

The application is for a determination as to whether prior approval is required for the method of demolition of the former health care centre, 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.

**The 8 week period for the determination of this application expires on the 5<sup>th</sup> January 2021.**

### **RECOMMENDATIONS**

**PRIOR APPROVAL is GRANTED subject to a condition relating to the following:**

- **Demolition activities to take place between 8am and 6pm Monday to Friday and 8am and 1pm on Saturdays only.**

### **Reason for Recommendation**

On the basis of the submitted information and subject to the views of the Environmental Health Division there is no basis upon which 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.

### **KEY ISSUES**

The application is for a determination as to whether prior approval is required for the method of demolition of the former health clinic.

### **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. Current national guidance indicates that statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light touch process where the principle of development has already been established.

By reason of the proximity to residential properties it has been determined 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 issues for consideration in the determination as to whether prior approval should be granted are the amenities of local residents (insofar as the method of restoration is concerned) and visual amenity (insofar as any proposed restoration of the site).

The application form indicates that the building will be demolished by machine following asbestos removal and soft strip. The methodology of the demolition is considered appropriate.

Whilst the site is close to residential properties it is located where there are already high background noise levels due to road traffic and as such it is considered that no adverse impact to residential amenity should arise provided that the demolition works are carried out within normal construction hours. This can be secured by condition.

The indication is that all material will be removed from site by a licensed contractor. The indication is that the site will then be redeveloped in future (which would require a separate planning consent) but

at this time the nature of the development is not known and the site could be vacant for some time. As the site is to be cleared of material it is not considered that the site would harm visual amenity.

## **APPENDIX**

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

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

CSP1: Design Quality

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

None

### **Other Material Considerations include:**

[National Planning Policy](#)

[National Planning Policy Framework](#) (2019)

[Planning Practice Guidance](#) (2014 as updated)

### **Other material considerations include:**

[Relevant Planning History](#)

None

[Views of Consultees](#)

Any views received from the **Environmental Health Division** will be reported.

[Representations](#)

The applicant has displayed a site notice 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.

[Applicant/agent's submission](#)

All of the application documents can be viewed on the Council's website using the following link:  
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/20/00958/DEEM3>

### **Background Papers**

Planning File referred to

Planning Documents referred to

### **Date report prepared**

23<sup>rd</sup> November 2020