

The application is for a determination as to whether prior approval is required for the method of demolition of the former Sainsbury's supermarket and the adjacent multi storey car park, and any proposed restoration of the site.

The site lies within Newcastle Town Centre as indicated on the Local Development Framework Proposals Map, and close to the boundary of the Newcastle Town Centre Conservation Area.

Unless a decision on this application is communicated to the developer by the 10th April 2014 the development will be able to proceed as proposed. The application must be determined by the Planning Committee by reason of Regulation 10 of the Town and Country Planning General Regulations

RECOMMENDATIONS

- (a) That the Committee determine that PRIOR APPROVAL is REQUIRED**
- (b) Should the decision on (a) be that prior approval is required, the recommendation is to grant that approval, the works having to be carried out in accordance with the approved details, except to the extent that the LPA otherwise agree in writing**

Reason for Recommendation

Given the prominent location of the site in views from the Town Centre Conservation Area and the ring road it is appropriate to conclude that prior approval is required for the method of demolition of the buildings and the restoration of the site. On the basis of the submitted information and subject to consideration of the views of consultees there is no basis to refuse to grant prior approval as the method of demolition and restoration will not give rise to adverse impact on the amenity of residents and businesses.

Policies and Proposals in the approved development plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

CSP1: Design Quality

CSP2: Historic Environment

Newcastle-under-Lyme Local Plan 2011 (NLP)

B9: Prevention of Harm to Conservation Areas

B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area

B14: Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (March 2012)

National Planning Practice Guidance (March 2014)

Other material considerations include:

Relevant Planning History

2007 06/01181/OUT Permit - Demolition of existing buildings and erection of 6 non food retail units (Class A1) with associated car parking, access and landscaping works. This outline permission has now lapsed.

Views of Consultees

Any views received from the **Highway Authority, Environmental Health Division and Conservation Advisory Working Party** will be reported.

Representations

The applicant has displayed a site note near the site in accordance with the prior notification procedure set out in Class A of Part 31 to Schedule 2 of the Town and Country Planning (General Permitted Development) (Order) 1995. The notice should be in place for not less than 21 days, and this period ends on 2nd April 2014.

Applicant/agent's submission

The applicant advises that the buildings will be demolished by large machinery from within the car park, which will be used as a compound. During demolition the site will be completely fenced off. Where the building abuts the pavement demolition will be by hand tools only working off scaffolding.

The vast majority of demolition material will be removed from site and crushed off site; however some crushing will take place in situ to enable the void below the supermarket floor to be filled.

All boundary walls surrounding the car park and the supermarket will be retained to a height of 1m. Following demolition a decision will be made as to whether security boarding will be required to a height of 1.8m and discussions will be held with Newcastle College with regard to students painting the boarding with suitable art work. The site of the multi-storey car park will be demolished to slab level and upon completion, the remaining ground floor slab will continue to be used as a public car park.

The application documents are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/formersainsbury

KEY ISSUES

The application is for a determination as to whether prior approval is required for the method of demolition of the former Sainsbury's supermarket building and the adjacent multi storey car park, and the restoration of the site (of the demolished buildings).

Is prior approval is required?

The requirement to apply for such a determination gives the Local Planning Authority the means of regulating the details of demolition in order to minimise its impact on local amenity. If prior approval is not required the development would still have to be carried out in accordance with the submitted details. Guidance previously advised that the Secretaries of State only consider prior approval appropriate where local planning authorities judge that a specific proposal is likely to have a *significant* impact on its surroundings. By reason of the considerable scale of the buildings that are to be demolished in this case, the number of public viewpoints from which such buildings can be seen (Liverpool Road, Corporation Street, Merrial Street and Ryecroft (the Ring Road)), it is considered that prior approval for the method of demolition and restoration of the site is required in this case.

Should prior approval be granted?

The main issue for consideration in the determination as to whether prior approval should be granted are the amenities of local residents and businesses.

The intention is that the majority of the demolition will be undertaken from within the site, using machinery which will be located within the existing car park. It is stated that 'Heras' type fencing will be erected during demolition works with net protection fencing. This will assist in reducing the impact of the demolition works on amenity by visually demarcating the area of the demolition works and will partially screen the working area at ground level.

Where the walls are located directly abutting the pavement the intention is that the necessary demolition will be done from scaffolding using hand tools. The impact of such demolition work will be less than if undertaken by machinery.

Whilst the site is not within the Town Centre Conservation Area, the site is visible in views from the Conservation Area from Merrial Street and the High Street. The site is also prominent from the Ring Road. All demolition material, other than that used to fill the void below the supermarket building, will be removed from the site and a low boundary wall will be retained. Such restoration will limit the visual impact of the restored site to an acceptable minimum, even when taking into consideration the requirement to preserve and enhance the Conservation Area where the site would be visible from. In addition the suggested option of erecting security boarding around the base of the supermarket building, should it be considered necessary by the applicant, to be painted by College students would be also be visually acceptable. The site of the multi-storey car park will, upon that buildings demolition, be used for parking, making a positive use of the site.

Subject to consideration of the views of the consultees, it is recommended that prior approval should be granted.

Background Papers

Planning File referred to
Planning Documents referred to

Date report prepared

19th March 2014