



Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Forum

Response to Prior Notification Application Number PL/2020/01360/PN

1806 Warwick Road, Knowle (Lansdowne House)

FAO: Mr Alan Lynch, Case Officer

The Knowle, Dorridge and Bentley Heath Neighbourhood Forum (Forum) notes that this application is dated 25 June 2020 and states that the proposed date for demolition is the 25 June 2020. The application was received by the Council on 26 June. Demolition works on Lansdowne House had commenced by 13 June 2020, well before submission of the Prior Notification. The ongoing consultation is therefore meaningless save to request that the Council takes appropriate action in respect of any breach of planning law.

We acknowledge that planning law and regulations concerning the demolition of houses is complex. However, the following extract from a planning law blog (by Martin Goodall) appears relevant:

'The permitted development under Part A is subject to a requirement that the developer must before beginning demolition apply to the LPA for a determination as to whether their prior approval will be required to the method of demolition and any proposed restoration of the site. (The detailed requirements of this procedure are set out in the text of the GPDO.)

There are several points to note here. First, in common with all other permitted development that is subject to prior notification (or prior approval) requirements under the GPDO, commencement in advance of such notification (or approval, where required) cannot be retrospectively validated or ratified. Failure to give the required notice before commencing the work (or to obtain prior approval where required) renders the entire operation unlawful. It cannot then be permitted development and will be vulnerable to enforcement action.'

In view of the dates referred to above, would the Council please confirm whether this action was unlawful and if so, what action they propose to take. Clearly the main building has gone but the Forum feels strongly that premature action, as this appears to be, undermines public confidence in the planning system. This is particularly unfortunate bearing in mind that the Council is now leading on the preparation of a comprehensive concept masterplan for the proposed allocation site of which Lansdowne House forms part.

We ask that this matter be determined by the Planning Committee.

Jane Aykroyd
Chair, Knowle Dorridge and Bentley Heath Neighbourhood Forum