

Application No: 22/02024/FUL Author: Rebecca Andison
Date valid: 10 November 2022 ☎: 0191 643 6321
Target decision date: 9 February 2023 Ward: Riverside

Application type: full planning application

Location: Bridon, Ropery Lane, Wallsend, Tyne and Wear, NE28 6TT

Proposal: Extension to the existing building and the erection of no. 2 ancillary lean storage

Applicant: Bridon Bekaert Ropes Group

Agent: DPP Planning

RECOMMENDATION:

The application be permitted subject to the conditions set out in the report.

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider in this case are:

- whether the principle of the development is acceptable;
- the impact upon surrounding occupiers;
- the impact of the proposal on the character and appearance of the surrounding area;
- whether sufficient parking and access would be provided; and
- the impact on biodiversity.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application relates to a large industrial site (approx. 4.7ha) which is located to the southwest of Ropery Lane, Wallsend. The site is occupied by Bridon Baekaert, a steel rope manufacturing company.

2.2 Willington Gut Site of Nature Conservation Importance lies to the southwest of the site and Hadrian Road wraps around the site's southern boundary. The area to the northeast is residential in character with the closest residential properties located on the opposite side of Ropery Lane. To the west, immediately beyond Hadrian Road, is a predominantly industrial area.

2.3 The site is allocated for employment use within the Local Plan and lies within the A19 Economic Corridor. It is also located within a wildlife corridor.

3.0 Description of the proposed development

3.1 Planning permission is sought to extend an existing warehouse building located within the southern part of the site to create space for two additional machines. The proposed extension measures 25m by 18m and would adjoin the eastern elevation of the building.

3.2 Two covered storage areas are also proposed to create an additional 750sqm of storage space. One would adjoin the north side of the proposed warehouse extension and the other would adjoin the south of the building, incorporating a substation and switch room.

3.3 A small toilet extension is proposed on the west side of the building.

4.0 Relevant Planning History

4.1 The planning history for the site dates back to the 1970's. The most recent applications are listed below.

22/01736/DEMGDO - Demolition of Heavy Reel Ton Storage – Permitted
14.10.2022

04/03254/FUL – Extension to factory – Permitted 15.11.2004

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (July 2021)

6.2 Planning Practice Guidance (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues for Members to consider in this case are:

- whether the principle of the development is acceptable;
- the impact upon surrounding occupiers;
- the impact of the proposal on the character and appearance of the surrounding area;
- whether sufficient parking and access would be provided; and
- the impact on biodiversity.

7.2 Consultation responses and representations received as a result of the publicity given to this application are set out in an appendix to this report.

8.0 Principle of the Proposed Development

8.1 Paragraph 7 of NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.

8.2 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision makers should approve development proposals that accord with an up-to-date development plan without delay.

8.3 The NPPF (para.81) states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

8.4 Policy S1.4 of the Local Plan states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan. Should the overall evidence based needs for development already be met additional proposals will be considered positively in accordance with the principles for sustainable development.

8.5 Policy DM1.3 states that the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area through the Development Management process and application of the policies of the Local Plan. Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise.

8.6 Policy S2.1 states that proposals that make an overall contribution towards sustainable economic growth, prosperity and employment in North Tyneside will be encouraged.

8.7 Policy DM2.3 states that the Council will support proposals on employment land for new or additional development for uses within use classes B1, B2 or B8 or that which is deemed ancillary. Proposals on identified employment land or other buildings in use class B1, B2 or B8, for uses that could conflict with the development and regeneration

of sites for economic development, will be permitted where these proposals would not:

- a. Result in the unacceptable loss of operating businesses and jobs; and,
- b. Result in an excessive reduction in the supply of land for development for employment uses, taking into account the overall amount, range, and choice available for the remainder of the plan period; and,
- c. Have an adverse impact upon the amenity and operation of neighbouring properties and businesses.

8.8 Policy AS2.6 states that the Council will promote and support further development and investment in a range of B1, B2 and B8 employment activities across the A19(T) Economic Corridor, and the continued diversification of North Tyneside's economy through delivery of small, medium and large-scale office developments.

8.9 The application site is allocated for employment use by the Local Plan and lies within the A19 economic corridor. The proposed development would increase the productivity of the site, support an existing business, and create additional jobs in accordance with Policies DM2.3 and AS2.6 of the Local Plan.

8.10 It is therefore officer advice that the principle of the proposal is acceptable.

9.0 Impact on surrounding occupiers

9.1 Paragraph 185 of NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

9.2 Policy S1.4 of the Local Plan states that development should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

9.3 Policy DM6.1 (b and f) states that proposals should demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents and users of buildings and spaces.

9.4 Policy DM5.19 states that amongst other matters development that may cause pollution will be required to incorporate measures to prevent or reduce the pollution so as not to cause nuisance or unacceptable impacts to people. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.5 The application relates to a long-established industrial site which is located between a predominantly industrial area to the southwest and a more residential area to the northeast. The closest residential properties are located on Marina View, Quay View and Cawfields Close approximately 100m from the proposed extension. A noise assessment has been submitted to assess the impact of the development on surrounding occupiers.

9.6 The Manager of Environmental Health has been consulted and provided comments. She raises concern over potential noise from the development affecting the occupiers of nearby residential and commercial properties. She notes that the noise assessment has calculated the noise rating level as being 8dB above background levels at the nearest residential properties. She states that to protect residents, mitigation measures, as recommended within the submitted noise report, will be required. These measures include the implementation of a noise management plan, keeping the entrance in the east side of the extension closed when machinery is operating and limiting the hours of operation.

9.7 The noise assessment for the nearest commercial properties has calculated the internal noise level with windows closed. The Manager of Environmental Health notes that during warmer periods the windows may be open. This would result in noise levels in the region of 36 dB LAeq and only 1dB above the BS8233 office criteria, which would indicate low impact.

9.8 It is officer opinion that the impact on surrounding occupiers is acceptable subject to the imposition of the conditions recommended by the Manager of Environmental Health.

9.9 Members need to consider whether the impact on existing occupiers would be acceptable. It is officer advice that the impact would be acceptable and in accordance with Policies DM6.1 (b and f) and DM5.19.

10.0 Character and appearance

10.1 NPPF states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.2 NPPF (para. 130) states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and

where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.3 Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes (NPPF para. 134).

10.4 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area.

10.5 The Design Quality SPD applies to all planning applications that involve building works.

10.6 The proposal relates to an established industrial site and the proposed extensions would be located a minimum of 80m from the eastern boundary with Ropery Lane.

10.7 The proposed warehouse extension is approximately 2.1m higher than the existing building and would have a matching pitched roof. The applicant has advised that the additional height is required to accommodate a new crane rail. The extension would be steel framed and clad to match the existing building. The adjoining storage extension is lower with a lean-to roof and open sides.

10.8 The second storage extension projects 6.3m from the side of the building and would be brick built with a lean-to roof. The proposed toilet extension is also brick built.

10.9 It is officer opinion that the development is in keeping with the scale and appearance with the existing building and the character of the wider employment site.

10.10 Members need to determine whether the proposed development would be acceptable in terms of its impact on the character and appearance of the site and surrounding area. It is officer opinion that the impact would be acceptable and in accordance with Policy DM6.1.

11.0 Whether there is sufficient car parking and access provided

11.1 NPPF recognises that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives.

11.2 All development that will generate significant amounts of movement should be required to provide a Travel Plan (TP), and the application should be supported by a Transport Statement (TS) or Transport Assessment (TA) so the likely impacts of the proposal can be fully assessed.

11.3 Paragraph 111 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on

highway safety, or the residual cumulative impacts on the road network would be severe.

11.4 Policy DM7.4 seeks to ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents and health and well-being.

11.5 The Transport and Highways SPD sets out the Council's adopted parking standards.

11.6 The applicant has stated that the site currently provides over 100no. parking spaces for 180no. employees. The employees are split between the application site and Neptune Energy Park and work over three shifts. The proposed extension is envisaged to create 19no. new jobs, with 6no. additional employees on site at any one time.

11.7 The Highway Network Manager has been consulted and raises no objections to the proposal.

11.8 Having regard to the above, it is officer advice that the level of parking provided within the site is acceptable and that the proposal complies with the NPPF, Policy DM7.4 and the Transport and Highways SPD.

12.0 Biodiversity

12.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment by amongst other matters improving biodiversity.

12.2 Paragraph 174 of NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

12.3 Paragraph 180 of NPPF states that when determining planning application that if significant harm to biodiversity cannot be avoided, or as a last resort compensated for, then planning permission should be refused.

12.4 Local Plan Policy S5.4 states that the Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance. Priority will be given to:

- a. The protection of both statutory and non-statutory designated sites within the Borough, as shown on the Policies Map;
- b. Achieving the objectives and targets set out in the UK Post-2010 Biodiversity Framework and Local Biodiversity Action Plan;
- c. Conserving, enhancing and managing a Borough-wide network of local sites and wildlife corridors, as shown on the Policies Map; and
- d. Protecting, enhancing and creating new wildlife links.

12.5 Policy DM5.5 of the Local Plan states that all development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.

Proposals which are likely to significantly affect nationally or locally designated sites, protected species, or priority species and habitats (as identified in the BAP), identified within the most up to date Green Infrastructure Strategy, would only be permitted where:

- d. The benefits of the development in that location clearly demonstrably outweigh any direct or indirect adverse impacts on the features of the site and the wider wildlife links; and,
- e. Applications are accompanied by the appropriate ecological surveys that are carried out to industry guidelines, where there is evidence to support the presence of protected and priority species or habitats planning to assess their presence and, if present, the proposal must be sensitive to, and make provision for, their needs, in accordance with the relevant protecting legislation; and,
- f. For all adverse impacts of the development appropriate on site mitigation measures, reinstatement of features, or, as a last resort, off site compensation to enhance or create habitats must form part of the proposals. This must be accompanied by a management plan and monitoring schedule, as agreed by the Council.

Proposed development on land within or outside a SSSI likely to have an adverse effect on that site would only be permitted where the benefits of the development clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the SSSI national network.

12.6 Policy DM5.7 states that that development proposals within a wildlife corridor, as shown on the Policies Map, must protect and enhance the quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.

12.7 The application site is located within a Wildlife Corridor and a Local Wildlife Site (LWS) is located to the southwest.

12.8 The proposed extensions would be located on areas of existing hardstanding and would not impact on any existing trees or landscaping. They would be located a minimum of 50m from the LWS.

12.9 A Bat Report, which considers the impact on bats and nesting birds, has been submitted in support of the application. The daytime bat risk assessment survey assessed the building to be of negligible potential for supporting roosting bats, being a modern warehouse lacking roosting opportunities, and lit by flood

lights on all sides. The report recommends that works should not take place if nesting birds are present within the building.

12.10 Subject to a condition to protect nesting birds, it is officer advice that the impact on biodiversity is acceptable and in accordance with the NPPF and LP policies S5.4, DM5.5 and DM5.7.

13.0 Other issues

13.1 Contaminated Land

13.2 Paragraph 184 of NPPF states that where a site is affected by contamination of land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

13.3 Policy DM5.18 'Contaminated and Unstable Land'; states that where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report.

13.4 The site lies within the Contaminated Land Buffer Zone and the application is supported by a Geo-environmental Assessment.

13.5 The Contaminated Land Officer has been consulted and provided comments. She recommends conditions to address contamination and gas risk.

13.6 Subject to these conditions, it is officer advice that the proposal complies with policy DM5.18 of the Local Plan 2017.

13.9 Flooding

13.10 The National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

13.11 Policy DM5.12 of the Local Plan states that all major developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been undertaken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

13.12 Policy DM5.14 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems (unless otherwise updated and/or superseded). On brownfield sites, surface water run off rates post development should be limited to a maximum of 50% of the flows discharged immediately prior to the development where appropriate and achievable. For greenfield sites, surface water run off post development must meet or exceed the infiltration capacity or the greenfield prior to development incorporating an allowance for climate change.

13.13 The application site is located within Flood Zone 1 and is at low risk of surface water flooding. A Flood Risk Assessment and Drainage Strategy have been submitted in support of the application.

13.14 The Local Lead Flood Officer has provided comments and raises no objections. He states that the proposed drainage system is suitable to attenuate runoff surface water during extreme rainfall events allowing for climate change over the lifetime of the development.

13.15 The Environment Agency has also provided comments. They state that they have no objections to the development and recommend the use of flood resilience measures.

13.16 Members need to consider whether the proposed development is acceptable in terms of flood risk. It is the view of officers, that subject to a condition to control the surface water drainage details, the proposed development accords with the relevant national and local planning policies.

13.17 S106 Contributions

13.18 Paragraph 54 of NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

13.19 Paragraph 56 of NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

13.20 Policy S7.1 states that the Council will ensure appropriate infrastructure is delivered so it can support new development and continue to meet existing needs. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of provision.

13.10 Policy DM7.2 states that the Council is committed to enabling a viable and deliverable sustainable development. If the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. When determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development.

13.22 Policy DM7.5 states that the Council will seek applicants of major development proposals to contribute towards the creation of local employment opportunities and support growth in skills through an increase in the overall proportion of local residents in education or training. Applicants are encouraged to agree measures with the Council to achieve this, which could include:

- a. The development or expansion of education facilities to meet any identified shortfall in capacity arising as a result of the development; and/or,
- b. Provision of specific training and/or apprenticeships that:

- i. Are related to the proposed development; or,
- ii. Support priorities for improving skills in the advanced engineering, manufacturing and the off-shore, marine and renewables sector where relevant to the development.

13.23 The Council's adopted SPD on Planning Obligations (2018) states that the Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with the applicants to identify appropriate solutions where matters of viability arise and require negotiation.

13.24 Following consultation with service providers a contribution towards employment and training initiatives within the borough has been requested. The applicant has agreed to a condition requiring that 4no. apprenticeship opportunities for North Tyneside residents are provided within the production team.

13.25 A CIL payment will not be required for this development.

13.26 Local Financial Considerations

13.27 Paragraph 11 of National Planning Practice Guidance states that Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local financial consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

13.28 Whether or not 'a local financial consideration' is material to a particular decision will depend on whether it could help make the development acceptable in planning terms.

13.29 The proposal would result in the creation of jobs during the construction phase and once the extension is brought into use. It is considered these factors are material in terms of making this development acceptable in planning terms.

14.0 Conclusions

14.1 The proposal would increase the productivity of the site, support an existing business and create additional jobs in accordance with the NPPF and LP Policies DM2.3 and AS2.6 of the Local Plan. In officer opinion that the principle of development is acceptable.

14.2 It is officer advice that the proposed development is also acceptable in terms of its impact on nearby residents and businesses, on visual amenity and the impact on the highway network and ecology.

14.3 The development is considered to comply with relevant national and Local Plan policies and is therefore recommended for conditional approval.

RECOMMENDATION:

The application be permitted subject to the conditions set out below.

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.

- Application form
- Site location plan
- Proposed site layout elevation key AP110 Rev.P4
- New extension proposed elevations AE210 Rev.P3
- New extension proposed plan and sections AP111 Rev.P3
- Concrete hardstandings, layout, levels and details C01 Rev.C0
- Drainage details C03 Rev.C0
- Proposed drainage plan C02 Rev.C0

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre-development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

4. Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities and mechanical sweepers to prevent mud and debris onto the public highway has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the location, type of operation, maintenance/phasing programme. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until these agreed measures are fully operational for the duration of the construction of the development hereby approved. If the agreed measures are not operational then no vehicles shall exit the development site onto the public highway.

Reason: This information is required pre development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

5. Prior to operational activities occurring within the building a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The rating level for all plant must not exceed the existing background noise level of 41 dB LAeq during the operational period of 0600 - 2240 hours by more than 3 dB at boundary of the nearest sensitive residential receptor on Quay View and Cawfields Close. The approved scheme shall be carried out in full prior to operational activities occurring.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

6. Within one month of the plant and equipment being installed acoustic testing must be undertaken to verify compliance with condition 5 and a report of the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

7. Prior to operational activities occurring within the extensions a noise management plan shall be submitted to and approved in writing by the Local Planning Authority.

The noise management plan shall incorporate the recommended mitigation measures detailed within section 5.0 of noise report reference 8167AE. The noise management plan must be reviewed annually or if there are any major changes to the operations occurring within the extension buildings. The approved scheme shall thereafter be implemented in accordance with the agreed details.

Reason: To safeguard the amenity of nearby residents having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

8. Noise No Tannoys Externally Audible NOI002 *

- | | | | |
|-----|---|------------|---|
| 9. | Restrict Hours No Construction Sun BH | HOU00
4 | * |
| 10. | Flood Lighting Scheme Details | LIG001 | * |
| 11. | No work shall take place if nesting birds are present within the building.
Reason: To ensure that local wildlife populations are protected in the interests of ecology, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan. | | |
| 12. | Desk Study and Method Statement | CON00
3 | * |
| 13. | Site Investigation | CON00
4 | * |
| 14. | Remediation Method Statement | CON00
5 | * |
| 15. | Validation Report | CON00
6 | * |
| 16. | Unexpected Hotspots | CON00
7 | * |
| 17. | Gas Investigate no Development | GAS00
6 | * |
| 18. | Prior to the extension being brought into use, a scheme for four (4) apprenticeships for North Tyneside residents within the production team, including a programme for monitoring and demonstrating compliance of appointing apprentices, shall be submitted to and approved in writing by the Local Planning Authority. The apprenticeship schemes shall be run in full accordance with the agreed details.
Reasons: To contribute towards the creation of local employment opportunities and support growth in skills inline with policy DM7.5 of the North Tyneside Local Plan 2017. | | |

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Do Not Obstruct Highway Build Materials (I13)

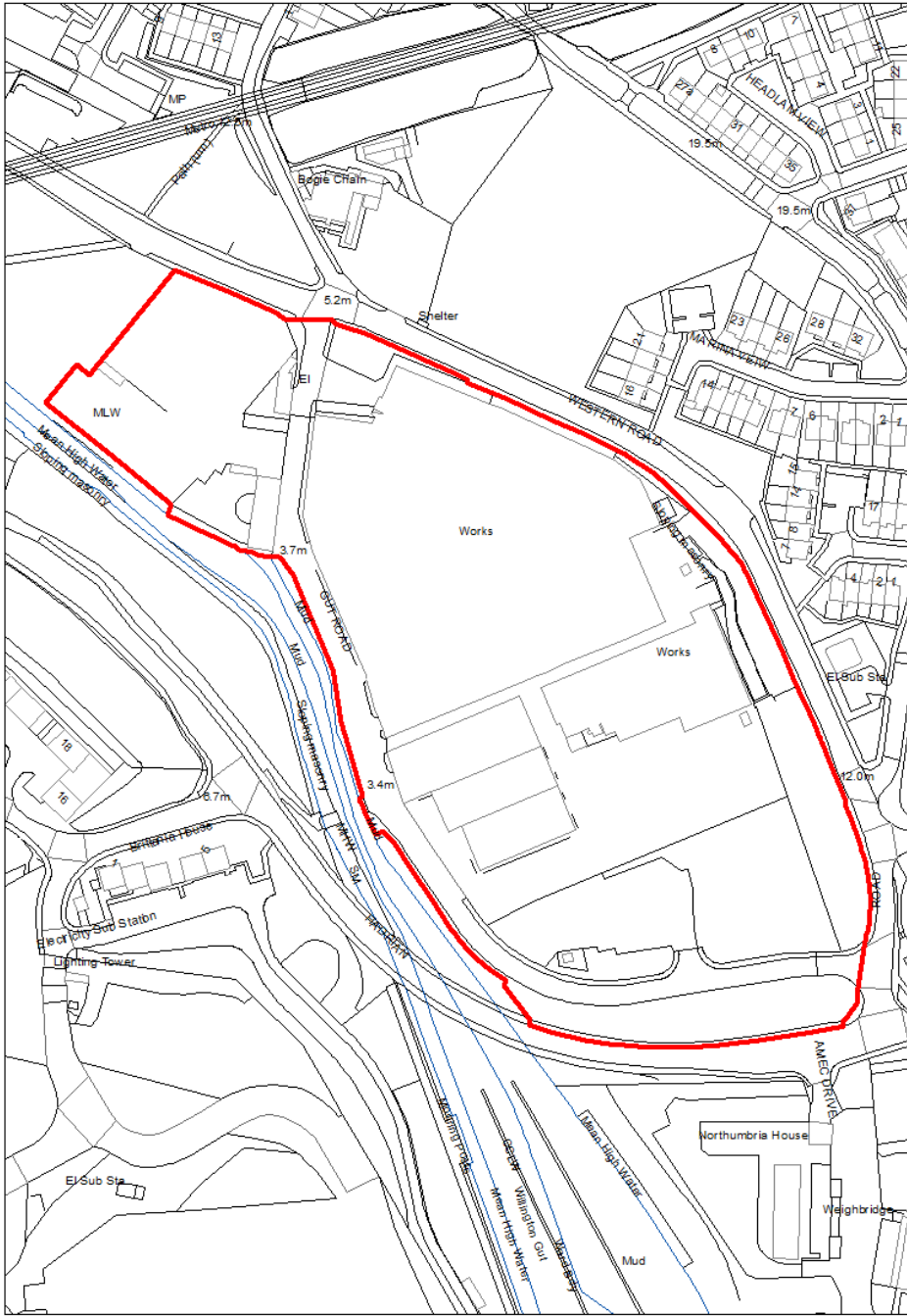
Contact ERH Erect Scaffolding on Rd (I12)

The applicant is advised that, the site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact the Local Highway Authority to obtain a temporary footpath closure. Contact Streetworks@northtyneside.gov.uk for further information.

Highway Inspection before dvlpt (I46)

No Doors Gates to Project Over Highways (I10)

The use of flood resistance, for example physical barriers, raised electrical fittings and special construction materials and resilience measures is recommended.



Application reference: 22/02024/FUL

Location: Bridon, Ropery Lane, Wallsend, Tyne And Wear

Proposal: Extension to the existing building and the erection of no. 2 ancillary lean storage

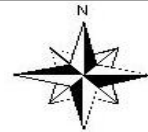
Not to scale

Date: 02.02.2023

© Crown Copyright and database right

2011. Ordnance Survey Licence Number

0100016801



**Appendix 1 – 22/02024/FUL
Item 3**

Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This application is for an extension to the existing building and the erection of ancillary lean storage. The site is long-established and access & parking remain unchanged. Conditional approval is recommended.

1.3 Conditions:

Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; details of the site compound for the storage of plant (silos etc) and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre-development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

Notwithstanding Condition 1, no development shall commence until a scheme to show wheel washing facilities and mechanical sweepers to prevent mud and debris onto the public highway has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the location, type of operation, maintenance/phasing programme. Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until these agreed measures are fully operational for the duration of the construction of the development hereby approved. If the agreed measures are not operational then no vehicles shall exit the development site onto the public highway.

Reason: This information is required pre development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5

1.4 Informatives:

The applicant is advised that it is an offence to obstruct the public highway (footway or carriageway) by depositing materials without obtaining beforehand, and in writing, the permission of the Council as Local Highway Authority. Such obstructions may lead to an accident, certainly cause inconvenience to pedestrians and drivers, and are a source of danger to children, elderly people and those pushing prams or buggies. They are a hazard to those who are disabled, either by lack of mobility or impaired vision. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that a license must be obtained from the Local Highway Authority for any furniture placed on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information.

The applicant is advised that a pavement license must be obtained from the Local Highway Authority for any scaffold placed on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information.

The applicant is advised that, the site abuts adopted highway, if access to this highway is to be restricted during the works the applicant must contact the Local Highway Authority to obtain a temporary footpath closure. Contact Streetworks@northtyneside.gov.uk for further information.

The applicant is advised that they should contact the Local Highway Authority to arrange for an inspection of the highways adjacent to the site. The applicant should be aware that failure to do so may result in the Council pursuing them for costs of repairing any damage in the surrounding area on completion of construction. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that no part of the gates or doors may project over the highway at any time. Contact New.Developments@northtyneside.gov.uk for further information.

1.5 Manager of Environmental Health (Pollution)

1.6 The premises are located in an area of mixed use with commercial adjacent to the site and residential located to the north. I have concerns over potential noise from the development affecting the residential and commercial offices.

1.7 I have reviewed the noise assessment. This has considered potential noise impacts arising from the new industrial source in accordance to a BS4142 assessment to determine whether the new operation will give rise to significant adverse impacts. The noise rating levels have been assessed as 49 dB at nearest residential receptor, against a background of 41 dB LA90. I have concerns that the noise assessment has calculated the noise rating level as being + 8 dB above background. The assessment at the nearest commercial units has been considered in relation to BS8233 as the background noise level at this receptor has not been calculated. The noise assessment has calculated the internal noise level with windows closed, however, during warmer periods the

windows will be open, where the noise levels would be in the region of 36 dB LAeq and only 1 dB above the BS8233 office criteria which would indicate low impact. The noise assessment has shown that the industrial noise impacts from this development at residential properties will give rise to adverse effects. If planning consent is to be given, then the recommended mitigation measures recommended in section 5.0 of the noise report will have to be implemented to ensure noise impacts are reduced to the low impact in accordance with BS4142.

1.8 If planning consent is to be given, I would recommend the following:

External plant and equipment:

NOI10

The rating level for all plant must not exceed the existing background noise level of 41 dB LAeq during the operational period of 0600 - 2240 hours by more than 3 dB at boundary of the nearest sensitive residential receptor of Quay View and Cawfields Close. It will be necessary following installation of the industrial plant and equipment within the extension building that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant.

Prior to operational activities occurring within the extension buildings a noise management plan shall be submitted in writing for approval by the planning authority and thereafter implemented. The noise management plan must incorporate the recommended mitigation measures detailed within section 5.0 of noise report reference 8167AE. The noise management plan must be reviewed annually or if there are any major changes to the operations occurring within the extension buildings.

NOI02 for the extension building

HOU04

SIT03

LIG01 for any new external lighting

1.9 Regeneration and Economic Development

1.10 I am aware and fully supportive of the application from myself and the wider Economic Development Team.

1.11 Local Lead Flood Authority

1.12 I have carried out a review of planning application 22/02024/FUL surface water drainage proposals. I can confirm in principle I have no objections to these proposals as the proposed drainage system is suitable to attenuate runoff surface water during extreme rainfall events allowing for climate change over the lifetime of the development. The applicant has run various rainfall scenarios as the surface water outfall discharges into a tidally influenced watercourse this is to establish the developments flood risk if the outfall is submerged. These scenarios showed some flooding within the site, but flood path analysis has shown this will not impact on the business.

1.13 Manager of Environmental Health (Contaminated land)

1.14 This application is for Extension to the existing building and the erection of no.2 ancillary lean storage.

1.15 Contaminated Land Statutory Guidance was updated April 2012. The report is dated September 2010, this is prior to the updated guidance. There are no appendices with the report.

1.16 Lead Nickel and Mercury SGV have been withdrawn therefore the contamination assessment may no longer be relevant.

1.17 The historic use of the site may give rise to contamination, the site lies within 250m of two areas of unknown filled ground and the previous report identified elevated methane and carbon dioxide.

1.18 Based on the above and as the previous report is 14 years old and guidance within the contaminated land sector has been updated; the following must be attached:

Con 003
Con 004
Con 005
Con 006
Con 007
Gas 006

2.0 External Consultees

2.1 Coal Authority

2.2 The application site does not fall within the defined Development High Risk Area

and is located instead within the defined Development Low Risk Area. This means

that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

2.3 Environment Agency

2.4 We have no objections to the development as submitted. There is no increase to flooding elsewhere or increased risk to members of the public. However, we offer the following advice for the applicant:

2.5 Flood resistance and resilience - Advice to LPA and Applicant

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.