

Parish: Northallerton
Ward: Northallerton
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Committee Date: 10 December 2015
Officer dealing: Mr Peter Jones
Target Date: 5 January 2016

15/02538/PND

**Prior Notification for the demolition for the unlisted parts of former Northallerton Prison and Boundary Wall
at Former H M Prison Northallerton, East Road, Northallerton
for Hambleton District Council.**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application is a Notification for Prior Approval under Part 11, Class B of the General Permitted Development Order for the demolition of the non-listed elements of Northallerton Prison, along with the boundary wall.
- 1.2 The prison site comprises a variety of structures including the principle custody block to the south of the site and the boundary wall, which dominates the character and form of this part of the town. To the north of the site are a range of listed structures which will be retained.
- 1.3 The boundary wall of the site was replaced a decade ago and is intended to be removed as the last element of the demolition.
- 1.4 There are a variety of uses in the vicinity of the site including a number of residential properties, the majority of which are located on Crosby Road. The Notification looks at the potential impacts and mitigation response to protect the amenity of these and other properties in the vicinity of the site.
- 1.5 Full planning permission is not required in these circumstances as the works are considered to be Permitted Development. However, the Notification allows for certain impacts of the demolition to be assessed and where necessary mitigated.
- 1.6 The application sets out the methodology for the demolition of the prison buildings and walls and includes a statement as to how the listed and non-listed elements will be separated, a traffic management plan and details of how the demolition will be undertaken. This Notification forms the basis of the demolition methodology although it would be devised in greater detail in due course. That additional detail is not required for the Notification but may be subject to other legislation including the Construction Design Management regulations.
- 1.7 The applicant has submitted details of how the listed and un-listed elements will be separated along with details regarding traffic management, ground vibration and noise and dust management.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 There were numerous notifications for Crown development covering various works at the Prison, including the construction of the current walls, but these are not considered to be relevant to this application now that the site is no longer in use as a prison.
- 2.2 The site lies within the area of Northallerton affected by the closure of the prison and the nearby Rural Payments Agency in 2013 and 2014. In response the Council adopted a Central Northallerton Development & Design Framework in July 2014.

Within this document, the Council seeks to encourage and guide regeneration of the former prison as an edge of centre site for town centre uses.

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

Core Strategy Policy CP2 - Access
Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
National Planning Policy Framework
Central Northallerton Development & Design Framework - adopted July 2014

4.0 REPRESENTATIONS AND CONSULTATIONS

4.1 Northallerton Town Council – No observations.

4.2 Representations - The application was advertised by site notice on 10 November 2015. A total of 6 site notices were placed at strategic points in public places around the prison site. No third party responses have been received. However, one member of the public discussed the proposals with the case officer and raised concerns about potential noise and dust nuisance.

4.3 Highway Authority - The main issues are:

- (i) the management of the traffic associated with the demolition phase;
- (ii) how the rear of the footway is retained after the prison wall has been removed; and
- (iii) to ensure that any damage to the highway during the demolition is identified and repaired.

The management of the traffic associated with the demolition phase can be dealt with by a condition. The submitted documents reference the development of a Traffic Management Plan. Accordingly such a plan should be submitted.

When the wall is removed then this will leave the back of the footway with an unrestrained edge. The back of the footway will also delineate the boundary of the public highway. It is therefore recommended that details are submitted to the Local Planning Authority in consultation with the Highway Authority that will show how the back edge of the footway will be retained once the demolition has been completed. Any damage to the highway that may happen as a result of the demolition must be identified and repaired.

4.4 Environmental Health Officer – This service has considered the above application and has the following comments to make:

Demolition of the external boundary wall will be the last operation. This will contain a lot of the dust and the noise. However a noise and dust management plan shall be submitted to the authority prior to commencing the works. The Management Plan shall include the noisiest phases arranged in terms of loudness, the duration of the phases and details of mitigation measures to be employed to minimise the noise and dust during the demolition process.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy

Informatives:

In order to comply with the above condition, the plan should comply with guidance found in BS5228 Noise Vibration and Control on Construction and Open Sites

To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities.

As the proposed development is in close proximity to residential areas it is recommended that to minimise noise disturbance work should be undertaken in compliance with BS 5228 Noise Vibration and Control on construction and Open Sites therefore there shall be no work before 7.00am or after 6.00pm Monday to Friday and no work before 8.00 am or after 1.00pm Saturdays and now working on Sundays and Bank Holidays.

4.4 Allerton Civic Society – No response

4.5 Historic England – No response

4.6 The Society for the Protection of Ancient Buildings - No response

4.7 NYCC Archaeologist – No response

4.8 The Council for British Archaeology - No response

5.0 OBSERVATIONS

5.1 As noted in section 2, this site is important to the Council's objective to secure investment in central Northallerton to offset the economic impact of the HM Prison and the Rural Payments Agency closing in quick succession and to create an opportunity for expansion of the town's retail offer. However, the Notification Procedure gives powers to the Local Planning Authority for the prior approval of works and programmes for demolition works and those powers refer to the potential impacts of the demolition.

5.2 In view of this narrow legislative scope, in this case the main issues are considered to be the potential impact on (i) amenity in terms of dust, noise and ground borne vibration; and (ii) the local highway network and road safety. There is also a question in relation to the impact of the scheme on the integrity of the listed buildings within the northern part of the former prison complex.

Amenity

5.3 The site is located close to a number of residential properties along with a number of workplaces which could be noise sensitive. The majority of the residential properties, potentially impacted by the demolition are located to the east of the site on Crosby Road. The majority of these properties are located in line with the retained buildings, which would limit the noise impact on these properties. The boundary wall would be retained for the majority of the demolition works, thus allowing the noise impact of the demolition to be mitigated.

5.4 A number of measures are included within the Notification to mitigate the potential impacts of noise, including limited working hours, use of modern noise suppressed equipment and on-site noise monitoring to ensure that the noise levels are not harmful to local amenity.

5.5 The Notification sets out the working practices in relation to noise and states that at all times during the works, the Demolition Contractor will be required to comply with the recommendations of BS 5228-1 to reduce noise emissions. It also states that the method of demolition will be chosen to minimise noise creation and reduce noise and vibration.

A programme of noise monitoring would be conducted by the Demolition Contractor throughout the period of works to ensure that levels are below the acceptable thresholds. The results of the monitoring would be logged in the site file and therefore available for inspection. Other noise reduction controls include:

- Leaving the demolition of the external boundary wall as the last operation on site. The wall will act as an effective acoustic screen;
- Use of effective exhaust silencers;
- Generators and pumps used will be sound reduced models;
- Pneumatic and percussive tools will be avoided where possible but where they are used their use will be limited. In all cases they will be fitted where possible with mufflers/silencers;
- Acoustic screens may be considered where preventative control measures at source cannot be adequately provided; and
- Where tasks are being carried out that cannot be adequately controlled the times and days these operations are carried out will be restricted.

5.6 The demolition has the potential to create a significant amount of dust which could detrimentally impact on the amenity of nearby residential and non-residential occupiers. The proposed retention of the boundary wall until the final phase of demolition would allow dust suppression measures to be effectively utilised.

5.7 Prior to commencement of works the demolition contractor will be required to conduct a series of background dust, noise and vibration monitoring exercises to ascertain existing levels within the site and adjacent to the site boundaries. This data would provide a baseline for monitoring the impact of demolition.

5.8 Dust, Noise and Vibration controls will be presented in the demolition contractor's method statement and included in the Environmental Management Plan.

5.9 Dust release during demolition works would be strictly controlled. It is indicated that during demolition works the Demolition Contractor will wet the demolition area using a water hose fed from the site's water supply system.

5.10 The Environmental Health Officer has noted that the proposed demolition is likely to cause significant amounts of noise and dust and has recommended conditions to manage and mitigate these impacts.

Highway issues

5.11 The Prison is located within the built up part of Northallerton and is enveloped by the local highway network. As such the proposed demolition has significant potential to detrimentally impact on highway users, highway safety and the physical highway infrastructure, in particular the footpaths which abut the boundary wall of the prison.

5.12 The main operations which would impact highway users relate to the off-loading and collection of large machines along with HGV movements associated with the removal of materials from the site. There are significant areas of open space within the boundary wall of the prison, which would allow site offices, parking and movement of HGVs without the need for vehicles to carry out dangerous reversing manoeuvres onto the road.

5.13 The Notification sets out a number of recommendations in order to mitigate any potential highway impacts. These are set out below:

- Initial delivery of welfare cabins and machines for the project will be organised outside rush hour and to avoid peak times for pedestrians using the pavement across the site main gate;
- Deliveries will be staged to avoid site related traffic queuing on the public road;
- The low loader delivering the main demolition excavators may not be able to pass through the main gate due to height restrictions due to the opening size. In this case delivery of the excavator would be made out of hours, with appropriate formal traffic management, with the machine taken off the low loader and tracked in through the gates. All necessary road plating and protection will be provided;
- All HGV wagons will be requested to turn within the prison yard and exit onto the public road going forward. A banksman will be provided to assist the driver joining traffic;
- Vehicles associated with the demolition contractor, client, consultant and visitors will be provided with dedicated parking areas within the prison walls so not to disrupt available local parking;
- A safe pedestrian route will be provided from the site entry point to accommodate visitors and site ops arriving on foot and bicycles;
- Drivers are to ensure that all loads are covered with netting before leaving site to prevent loss of material and in order to control the release of dust; and
- The demolition contractor shall be required to engage with all suppliers and communicate the strict requirements of the Traffic Management Plan.

It may not be possible for large vehicles and machinery to gain access through the existing gatehouse on East Road and this will need to be borne in mind in the imposition of any relevant conditions.

5.14 The Highway Authority has recommended two conditions to be added to any decision. The first of these requires the submission of a full Traffic Management Plan and the second requires the submission of details regarding the making good of the areas of the site adjoining the footpath which abuts the boundary wall.

5.15 The proposed demolition, subject to careful management and compliance with the proposed conditions, is not considered to be significantly harmful to road safety or local highway users.

Listed building implications

5.16 A group of buildings at the north end of the site are listed and will be retained. It is important that the demolition of the non-listed buildings has no detrimental impact on the historic fabric of the listed buildings. Lengthy discussion has taken place to establish the best way of physically separating the non-listed buildings from the listed elements. As it is unclear at the present time exactly what would replace the demolished buildings a precautionary approach has been taken.

5.17 Effectively the demolition programme includes for the careful separation of the buildings, in some cases requiring hand demolition techniques to carry out the initial separation followed by the erection of protective scaffolding, before more conventional demolition techniques are employed. This approach would offer the greatest levels of protection to the listed structures.

5.18 No alterations or other works are planned to the listed structures. This, combined with the proposed demolition methodology, has led officers to the conclusion that Listed Building Consent will not be required for the proposed demolition.

6.0 RECOMMENDATION

6.1 That subject to the receipt of any outstanding consultations Prior Approval is **GRANTED** for the demolition of the unlisted elements of Northallerton Prison along with the boundary wall, subject to the following conditions:

1. The works proposed within the Notification shall be carried out within a period of five years from the date of this decision.
2. No demolition shall take place until a Demolition Method Statement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved statement shall be adhered to throughout the demolition. The statement shall provide for the following in respect of the phase:
 - a. access to the site for HGVs and plant and materials
 - b. the parking of vehicles of site operatives and visitors
 - c. loading and unloading of plant, materials and debris
 - d. storage of plant, materials and debris arising from the demolition the development
 - e. erection and maintenance of security hoarding where appropriate
 - f. wheel washing facilities
 - g. measures to control the emission of dust and dirt during demolition
 - h. HGV timing/ routing to avoid sensitive areas
3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority. Details shall be submitted to the Local Planning Authority in consultation with the Highway Authority to ensure that any damage that is caused by the demolition project is rectified at the expense of the contractor (or others) within a reasonable timescale prescribed by the Highway Authority. Once the details are agreed they shall be adhered to during the demolition.
4. Prior to the commencement of demolition a noise and dust management plan shall be submitted to and approved by the planning authority. The Management Plan shall include the noisiest phases arranged in terms of loudness, the duration of the phases and details of mitigation measures to be employed to minimise the noise and dust during the demolition process.

Informatives:

1. In order to comply with the above condition, the plan should comply with guidance found in BS5228 Noise Vibration and Control on Construction and Open Sites.
2. To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities.
3. As the proposed development is in close proximity to residential areas it is recommended that to minimise noise disturbance work should be undertaken in compliance with BS 5228 Noise Vibration and Control on construction and Open Sites therefore there shall be no work before 7.00am or after 6.00pm Monday to Friday and no work before 8.00 am or after 1.00pm Saturdays and now working on Sundays and Bank Holidays.

Reasons:

1. To ensure compliance with Section 91 of the Town and Country Planning Act 1990.
2. In order that the proposed works do not adversely impact on highway safety or the amenity of the area.
3. In order that the proposed works do not adversely impact on highway safety or the amenity of the area.
4. To protect the amenity of the locality especially for people living and/or working nearby, in accordance with Local Planning Policy.