

Ref:

Date:

Demolition Notice Building Act 1984 Section 80

It is important that you read the Guidance Notes on page 3 before signing the statement on page 2.

You are also reminded that Planning Permission may be required.

1. The Building

Address of the site including postcode:

Postcode

Number of storeys (including basement)

What is the building used for at present?

2. Details of the Demolition Work

Intended date of Demolition:

3. Details of Person giving the Notice

Name:

Phone No:

Email:

Address including postcode:

Postcode

4. Details of Person carrying out the Work (if different from Question 3)

Name:

Phone No:

Email:

Address including postcode:

Postcode

5. Details of the Demolition Work

This notice is given in relation to the demolition work described above and outlined on the attached plans is submitted in accordance with Section 80 of the building Act 1984.

Signature _____ Date: _____

Name: _____

(BLOCK CAPITALS)

Notes

1. A selected plan is required showing the extent of the demolition in relation to roads and adjoining buildings.
2. It is the duty of the person giving this notice to send or give a copy of it to:
 - (a) The occupier of any adjacent building.
 - (b) British Gas.
 - (c) The area Electricity Board.
3. No demolition to which Section 80 of the Building Act 1984 applies should start unless notice has been given to the Council and the Council has issued a Demolition Notice or six weeks has expired.
4. Notice to the adjoining owners under the Part Wall Act may also be required.



This form is issued by Rochford District Council, Building Control, Council Offices,
South Street, Rochford, Essex SS4 1BW Phone 01702 546366

Guidance Notes to Demolition Notice

The controls for demolition work are given in Sections 80-83 of the Building Act 1984 (The Act). If you intend to carry out demolition operations you must give notice in writing to the Council under Section 80 of the Act, generally this section applies to all demolition operations whether in whole or in part of a building. The application must be submitted at least six weeks before the work is due to start.

Certain exemptions are given in the Act:

- Demolition made under the order of the Housing Act 1985, Part 9.
- An internal part of an occupied building.
- A building not more than 1750 cubic feet (50m³) or any greenhouse, conservatory, shed, or prefabricated garage.
- Certain agricultural buildings.

No demolition operation should commence unless the Council has given a notice under Section 81 or six weeks has elapsed since the giving of notification to the Council as to the intention to commence a demolition operation.

This period is required to allow time for the Council to consult other interested parties. The Council will endeavour to consult as quickly as possible and in many cases will be able to give a notice within seven to fourteen days.

It is also the responsibility of the person carrying out the demolition to consult occupiers of adjacent buildings and the Gas and Electricity Boards.

To make the procedure easier for our customers the Building Control Division have produced a demolition application form.

To download the form go to our web site:

www.rochford.gov.uk/planning/demolition

The local authority may give notice under Section 81 to:

- People who intend to carry out a demolition operation to which Section 80 applies.
- A person who is in receipt of a demolition order under the Housing Act 1957.
- A person not intending to comply with a Court order under Section 77 of The Act or not complying with a notice served under Section 79 of The Act.

Expenses incurred by Rochford District Council regarding the issue of a notice and supervision of work on site may be recovered from the person on whom the notice served. This will be a minimum of £100.

Where a local authority gives notice under Section 81 they must also give a copy to the owners and occupiers of any building adjacent to the demolition site, the statutory undertakers. The Fire Service and the Health and Safety Executive must also be given a copy if it is proposed to burn material on the site.

Such a notice given by the local authority may contain the following conditions:

- Shore up adjacent buildings.
- Weatherproof surfaces of adjacent buildings
- Repair and make good damage to an adjacent building caused by the demolition.
- Remove material or rubbish from the site resulting from the demolition.
- Disconnect and seal any drain or sewer.
- Remove any drain or sewer.
- Make good the surface of the ground disturbed.
- Make arrangements for the disconnection of gas, water and electricity into the building.
- Make arrangements with regards to the burning of materials on site with:
 - The Health and Safety Executive.
 - Fire authority.
- Take such steps as the local authority consider necessary for the protection of the public and the preservation of public amenity.

There is a right of appeal against what has been imposed in any Demolition Notice. Reference needs to be made to Section 83 of The Act for the full grounds on which an appeal can be made.

Any applicant considering demolishing a building or structure should check if the building is statutorily listed or locally listed and/or in a conservation area first. The Council wants to retain its listed buildings as part of the heritage of the District. Statutorily listed buildings and conservation areas are protected by the Planning (Listed Buildings and Conservation Areas) Act 1990 and listed building consent or conservation area consent will be required to demolish. Locally listed buildings are protected by Local Development Framework adopted 16 December 2014 Development Management Plan Policy at DM7 – Local List. The list of statutory and locally listed buildings and maps of the conservation areas in the District can be found at the following links: For information on the statutory and locally listed buildings in the District see

<http://www.rochford.gov.uk/listedbuilding>

For information and maps of the conservation areas see

<http://www.rochford.gov.uk/conservation>

For further information if you consider the above affects your building.

planning.applications@rochford.gov.uk