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Our ref: 63262/01/AGR/KS/19881120v1
Your ref:

Dear David

Demolition of BOS Plant, Teesworks: Application for Prior Notification of Demolition

On behalf of our client, Teesworks, we are pleased to enclose a prior notification application relating to the demolition of the former BOS Plant, Redcar.

Legislative Background

Following the High Court of Appeal decision on the 25 March 2011, R (on application of Save Britain's Heritage) v Secretary of State for CLG and Lancaster City Council, the majority of demolition work now falls within the definition of development for the purposes of the Town and Country Planning Act 1990, although permitted development rights still exist for certain forms of development.

Permitted Development rights relating to demolition are granted by virtue of part 11 (Class B) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Against this background an application to the local planning authority is required for a 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. In accordance with Class B.2(b)(ii) this application must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid.

The requisite details as required by the Town and Country Planning (General Permitted Development) Order 2015 (as amended) are discussed below or in the attached documents which accompany this application.

Site Description

The site lies within the constitutional boundary of South Tees Development Corporation ('STDC'). STDC was created in 2017 with the objective of delivering area-wide, transformation economic regeneration within its constitutional area, to augment the wider economic growth plans of the Tees Valley. The delivery of regeneration across the site is now being brought forward by the delivery partnership, Teesworks. Representing the largest single regeneration opportunity in the UK, Teesworks' regeneration programme will be pivotal in transforming the South Tees area into a national asset for new industry and enterprise, making a substantial contribution to the economic growth and prosperity of the region.

The BOS Plant has become redundant and obsolete from its original use and, therefore, is proposed to be demolished to make way for redevelopment in the future. The site is located in the Lackenby area of the Teesworks site and comprises the following structures:

- 1 BOS Steel Making Plant
- 2 Charging Bay
- 3 Converter Bay
- 4 Ladle Bag
- 5 Tundish Repair Bay
- 6 Casting Bay
- 7 Maintenance Bay
- 8 Mould Bay
- 9 Cooling Bay
- 10 Export Bay

The Scope of the Proposed Demolition Works

The application seeks prior approval for the demolition of the BOS Plant. This includes the following:

- General site clearance – to clean, tidy and remove general rubbish, debris and above ground loose materials off site from the project site area;
- Remove and dispose of identified asbestos;
- Undertake structural surveys/ temporary works design where close proximity to structures are to be retained / protected;
- Decontaminate above ground assets;
- Complete soft strip to all above ground assets, structures and buildings;
- Demolish and remove from site all the above ground assets within the project site boundary and leave safe;
- Backfill below ground voids and other excavations with appropriate material, tested and compacted; and
- Disposal and recycling of materials arising from the works.

All demolition works shall be carried out in accordance with the BS Code of Practice for Demolition BS6187. All work shall conform with all relevant legislation, and in particular legislation dealing with health & safety, safe access, safe places for work, hazardous substances and protection of species.

Reason for Demolition

The buildings and structures are functionally obsolete and no longer required for their intended purpose. The site has been identified as one of a number of opportunities to clear assets in advance of future redevelopment, in line with Teesworks' aspirations for the wider site area as set out in its Regeneration Master Plan.

Method of Demolition

The accompanying Demolition Method Statement sets out in detail the proposed scheme of demolition works. Given the number of different structures, the method of demolition varies and therefore the Method Statement, prepared by Thompsons of Prudhoe, sets these out in further details.

Proposed Restoration

Following the completion of the demolition works, the processing and removal of all arisings and the area is clear, all surface areas will be cleaned-off level with adjacent surface area levels and any remaining trip hazards will be cut flush with the surrounding ground level. Remaining stumps / rebar will be cut flush with ground level using oxy / propane hot cutting equipment.

Environmental Impact Assessment

For robustness and ahead of pursuing a 'prior approval' for the demolition works, we have given consideration as to whether the proposed demolition project could be considered to be EIA development. Planning Practice Guidance notes that:

“demolition works are capable of constituting a ‘project’ within the meaning of the Environmental Impact Assessment Directive, and can therefore be subject to Environmental Impact Assessment. Local planning authorities will need to consider whether demolition projects are likely to have significant environmental effects and require a screening opinion to be issued; as such projects can fall within Schedule 2 of the 2017 Regulations”.

The buildings to be demolished are collectively referred to as the BOS Plant. It is considered that the demolition of the BOS Plant could fall under paragraph 13 b) of Schedule 2 on the grounds that it relates to a change to a development, which is already executed, of a description listed in column 1 of schedule 2 (eg. Paragraph 4a). Such development could be considered to be EIA development, where *“the development as changed or extended may have significant adverse effects on the environment”*. Whilst the development as changed by demolition (e.g a cleared site) would not have significant effects, the process of demolishing the buildings associated with the BOS Plant could potentially have significant effects and the demolition works could therefore be considered to be Schedule 2 development. As required, the Council will therefore have a duty to screen the development to determine whether it is EIA development.

In this case we have considered whether the demolition would give rise to significant effects and note the following:

- 1 Measures to ensure the safety of demolition works and humans in the surrounding area, including from the risk of hazards or major accidents and from contaminated materials within the buildings;
- 2 Dust management measures, which will ensure no significant effects from dust on human health or ecological receptors and thus no likely significant air quality impacts;
- 3 Tertiary noise and vibration measures, which will ensure no significant noise or vibration effects on human receptors in the area; and
- 4 Pollution control measures to ensure no likely significant effects on the water environment or soils/ground conditions or any ecological receptors in the area.

None of the buildings to be demolished are listed and the demolition site is not within a Conservation Area. There are therefore unlikely to be any significant cultural heritage effects arising from the demolition of the buildings. Furthermore, the development of the original buildings is likely to have removed any potential

archaeological remains. Therefore the demolition works, including the removal of building foundations is unlikely to give rise to any effects on archaeology.

Submitted Documentation

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the following documents accompany this application:

- The prior notification of demolition form;
- A copy of the site notice which will be posted on site;
- A site location plan identifying the buildings/structures to be demolished; and
- A Demolition Method Statement, prepared by Thompsons of Prudhoe.

Payment of the requisite application fee of £96 has been paid directly to the Planning Portal.

Summary

As set out above, it is proposed to demolish the former BOS Plant. The accompanying Method Statement demonstrates that the works will be undertaken methodically and safely, resulting in no adverse impact to the surrounding area. The clearance of the site will facilitate its future redevelopment, in line with the aspiration of Teesworks.

We trust that we have provided the necessary information and that the application can be validated and advanced to determination at the earliest opportunity. However, should you require any additional information or wish to discuss any matter, please do not hesitate to contact me or my colleague Anthony Greally.

Yours sincerely

Phil McCarthy
Associate Director

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