

PLANNING COMMITTEE – 15 MARCH 2021

Application No:	22/00114/FUL	
Proposal:	Demolition of 4 properties (in line with approved OUT scheme)	
Location:	262 - 268 Yorke Drive, Newark On Trent, NG24 2HN	
Applicant:	Newark and Sherwood District Council	
Agent:	SGA - Mr Ian Dick	
Registered:	25.01.2022	Target Date: 22.03.2022
Link to Application File:	22/00114/FUL Demolition of 4 properties (inline with approved OUT scheme) 262 - 268 Yorke Drive Newark On Trent NG24 2HN (newark-sherwooddc.gov.uk)	

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as Newark and Sherwood District Council are the Applicant.

The Site

The site comprises a pair of 2-storey semi-detached dwellings and 2 dwellings at the end of a row of terraced dwellings located on the north east corner of Yorke Drive, within the urban area of Newark approximately 1.5km north east of the town centre. They have pitched tiled roofs and are rendered with pebbledash. The dwellings have been vacant since August 2020 and are currently boarded up with security screens. Playing fields are located to the east of the site. Residential properties are located on all other sides.



Public Rights of Way (PROW) comprising parts of Newark footpath No.29 and Newark Footpath No. 28 are located adjacent to the north and east boundaries of the site. There is a path between the dwellings leading between Yorke Drive and the playing fields albeit this link does not appear to be on the definitive footpath map and is currently closed off with fencing.

There are two trees located in the highway verge to the front of the properties, albeit these are located outside of the red line boundary for the application site.

In accordance with Environment Agency flood zone mapping the entire site and surrounding land is designated as being within Flood Zone 1, which means it is at low risk of fluvial flooding.

The site along with the wider estate and playing fields is allocated within the Newark and Sherwood Allocations and Development Management Development Plan Document (2013) as being part of the Yorke Drive Policy Area (Policy NUA/Ho/4). This is an area allocated for regeneration and redevelopment.

Relevant Planning History

20/02484/S73M Application to vary conditions 8, 24 and 25 attached to planning permission 18/02279/OUTM to amend the timescale for completion of the conditions – permission 03.03.2021

18/02279/OUTM Selective demolition and redevelopment of parts of the existing Yorke Drive Estate and the erection of new mixed tenure housing, community and recreational facilities on the adjoining Lincoln Road Playing Field site, resulting in the development of up to 320 homes – permission 06.11.2019

The Proposal

The application seeks full planning permission to demolish four properties, last used as dwellinghouses. Planning permission is sought as the proposal does not qualify for prior approval for demolition under Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

The four properties are not currently considered fit for habitation and have also been subject to anti-social behaviour. These properties also benefit from outline planning permission for demolition as part of the wider Yorke Drive redevelopment project (see relevant planning history above). However, demolition is required in advance of the associated reserved matters application being submitted for enabling and funding reasons.

The application is accompanied by the following:

- Application Form
- 00003 Rev P1 Location Plan
- 00004 Rev P1 Site Photographs
- Demolition Statement
- Further Bat Surveys September 2019
- Bat Survey Results of B1, B2 and B3 (01 March 2022)
- Phase 1 Geo-Environmental Assessment July 2018

Public Advertisement Procedure

Occupiers of 9 properties have been individually notified by letter. A site notice has displayed around the site and an advert has been placed in the local press.

Planning Policy Framework

The Development Plan

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

- Spatial Policy 1 Settlement Hierarchy
- Spatial Policy 2 Spatial Distribution of Growth
- Spatial Policy 6 Infrastructure for Growth
- Spatial Policy 7 Sustainable Transport
- Core Policy 1 Affordable Housing Provision
- Core Policy 9 Sustainable Design
- Core Policy 10 Climate Change
- Core Policy 12 Biodiversity and Green Infrastructure
- NAP1 Newark Urban Area

Allocations & Development Management DPD (adopted July 2013)

- Policy DM1 Development within Settlements Central to Delivering the Spatial Strategy
- Policy DM2 Development on Allocated Sites
- Policy DM5 Design
- Policy DM7 Biodiversity and Green Infrastructure
- Policy DM10 Pollution and Hazardous Materials
- Policy DM12 Presumption in Favour of Sustainable Development
- NUA/Ho/4 Newark Urban Area – Housing Site 4 – Yorke Drive Policy Area

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance

Consultations

Newark Town Council - No objection

NCC Public Rights of Way – No objection subject to confirmation of how the public using the above Public Rights of Way will be kept safe during the demolition.

NSDC Environmental Health – The applicant should also consider in detail the impact of demolition methods and working practices on sensitive property in the vicinity. This will be necessary in order to ensure best practicable means are employed to minimise noise and dust. I would therefore expect a method statement to be submitted in writing to, and agreed by, the planning authority, to be implemented in full during the demolition.

NSDC Archaeology Officer – No objection. This forms part of a larger scheme where archaeological work has been agreed in the relevant areas. This part of the site is deemed to have a lower potential for archaeological remains due to existing ground disturbance from previous phases of development.

No letters of representation have been received from neighbours/interested parties.

Comments of the Business Manager

The Principle of Development including Loss of Affordable Dwellings

The proposal site is located in Newark, a Sub Regional Centre, allocated for development in the Core Strategy (adopted 2019) under Spatial Policy 1 and Spatial Policy 2. The site forms Housing Site 4 as identified in Policy NUA/Ho/4 of the Allocations and Development Management DPD (adopted 2013). The DPD confirms the site is allocated for regeneration and redevelopment through a comprehensive scheme of regenerating existing housing and developing new stock in a coordinated and sustainable manner.

Policy NUA/Ho/4 requires removal of poorer quality housing and replacement of new dwellings and change of housing type to increase mix of tenure and range of housing. Proposals should also include phasing and delivery methods for the redevelopment. Through the approval of outline planning permission for redevelopment (20/02484/S73M as set out in the planning history section above) the principle of demolition of a number of existing properties on the estate has already been accepted in principle. Whilst this application represents a standalone application, early demolition is required as an enabler for the wider regeneration project. The properties are in the first phase of demolition and early demolition of these properties (rather than as a part of the wider regeneration scheme) means that the demolition can be eligible for grant funding under the Department for Levelling Up Homes and Communities, secured by the Council in late 2021, supporting the overall viability of the project.

The properties are currently vacant and not fit for habitation and their demolition would not therefore lead to a direct loss of affordable housing stock. The former occupants were provided alternative accommodation under the District Council's Decant Policy. Replacement and new dwellings including the provision of a satisfactory housing mix (having regard to displacement and provision of affordable housing) is a requirement of the forthcoming reserved matters application.

As such, the principle of development is considered acceptable subject to an assessment of all relevant site-specific considerations.

Impact on Residential and Visual Amenity

Core Policy 9 requires development to protect and enhance the environment. Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development. The NPPF promotes 'an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'.

Following consultation with the Environmental Health Officer, it is recommended that a condition requiring the submission of a demolition method statement is submitted to and approved by the Local Planning Authority, be imposed. Due to the close proximity of residential properties, this would include a number of measures to minimize impacts during demolition including the parking of vehicles and dust suppression measures. The submitted plans show that the site would be secured with 1.8 metre high heras fencing during construction works.

Post demolition (and prior to the implementation of the Yorke Drive regeneration proposals) the site would be left level with the frontage fenced off to the general public with 1 metre high timber

post and infill panel fence. It is proposed that all spoil would be sorted, re-cycled where possible and cleared from the site.

Subject to conditions, the proposed demolition and restoration of the site is considered acceptable as proposed from a residential and visual amenity perspective in accordance with Policies Core Policy 9, Policy DM5 and the overall aims of Policy NUA/Ho/4 in the DPD.

Impact on Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

The buildings proposed for demolition are considered to have low bat roost potential. An updated bat building assessment and nocturnal bat surveys of the buildings was undertaken in August 2021 which confirms roosting bats as likely absent. As such roosting bats pose no constraints to the demolition of these buildings, no further surveys or mitigation in relation to bats is recommended.

Any vegetation clearance or building demolition should be timed to avoid the bird breeding season, which runs from March to September (inclusive). This is to avoid adverse impacts to any nests present.

Subject to conditions, the proposed development would not result in any adverse impact upon ecology in accordance with Core Policy 12 and Policy DM5 of the DPD.

Conclusion

The site is located on a wider site allocated under policy NUA/Ho/4 for the regeneration and redevelopment through a comprehensive scheme of regenerating existing housing and developing new stock in a coordinated and sustainable manner. This application to demolish four of the existing properties is required to facilitate these wider regeneration plans for the site. The properties are currently vacant and not fit for habitation and would not therefore lead to a direct loss of affordable housing stock.

Subject to conditions, the proposal would not result in any adverse impact upon residential or visual amenity, highway safety, public rights of way, ecology or trees.

Therefore, subject to these requirements and the conditions below, the recommendation is for approval.

RECOMMENDATION

That full planning permission is granted subject to the conditions shown below:

Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plan references:

- 00003 Rev P1 Location Plan
- 00004 Rev P1 Site Photographs
- 00007 Rev P1 Site Protection Measures

Reason: So as to define this permission.

03

Except for emergency works, to protect the amenities of occupiers of other premises in the vicinity, the hours for deliveries or for the demolition of the site buildings shall be restricted to:

Monday to Friday 08:00 to 18.00hrs, Saturday 08:00 to 13.00hrs only and no works on site on Sundays/Bank Holidays.

Reason: In the interests of residential amenity.

04

No development shall take place within the application site, until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the demolition period. The statement shall set the overall strategies for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of materials;
- iv. the erection and maintenance of security hoarding/fencing;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during demolition;
- vii. a scheme for recycling/disposing of waste resulting from demolition works.

Reason: In the interests of residential amenity.

05

No site clearance/demolition shall be undertaken during the bird nesting period (beginning of March to end of August inclusive). This is unless any building is first inspected by a suitably qualified ecologist and a report submitted and approved in writing by the Local Planning Authority prior to such works taking place.

Reason: To ensure that adequate provision is made for the protection of nesting birds and/or protected species on site.

Notes to Applicant

01

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

The applicant should be reminded of legal requirements relating to asbestos demolition surveys in line with health and safety regulations, and prior notification of demolition works to Local Authority Building Control.

04

There should be no disturbance to the surface of Public Rights of Way (PROW) comprising Newark footpath No.29 and Newark Footpath No. 28 without prior authorisation from the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 6 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If the route is to be fenced, ensure that the full width of the path is available and that the fence is low level and open aspect to meet good design principles. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. If a skip is required and is sited on a highway, which includes a PRow then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skippermit> and also ensure that the PRow can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic

BACKGROUND PAPERS

Application case file.

For further information, please contact Helen Marriott on extension 5793

Lisa Hughes

Business Manager – Planning Development

Committee Plan - 22/00114/FUL

