpose. In accordance with the above stipulation a condition has been applied to ensure that the demolition is undertaken within 1 year.

## **8 Conclusion**

The development is considered to comply with the relevant criteria with part 11, the building, whilst within use class A4, is not a nominated building, neither is it a designated Asset of Community Value (ACV), as such it is considered that the development is permitted development under the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 11.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to for application APP/17/00282

(A)

(B) for the following reasons/subject to the following conditions

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Statement - dated March 2017

Email received 11/4/17 - Further information regarding site restoration

**Reason:** - To ensure provision of a satisfactory development.