

## 2011 Island Plan: interim review (#1)

# Demolition and replacement of buildings

July 2013

### Purpose

The purpose of this briefing paper is to set out the basis for the proposed revision of Island Plan 2011 to remove Policy GD2: Demolition and replacement of buildings from the Plan.

### Background

Policy GD2 was included in the 2011 Island Plan, because the Minister for Planning and Environment wished to “*promote a culture of re-use of buildings rather than demolition and rebuilding*” on the grounds that this is more sustainable.

#### **Policy GD 2: Demolition and replacement of buildings**

The demolition of a building or part of a building will not be permitted unless the proposed development:

1. involves the demolition of a building or part of a building that it is not appropriate in sustainability terms to repair or refurbish.; and
2. makes adequate provision for the management of waste material arising from demolition in accord with policy WM1 'Waste Minimisation and New Development'; and

The demolition of a building or part of a building will also not be permitted where the proposed development:

3. would have an unacceptable impact on a Listed building or place in accord with Policy HE 1 'Protecting Listed buildings and places' and Policy HE 4 'Demolition in Conservation Areas' or protected species and their habitats, in accord with Policy NE 2 'Species protection';
4. would have an unacceptable impact on the character and amenity of the area;

The replacement of a building or part of a building will not be permitted unless the proposed development:

5. enhances the appearance of the site and its surroundings;
6. replaces a building that is not appropriate to repair or refurbish.

The option of refurbishment and re-use of buildings can often bring with it significant environmental / sustainability benefits, including: protection of the historic environment; better safeguards for protected wildlife species and habitats; reduced consumption of valuable natural resources; lower embodied carbon inputs; reduced waste generation; less impact on landfill sites; reduced transportation of materials and waste; and reduced particulate pollution in the process of demolition and transportation of rubble.

There was considered to be some merit in adopting a policy to: alter the balance in favour of greater re-use of existing buildings; encourage applicants and developers to examine the worth of existing buildings and consider their potential as a resource and an opportunity; and to challenge the view that refurbishment of existing buildings is second best to demolition and new build.

### **Issues**

Since the adoption of the Island Plan in June 2011 the policy has been tried and tested against planning applications. It was also recognized that the policy would need to be supported by supplementary planning guidance and work has been undertaken to research and prepare a draft guidance note.

Both of these factors have highlighted issues about the efficacy of this policy, which is why it is proposed for review.

#### **Lack of flexibility**

The current policy adopts an absolute presumption against the demolition of a building if it is appropriate in sustainability terms to repair and refurbish it.

Determining whether it is more appropriate to re-use or demolish and redevelop existing buildings, will always depend on the individual merits of each case. The potential environmental benefits of refurbishment and reuse need to be weighed against potential advantages typically associated with demolition and rebuild, such as:

- being less risky, with less constraints and fewer hidden costs;
- offering the advantages of more modern scheme layouts;
- providing opportunities for more standardised projects with tried and tested designs;
- allowing for increased / optimised development density;
- securing improved operational carbon efficiency;
- offering opportunities to breathe new life into areas;
- securing enhancements to the appearance of a site and its surroundings.

In addition, it will be necessary to consider whether it would be practical or economically viable to repair and refurbish a building, or whether retention of a building would prevent substantial wider public benefits which would decisively outweigh its loss.

In reality, there are many reasons why the Minister might support individual proposals for demolition and rebuild, even if a case can be made for refurbishment on

sustainability grounds. The current policy, however, does not enable these to be entertained.

### **Difficult to measure and assess**

The main thrust of the policy is to prevent demolition of a building which is appropriate in sustainability terms to repair or refurbish. There is, however, no common or reliable analysis tool that can be used to measure the sustainability of development projects, or, more specifically, appraise the relative sustainability merits of new build and refurbishment options.

The absence of such a tool has weakened the policy and has led, in practice, to the 'sustainability test' carrying little weight and effectively being skirted over by applicants and decision makers.

As a consequence, it is considered that there is little likelihood of the policy achieving the desired policy outcome.

### **Other policy tests**

Leaving aside the 'sustainability test', most of the other tests governing potential consent for demolition and new build in Policy GD2 are already covered by other plan policies, including the following requirements:

- to make adequate provision for the management of demolition waste – covered by Policy WM1 'Waste Minimisation and new development';
- to avoid unacceptable impact on a protected building or place (including total or partial demolition) – covered by Policy HE1 'Protected Listed buildings and places';
- to avoid any demolition that would have an unacceptable impact on a Conservation Area – covered by Policy HE4 'Demolition in Conservation Areas';
- to protect wildlife species and their habitats – covered by Policy NE2 'Species protection';
- to not have an unacceptable impact on the character and amenity of the area – covered by Policies GD1 'General development considerations', GD7 'Design quality', NE6 'Coastal National Park', NE7 'Green Zone', HE3 'Preservation or enhancement of Conservation Areas', HE4 'Demolition in Conservation Areas'.

### **Conclusion**

The issues presented above have presented some challenges in dealing with this new policy in the 2011 Island Plan for applicants, developers and decision-makers.

As a consequence, the Minister considers that Policy GD2 does not provide a sufficiently robust basis for rational and consistent decisions on planning applications, or a sufficient measure of certainty about which types of development (including refurbishment or demolition and rebuild) will or will not be permitted and it is on this basis that he proposes to remove it from the Plan.

**Future review**

Measuring sustainability factors is a rapidly developing field and new ideas are constantly emerging, which might provide easier and more sophisticated means of analysis in the future.

This, together with other potential changes in economic conditions, legislation and technical innovation, will make it appropriate to keep this policy area under regular scrutiny and ensure that it is reappraised as part of any future Island Plan review processes.