

A Guide to Demolitions

This leaflet is a simplified guide to the provisions contained in the Building Control Act 1991 (the Act) regarding the demolition of unwanted buildings. For more detailed information, please read the appropriate Sections of the Building Control Act 1991.

SCOPE OF THE ACT

The Act applies to the demolition of all or part of a building **except:**

- demolition of an internal part of an occupied building intended for continued occupation;
- demolition of a building that has a cubic content, when measured externally, of not more than 1750 cubic feet (approximately equivalent to a single domestic garage); and
- demolition of an agricultural building situated on agricultural land.

A demolition shall not begin until the person wishing to carry out the demolition has:

- advised the Department in writing of his intention to demolish the building; and
- six weeks has elapsed since the Department was so notified, or the Department has given a written direction to the person intending to demolish the building.

WHO CAN NOTIFY THE DEPARTMENT

The owner of the building to be demolished should complete a Notice of Intention to Demolish form and send it to the Department.

Where an Agent writes to the Department, we would ask that the Agent state that they notify us on behalf of the owner.

WHAT YOU MUST DO

You should write to:

Building Control Manager
Planning & Building Control Division
Department of Infrastructure
Murray House,
Mount Havelock,
Douglas,
ISLE OF MAN,
IM1 2SF

Your Notice of Intention to Demolish must include the following:

Site Location Plan: A current up to date plan in order to identify the property (these can be purchased from the Planning & Building Control Division), indicating the site of the proposed works in red with a blue outline showing the extent of any additional land ownership.

Block Plan: Showing the boundaries of the curtilage of the building, and its relationship to adjoining boundaries (including written dimensions from each side of the building to its relevant boundary), and the size, position and use of every other building or proposed building within that curtilage.

Drainage: Full details and layout to be provided of the drainage system for the building to be demolished and those of adjoining buildings.

Engineering Detail: Where applicable engineering calculation, plans and method statement must form part of the application at time of submission of the application.

Floor Plans **Scale of 1:50 Minimum. All levels should be related to a Temporary Bench Mark (TBM) transferred from an Ordnance Bench Mark (OBM).**

Section/s Scale of 1:50 Minimum
Elevations Scale of 1:100 Minimum
Detail Plans Scale of 1:20 minimum

Waste Plan: Details of waste and other materials resulting from the demolition and final disposal destination.

Your Notice of Intention to Demolish together with any attachments must be copied to the following:

- The owner and occupier of any building adjacent to the building to be demolished. This would include any building touching the building to be demolished, such as the building to both sides in a row of terraced houses or semi-detached houses, and any building to the rear but would exclude any building separated by a highway, lane or footpath;
- Douglas Gas, Murdoch House, South Quay, Douglas, ISLE OF MAN, IM1 5AS;
- DOI, Transport Division, Operations Section, Sea Terminal Building, Douglas, ISLE OF MAN, IM1 2RF;
- Distribution Administration Manager, MEA, PO Box 177, Douglas, ISLE OF MAN, IM99 1PS; and
- The Local Authority for the district in which the building is situated.

WHAT THE DEPARTMENT WILL DO

Upon receipt of your Notice of Intention to Demolish, the Department will write to the following:

- the Chief Fire Officer;
- Directors of of Transport, Highways and Drainage Sections;
- Director of Environmental Health & Safety;
- Development Control Manager;
- Conservation Officer
- the MEA;
- Douglas Gas;
- the Isle of Man Water Authority;

- Manx Telecom;
- the Local Authority for the district in which the building is situated; and
- the Douglas Development Partnership where the building is situated in Douglas.

The Department will allow a period 14 days, for those listed above to advise of any particular matters that the Department should address in any Direction issued to you.

Following the consultation exercise the Department will issue to you a written Direction, which will address the following matters:

- the disconnection of services, including gas, water and electricity;
- the disconnection and sealing of any drains and/or sewers at or beyond the site boundary;
- the making good of all ground disturbed by the demolition;
- the erection of hoarding around the site, as appropriate;
- procedures to ensure that the demolition is carried out safely;
- the avoidance of dust or grit emission beyond the boundary of the site;
- the shoring up and weatherproofing of any adjacent building(s);
- the disposal of waste and other materials, including burning on site; and
- the condition of the site on completion.

The Direction will be copied to all those previously consulted by the Department together with the owner and the occupier of any adjacent building(s).

APPEALS

There is provision for an appeal against the terms and conditions of the Direction; these are set out in Section 28 6A and 7 of the Act.

CONTRAVENTIONS

There are a number of contraventions identified, which may result in a fine of up to £5,000:

- commencing a demolition without first notifying the Department;
- commencing a demolition after notifying the Department but before the six week period for consultation has expire (except where the Department has issued a Direction);
- failure to give the sewage authority 48 hours notice of your intention to disconnect and seal or remove any sewer or drain in or under the building; or
- failure to give the sewage authority 24 hours notice of your intention to make good the surface of ground disturbed by the disconnection, etc, of any sewer or drain.

GENERAL

Even if the Department makes no direction in respect of any demolition, the Department or a Local Authority may still take enforcement action in respect of noise, nuisance due to dust and smoke and the final appearance of the site under various enactments.

The processes set out in the Act provide a statutory framework for the consultation necessary to ensure that demolitions are carried out in an appropriate manner. The Department, in writing to all statutory authorities and service providers, ensures that such

authorities are forewarned of your intentions; an important initiative in any circumstance where such authorities have not enjoyed any prior consultation/notification.

RECOMMENDATIONS

It is recommended that:

- regardless of the size of the building you intend to demolish, advice is taken from all statutory authorities and service suppliers before notification of the Department of your intentions;
- you contact the Planning Office of the Department to ascertain whether your building is a Registered Building and/or is situated in a Conservation Area. If either of these conditions is true, written consent must be obtained from the Planning Committee before demolition works commence;
- you contact the Environmental Protection Unit if you intend to screen, crush or otherwise process any waste material on site;
- adjacent building owners/occupiers are contacted in person and notified of your intentions prior to writing to the Department;
- when writing to the Department, follow the format of the letter entitled "Form of Notification for a Demolition", a copy of which is attached to this leaflet.

FURTHER INFORMATION

For further information or advice on the matters outlined above, please contact:

Building Control
Planning & Building Control Division
Department of Infrastructure
Murray House,
Mount Havelock,
Douglas,
ISLE OF MAN,
IM1 2SF

Telephone: 01624 686446/685902