

PLANNING COMMITTEE – 1 JUNE 2021

Application No:	21/00247/DEM	
Proposal:	Notification for Prior Approval for demolition of single storey steel framed market buildings, single storey office buildings, livestock pens and fences	
Location:	Newark Livestock Market, Great North Road, Newark On Trent	
Applicant:	Mr Robert Churchill - Newark and Sherwood District Council	
Agent:	Mr Chris Houldsworth - William Saunders	
Registered:	07.05.2021	Target Date: 04.06.2021
Website link:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QNWDNTLBOEP00	

The application is being referred to Planning Committee Newark and Sherwood District Council are the applicant.

The Site

The 1.05Ha application site contains the former single storey, steel framed Newark Livestock Market building and structures located within Newark Urban Area. Great North Road (B6326) and a residential dwelling called 'Andreas' are located to the west, council offices and parking areas are located to the south and Newark lorry park is located to the north and east. The nearest residential dwellings are located on the other side of Great North Road to the west and south west of the site.

The site is not located within Newark Conservation Area (CA) albeit the CA boundary follows the route of the railway line to the south of the site. Within the CA are a number of Listed Buildings which are visible from the application site including the Former Station Masters House and Railway Station building which are both Grade II Listed to the south of the site and a Grade II Listed culvert located to the north of the site.

Relevant Planning History

There is no site history of relevance to this application.

The Proposal

Prior notification is sought for the demolition of the single storey steel framed cattle market buildings, including associated single storey office buildings, livestock pens and fences. It is envisaged that the demolition would take place 16th August 2021 – 8th October 2021.

The following documents have been submitted in support of the application (superseded documents not referenced):

- Drawing No 12197 - WMS - ZZ - XX - DR - C - 39001 - S2 - P1 Site Location Plan
- Copy of Site Notice Posted 5th May 2021
- Covering letter Dated 7th May 2021
- Application Form Dated 7th May 2021
- 'Environmental Management during Demolition' report (12197/5 rev A) (additional document received 19.05.2021)

Public Advertisement Procedure

The agent has submitted a copy of the notice of the proposed demolition, which has been posted for a period of 21 days by the applicant expiring on 26th May 2021 in accordance with the requirements of Part 11, Schedule 2 of the Town and Country Planning (general Permitted Development) Order 2015 (GPDO).

Planning Policy Framework

This is a Prior Notification application, submitted under Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). Therefore, the Development Plan is not applicable to this application.

Environmental Impact Assessment

Demolition is capable of being an 'urban development project' within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. The development has therefore been subject of a separate screening opinion under application no 21/SCR/00004 which concludes that that the effects of the proposed demolition would not be so significant that they would be of more than local importance and Environmental Impact Assessment (EIA) is not required.

Consultations

NSDC Environmental Health officer (contamination) - The application form states that crushing of demolition materials is to be carried out at the application site which may require an Environmental Permit under the Environmental Permitting Regulations 2016. An informative note advising the Applicant of the potential requirement is recommended.

NSDC Environmental Health Officer (reactive) – No objection subject to development being undertaken with the submitted 'Environmental Management during Demolition Report'.

Comments of the Business Manager

The developer must, before beginning the development apply to the Local Planning Authority for determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site. It is important to note that the method of

demolition and any proposed restoration of the site are the only matters relevant to the consideration of this prior notification application.

The submitted application form states that demolition is required to facilitate the economic regeneration of the site. Details of this regeneration are currently unknown and no planning application has been submitted to date. The method of demolition would comprise a conventional deconstruction methodology by an experienced demolition contractor. Materials would be salvaged/repurposed where economically feasible.

The Environmental Health Officer (EHO) initially requested that additional information be provided with regards to how the developer would mitigate noise and dust nuisance given the close proximity of residential properties to the site. An 'Environmental Management during Demolition' report' has subsequently been submitted which includes mitigation measures in relation asbestos, noise, dust, vibration, control of substances hazardous to health, contaminated land and concrete crushing. The EHO raised no objection to the proposal on this basis.

The submitted documents state that a watching brief would be undertaken by a qualified ecology professional prior to demolition. An informative regarding protected species would be attached to any decision notice to ensure that the applicant takes appropriate measures in the case of protected species.

In terms of restoration, the site would be levelled to existing ground levels and crushed rubble arising would be retained on site for future use. The submitted 'Environmental Management during Demolition' report states that the rubble would *'be stockpiled within the site in stockpiles not exceeding 3m in height, located to the North West of the site between the line of the current Livestock Market building and the Lorry Park access road. The site and stockpiles will be screening with timber hoarding to the perimeter. The stockpiles will be retained pending future development subject to separate future planning applications, though it is anticipated that commencement of the site development will be within the next two years. Should that not be the case, the stockpiles will be removed from site'*.

Subject to compliance with the submitted 'Environmental Management during Demolition' report', the proposed method of demolition and proposed restoration of the site is considered acceptable as proposed.

RECOMMENDATION

That prior approval is required and approved for the demolition of the building subject to the conditions and reasons shown below.

Conditions

01

The demolition shall not begin later than five years from the date of this approval.

Reason: In order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

02

The development shall be carried out in accordance with the details submitted with the application including the approved measures set out in the 'Environmental Management during Demolition' report (Ref 12197/5 rev A).

Reason: In order to comply with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

Note to Applicant

01

The prior notification application as submitted is acceptable. In issuing written notice that at such prior approval is not required, the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

02

If crushing of demolition materials is to be carried out at the application site by the use of a mobile crusher, then under the Environmental Permitting Regulations 2016, an Environmental Permit is required. The permit would contain conditions designed to control how the crusher is operated so that any potential dust emissions are kept to a minimum. The applicant is required to submit a copy of the permit to NSDC Environmental Health for their approval prior to any crushing operations commencing on site. Furthermore, a schedule of works giving dates that crushing is intended to be carried out is also necessary so that an officer from this section is able to visit the site and observe the crusher in operation.

03

All bat species are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended). This legislation makes it illegal to intentionally or recklessly kill, injure or disturb any bat, or destroy their breeding places. If bats are disturbed during the proposed works, the legislation requires that work must be suspended and Natural England notified so that appropriate advice can be given to prevent the bats being harmed.

BACKGROUND PAPERS

Application case file.

For further information, please contact Helen Marriott on ext 5793

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Lisa Hughes
Business Manager – Growth and Regeneration

Committee Plan - 21/00247/DEM



