

East Lindsey District Council

Not Confidential

Decision made by: Chief Executive

Date of decision: 15 September 2022

Title: SERVICE OF ARTICLE 4(1) WITH IMMEDIATE EFFECT

Key Decision: No

Urgent Decision: Yes (Chief Executive's urgent decision powers)

DECISION:

Option 5 – To use Article 4(1) to remove permitted development rights for Class B (Any building operation consisting of the demolition of a building), and Class C (Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure) of Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), concerning Land at Former Douglas Electronic Industries Ltd, 55 Eastfield Road, Louth LN11 7AL.

A copy of the Direction, including a plan defining the area covered, to be made available online on the council's website <https://www.e-lindsey.gov.uk/article/6141/Article-4-Directions-and-Local-Development-Orders> and during normal opening hours, a hard copy via appointment at our offices Tedder Hall, Manby Park, Louth, LN11 8UP.

Allowance for representations to be made concerning the Direction for a 6 week period. These can be made by e-mail to Local.Plan@e-lindsey.gov.uk or by post to Planning, East Lindsey District Council, Tedder Hall, Manby Park, Louth, LN11 8UP.

The Direction will come into force with immediate effect but will expire unless it has been confirmed by East Lindsey District Council, within six months of that date.

Reason for the Decision:

A number of objections have been received with regard to an application for Prior Approval for the demolition of the Former Douglas Electronic Industries Ltd, 55 Eastfield Road, Louth LN11 7AL. Application reference: N/105/01648/22. The objections raised have identified the building as a heritage asset, worthy of proper consideration in the planning process. Having reviewed the information available which is set out later in this report, the

council agree that the building is a non-designated heritage asset and as such should be a material planning consideration.

Prior Approval does not give the council the ability to consider the proposal against local and national planning policy. Nor can it prevent the demolition. For the site to be considered against policy, permitted development rights would need to be removed in order to require a full application for the demolition.

A number of options are available to the council to restrict permitted development rights but given the time constraints associated with the Prior Approval there is an urgency. This leaves only 2 options, Option 2 Building Preservation Notice (also known as temporary listing) and Option 5 Article 4(1). Given the time available for the decision due to the impending Prior Notification deadline of the 27th September and the lack of information available required to at this stage fully recommend it as having national significance as a building of special architectural and historic interest, Option 5 Article 4(1) with immediate effect is the preferred option.

This option will require a full planning application for demolition allowing the buildings historic significance to be considered against planning policies but is also temporary unless confirmed within 6 months. This 6 months' timeframe allows the council time to research and consider the significance of the building more thoroughly and even consider some of the remaining options, which will with less urgency become applicable.

In the meantime, a planning application may be submitted for demolition and can be approved or refused having had full consideration of any representations received and the local and national planning policies.

Options considered:

1. Do nothing
2. Serve a "Building Preservation Notice" under Section 3 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended)
3. Submit for Listing [normal process]
4. Extend Louth Conservation Area under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended)
5. Article 4(1) with immediate effect under Schedule 3, Article 4(1) 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Preferred option is Option 5 Article 4(1) Direction, which allows 6 months to either extend the Conservation Area (Option 4) or submit for listing (Option 3), or both. If these options are not introduced, then the Direction can be confirmed and retained. The need for planning permission could then help steer development towards preserving those aspects of the site which are most significant while also allowing some demolition.

In the meantime, a planning application may still be submitted for full demolition and can be determined having had full consideration of any representations received and the local and national planning policies.

Conflict of interest declared:

None

Background Documents:

None