



North Tyneside Council

Planning Committee

Thursday, 9 November 2023

Tuesday, 14 November 2023 Room 0.02, Quadrant, The Silverlink North, Cobalt Business Park, NE27 0BY commencing at 6.00 pm.

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To determine a full planning application from Smulders Projects UK for the erection of a new workshop building (55m x 270m x 41m) at Yard C to accommodate welding and fabrication activities (Re-submission to amend windows).

Circulation overleaf ...

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ADDENDUM

Item No: 1

Application No:	23/01275/FUL	Author	Jackie Palmer
Date valid:	21 September 2023	☎:	0191 643 6336
Target decision date:	21 December 2023	Ward:	Wallsend

Application type: full planning application

Location: Hadrian Yard A B And C Hadrian Way Wallsend Tyne And Wear

Proposal: Erection of a new workshop building (55m x 270m x 41m) at Yard C to accommodate welding and fabrication activities (Re-Submission to amend windows)

Applicant: Smulders Projects UK, Mr Jan De Ryker Hadrian Yard A B And C
Smulders Projects Office Hadrian Way Wallsend North Tyneside NE28 6HL

Agent: Lambert Smith Hampton, Mr James Cullingford Suite One St Anns
Quay 122 Quayside NE1 3BD

RECOMMENDATION: Application Permitted

INFORMATION

Consultations/Representations

As referenced in para 12.10 of the main report, the comments of the Biodiversity Officer have been received and are set out below:

The application is a re-submission of consented application 22/01495/FUL to amend windows. The consented building is largely complete with only cladding works, electrical outfitting, repair and clean up works outstanding as set out in a cover letter from the applicant dated September 2023.

The changes to the application have no impact in relation to ecology and therefore, the previous response set out below for application 22/01495/FUL remains valid along with all conditions which should be attached to the new amended application.

The conditions should be based on a more recent version of the BNG Assessment (October 2023) which was not submitted with the current application. The conditions attached for application 22/01495/FUL should all be attached to the current application to ensure all impacts associated with the scheme are addressed and the net gain requirements and LEMMP are based on the most recent BNG Assessment/Metric dated October 2022.

Previous Comments

The workshop location to the southwest of the site adjacent to the river (Yard C). The Plan also indicates an area of retaining wall and ground that needs to be removed to accommodate the new workshop. This will involve the removal of an area of mixed native and non-native scrub.

The site proposals are located within a designated wildlife corridor.

Arboricultural Impact Assessment

An AIA (Arboricultural Impact Assessment) has been submitted which states that to facilitate the development, the existing retaining wall will be removed and reconstructed 10.0m from the north flank of the proposed workshop. As the trees are held behind the retaining it will be necessary to remove some of the tree groups to deliver the development proposals. This includes:

- Tree 1; Elder
- Groups 2 – 4; Mixed species comprising of Buddleja, elder, Sycamore, hawthorn, Goat willow, Late cotoneaster, Rockspray, Rose, Swedish whitebeam, Cherry plum, pear, Currant, Rowan
- A limited section of group 8; comprising of Silver birch, Goat willow, Sycamore, Rose, Dogwood, Rockspray, Late cotoneaster, Franchet Cotoneaster, Buddleja, Pyracantha, Rowan, Wild cherry, Apple, Swedish whitebeam

These groups consist mainly of young, scattered trees and dense scrub that include species such as elder, sycamore, goat willow, wild cherry, silver birch and whitebeam as well as self-set species such as buddleja. Cotoneaster is also within the planting mix. The trees have all been classed as category 'C' – Low value trees under the BS5837 category rating system.

Group 2 and tree 1 are unlikely to survive demolition of the building, Groups 3, 4 and a limited section of group 8 require removal to allow the retaining wall to be demolished and to provide suitable space for construction of the new retaining wall.

Where trees are to be retained, an AMS has been submitted that confirms the location, type and height of the tree protective fencing with special construction methods specified to minimise any potential damage.

Biodiversity Metric 3.1 Calculation

An updated Biodiversity Metric 3.1 and BNG Assessment report (OS Ecology October 2022) have been submitted to support the application in response to previous comments. The Metric shows that a small area (0.068ha) of mixed native scrub in poor condition will be lost to facilitate the scheme. To mitigate impacts and provide a net gain for biodiversity off-site enhancements are proposed in an area of broadleaved woodland to the north of the site which consists of 0.57ha of broadleaved woodland in poor condition. Enhancements will include the following measures in order to improve the woodland to moderate condition:-

- Removal of non-native species including cotoneaster and cherry laurel
- Thinning and replanting works to enhance the shrub and ground layers within the woodland. This will include the planting of native scrub species such as blackthorn, hazel, holly and hawthorn as part of the works in order to provide alternative habitats to those lost to the development, although they will be part of the woodland rather than mixed scrub habitat alone.
- Creation of deadwood monoliths to provide additional habitats for invertebrates and birds
- Planting of native ground layer species such as bluebell and wild garlic to enhance habitats

If these measures are undertaken, the scheme would overall result in a net gain of 1.52 habitat units which equates to a biodiversity net gain of 487%. The enhancement scheme proposed is considered to be acceptable and the delivery of net gain is in accordance with Local Planning Policy and the NPPF. Conditions will be attached to the application to ensure the site is managed for a minimum of 30 years in accordance with an approved 'Landscape & Ecology Management and Monitoring Plan' (LEMMP).

There are no objections to the application subject to the following conditions being attached to the application:

Conditions

- Within 4 weeks of any of the development hereby approved commencing on site, a 'Landscape Ecological Management & Monitoring Plan' (LEMMP) and associated Landscape Plan for off-site landscape mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the details set out within the BNG Assessment Report and Biodiversity Metric 3.1 (OS Ecology October 2022) and shall be implemented on commencement of the scheme and thereafter for a minimum period of 30 years.

The Management Plan will be a long-term management strategy and will set out details for the creation, enhancement, management and monitoring of landscaping and ecological habitats within the site for a minimum period of 30 years. The Plan will also include details of regular Net Gain Assessment updates and reviews in years 3, 5 and 10 and 5 yearly thereafter, that include habitat condition assessments to evidence the success of the scheme and net gain delivery. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority.

- No vegetation removal or works to features (buildings) that could support nesting birds will take place during the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing on site.
- All works will be undertaken in accordance with the '*Hadrian C Yard Workshop Construction Phase Health & Safety Plan*' (August 2022)
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°
- 2no. bird boxes and 2no. bat boxes will be provided in suitable locations within the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing

on site and will be installed in accordance with the approved plans on completion of works and permanently retained.

- No trees, shrubs or hedges within the site which are shown as being retained on the submitted plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority.
- Prior to the commencement of any site clearance works (including demolition works, tree works, soil moving, hardstandings, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery, site security fencing, services), tree protection fencing is to be installed in accordance with All About Trees Arboricultural Impact Assessment, Tree Protection plan and Method Statement. The tree protection fence is to be of a type and height as described in the AMS. The area surrounding each tree group within the approved protective fencing shall be protected for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- All works within the RPA of retained trees involving excavation of soil, including the installation of all services, construction for vehicular drives, parking areas, acoustic fencing, foundations, lighting and other activities requiring excavation are to be installed in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations', the National Joint Utilities Group (NJUG) 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity To Trees') and the following information:
 - Arboricultural Impact Assessment (AIA) 1st June 2022
 - Arboricultural Method statement (AMS) and Tree Protection Plan (AMS/TPP) 1st June 2022

Planning Comments

The recommended conditions have already been set out in the main report.

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