

**Application No:** 21/01618/FUL Author: Rebecca Andison  
Date valid: 4 August 2021 ☎: 0191 643 6321  
Target decision date: 3 November 2021 Ward: Collingwood

Application type: full planning application

**Location: Formica Ltd, West Chirton Industrial Estate Middle, Norham Road North, North Shields, Tyne And Wear**

**Proposal: Extend existing carpark to the north of the site, for staff and visitor overflow with new access from Westmoreland Road. Relocation of existing motorbike shelter and cycle stores to new carpark including additional cycle storage. Erection of new factory to the north of the site to be linked to the existing west factory at two locations with two canopies to the north of the building including new concrete service yard. New access road to the west of the site to link new service yard to the existing road to the south of the west factory. Extending the existing west factory to the west. New sprinkler tanks to be installed to the west of the west factory extension.(ADDITIONAL INFORMATION)**

Applicant: Mr Grant Newberry, C/o Agents Formica Ltd West Chirton Industrial Estate Middle Norham Road North North Shields Tyne And Wear NE29 8RE

Agent: Mr Mark Quigley, Portland Consulting Engineers 10 Bankside The Watermark Gateshead NE11 9SY

**RECOMMENDATION:** To indicate that the Committee is minded to grant the application subject to an agreement under Section 106 of the Town and Country Planning Act 1990.

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1.0 Main Issues

1.1 The main issues for Members to consider 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 trees and ecology.

#### 2.0 Description of the Site

2.1 The application relates to an existing factory unit, Formica, which occupies an extensive site within West Chirton Industrial Estate.

2.2 The existing factory is located within the southern part of the site with an undeveloped area of land to the north. Access is via a gated entrance from Westmorland Road to the north.

2.3 Norham Road North runs along the eastern boundary of the site and to the west is a belt of trees, the George Stephenson Railway and a public bridleway. The Coast Road is located to the south.

2.4 The site is allocated for employment use within the Local Plan and lies within the A19 Economic Corridor.

### 3.0 Description of the proposed development

3.1 Planning permission is sought to construct an extension to the existing factory, a new factory to the north of the existing and an extension to the existing car park. The proposed extension and new factory create an additional 22,448 sqm of floor space.

3.2 An extension measuring approximately 26.2m by 78.6m is proposed on the west side of the existing factory. 2no. new sprinkler tanks are proposed to the west of the extension.

3.3 To the north of the existing factory, it is proposed to construct a new factory which would be linked to the existing building in two locations. One of these is where the building abuts the existing and the second would be formed by a covered link between the two buildings. A service yard is proposed to the north of the factory extension. This would be linked to the south side of the factory by a new access road.

3.4 A car park extension is proposed to the north of the existing car park with a new access from Westmorland Road. The existing car park would be reduced in size and a second car park within the centre of the site would be removed. The proposed car park contains 144no. spaces, 124no. of which are relocated from elsewhere within the site.

### 4.0 Relevant Planning History

4.1 There is a lengthy planning history for the site. The most recent applications are listed below.

06/01699/FUL - Freestanding canopy over the tanker forecourt area – Permitted 17.07.2006

07/01112/FUL - Proposed new security building and alterations to northern entrance, fence and road – Permitted 29.05.2007

13/01117/FUL - Industrial development, consisting of the erection of a regenerative thermal oxidiser, replacing existing carbon filtration units, for the purpose of TVOC abatement from a process, on industrial land, within the boundaries of the manufacturing site – Permitted 05.09.2013

15/00635/FUL - Industrial development, consisting of increasing extraction stack from 9m to 14.5m to comply with D1 dispersion guidelines – Permitted  
16.07.2015

17/00246/FUL - Proposed extensions to the West and South elevations with roof profile to match existing and relocation of an existing stack and a new stack to the east elevation. Stand alone lean to extension for plant, alongside existing plant. Modify and extend existing road and form new path to proposed extension – Permitted 07.04.2017

## 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 trees and ecology.

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 takers 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 proposal is to develop a currently vacant part of the site to expand operations within the factory. The applicant has advised that the proposal will allow operations from the existing factory and their Newton Aycliffe site to be consolidated. The proposal would create approximately 33no. additional jobs.

8.10 The proposal complies with the allocation of the site and would secure economic development in accordance with the NPPF. The principle of the proposal is therefore considered to be acceptable subject to consideration of the issues set out below.

## 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 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.

9.4 Policy DM6.1 of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces; a safe environment that reduces opportunities for crime and antisocial behaviour; and a good standard of amenity for existing and future residents and users of buildings and spaces.

9.5 The closest residential properties are located to the east of the site on the opposite side of Norham Road North. These are approximately 250m from the location of the proposed factory and 140m from the proposed car park extension.

9.6 The Manager of Environmental Health has been consulted and provided comments. She states that properties on Norham Road would be screened from external plant by the existing building, and noise from forklift trucks would be reduced by the fact that the new building is connected to the existing by a covered passageway. The Manager of Environmental Health raises no objections to the application and recommends a condition in respect of a noise scheme to address noise from external plant.

9.7 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 Policy DM5.19 subject to the conditions recommended by the Manager of Environmental Health.

## 10.0 Character and appearance

10.1 NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to the local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

10.2 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).

10.3 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.

10.4 The Design Quality SPD applies to all planning applications that involve building works. It states that extensions must offer a high quality of the built and natural environment. It further states that extensions should complement the form and character of the original building.

10.5 The application site is located within an established industrial area. The scale and height of the proposed development is in keeping with the existing factory building. The external elevations would be finished in red and grey cladding, and a profiled metal roof is proposed. The development would be seen within the context of the existing factory buildings and it is officer advice that the design and scale of the proposal are acceptable.

10.6 The main factory building, to the east, is included on the Local Register, however the designation does not apply to the part of the site which is affected by this proposal. It is not considered that the proposal would have a detrimental impact on the setting of the locally listed building.

10.7 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 take 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 application is supported by a Transport Assessment (TA). The TA demonstrates that the development would result in an additional 5no. vehicle movements per hour.

11.7 A car park extension is proposed to the north of the existing car park with a new access from Westmorland Road. The proposed car park contains 144no. spaces. 124no. of these are relocated from elsewhere within the site. It is also proposed to relocate the existing cycle store and motorcycle spaces.

11.8 The Highway Network Manager has been consulted and provided comments. He notes that alternative modes of transport will be promoted and that shift pattern changeovers occur outside network peaks. He states that the proposed access from Westmorland Road is acceptable and that the development would not have a severe impact on the highway network.

11.9 Having regard to the above, and subject to the conditions requested by the Highways Network Manager, it is officer advice that the proposal complies with the advice in NPPF, Policy DM7.4 and the Transport and Highways SPD.

#### 12.0 Landscaping and ecology

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 Local Plan Policy DM5.6 states that proposals that are likely to have significant effects on features of internationally designated sites, either alone or in-combination with other plans or projects, will require an appropriate assessment. Proposals that adversely affect a site's integrity can only proceed where there are no alternatives, imperative reasons of overriding interest are proven and the effects are compensated.

12.7 Policy DM5.9 supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

12.8 An Ecological Appraisal has been submitted in support of the application. This advises that the site is covered by several large semi-improved grassland fields, one of which is relatively species rich neutral grassland likely to be of parish value. It also contains areas of broadleaved woodland, amenity grass and



scrub. There is a dense area of woodland along the western boundary of the site.

12.9 The Landscape Architect and Biodiversity Officer have reviewed the Ecological Appraisal and provided comments. They raise concerns regarding the loss of habitat and state that a Biodiversity Net Gain Assessment is required to assess this loss and to demonstrate that adequate mitigation can be provided. They also request additional breeding and wintering bird risk assessments, an updated dingy skipper butterfly risk assessment and an Arboricultural Impact Assessment.

12.10 This information has been requested from the applicant and an update will be reported to the planning committee.

### 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 a Coal Mining Development High Risk Area. The application is supported by a Phase I Geo-environmental Assessment.

13.5 The Manager of Environmental Health (Contaminated Land) has provided comments. She recommends conditions to address the potential contamination and gas risk.

13.6 The Coal Authority have also provided comments. They object to the application and state that the Phase I report does not adequately address the impact of coal mining legacy on the proposed development. The applicant has submitted additional information in response to the Coal Authority's comments. An update will be reported to planning committee.

#### 13.7 Flooding

13.8 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.

13.9 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.

13.10 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.

13.11 The application site is located within Flood Zone 1 and is at low risk of surface water flooding.

13.12 A Flood Risk Assessment and Drainage Impact Assessment has been submitted as part of the application. Foul and surface water would be discharged into the existing sewer network. It is proposed to restrict surface water discharge rates to the equivalent greenfield runoff rate. Surface water attenuation is proposed for up to a 1in100yr rainfall plus a 40% increase for climate change.

13.13 Northumbrian Water have provided comments. They state that insufficient information has been submitted and recommend that a condition is imposed in respect of the management of foul and surface water. The LLFA have confirmed that they have no objections to the proposal and recommend a condition in respect of the management of the surface water drainage system.

13.14 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 foul surface water drainage details, and subject to the comments of the LLFA, the proposed development accords with the relevant national and local planning policies.

#### 13.15 S106 Contributions

13.16 Paragraph 55 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.

13.17 Paragraph 57 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.

13.18 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.

13.19 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.

13.20 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.

13.21 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.

13.22 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 based on future recruitment and mature apprenticeship training of existing employees.

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

#### 13.24 Local Financial Considerations

13.25 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the 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 the Community Infrastructure Levy (CIL).

13.26 The proposal would result in the creation of jobs during the construction phase and within the factory extension once the development is complete.

#### 13.25 Police Comments

13.27 Northumbria Police have advised that the proposed car park extension should include a boundary treatment to prevent unauthorised access. The applicant has confirmed that the new entrance would include barriers and a sliding gate.

## 14.0 Conclusions

14.1 The proposal accords with the allocation of the site and would secure economic development in accordance with the NPPF. In officer opinion the principle of development is acceptable.

14.2 It is officer advice that the proposed development is acceptable in terms of its impact on nearby residents and businesses, on visual amenity and the impact on the highway network. An update on the ecological impacts will be reported to committee once the additional ecology reports have been submitted and assessed by consultees.

14.3 Subject to the comments of the Coal Authority, Landscape Architect and Biodiversity Officer being addressed, the development is considered to comply with relevant national and Local Plan policies and is therefore recommended for conditional approval.

### **RECOMMENDATION:**

- a) **The Committee indicate that it is minded to approve the application subject to:**
- i. **the receipt of additional information in respect of the ecological impacts of the development and comments from the Biodiversity Officer and Landscape Architect to confirm this information is satisfactory;**
  - ii. **the expiry of the consultation period with the Coal Authority and the receipt of comments from the Coal Authority confirming that they have no objections to the development; and**
- b) **authorise the Director of Environment, Housing and Leisure to determine the application subject to the conditions listed below and to the addition, omission or amendment of any conditions considered necessary, providing no further matters arise which in the opinion of the Director of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.**

### **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 1000
  - Impermeable areas layout 00-006
  - Proposed site plan 00-020 A
  - North factory and west factory extension proposed site overview 00-022 A
  - North site carpark extension 00-030 A
  - Vehicle swept paths 00-041
  - North factory and west factory extension proposed elevations 00-027 A
  - North factory and west factory extension floor plan - sheet 1 00-023 A

- North factory and west factory extension floor plan - sheet 2 00-024 A
  - North factory and west factory extension proposed roof layout - sheet 1 00-025 A
  - North factory and west factory extension proposed roof layout - sheet 2 00-026 A
  - North factory and west factory extension proposed sections 00-028
- Reason: To ensure that the development as carried out does not vary from the approved plans.

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|----|---------------------------------------|--------|---|
| 2. | Standard Time Limit 3 Years FUL       | MAN02  | * |
| 3. | Restrict Hours No Construction Sun BH | HOU004 | * |

4. Notwithstanding Condition 1, prior to the commencement of any part of the development hereby approved above damp proof course level details of facilities to be provided for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled for all waste types shall be provided in accordance with the approved details, prior to the occupation of the development and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policies DM6.1 of North Tyneside Local Plan (2017).

5. No part of the development shall be occupied until an area has been laid out within the site for vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

6. The scheme for parking, garaging and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

7. 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), materials used in constructing the development, fuels and waste as well concrete mixing and use of fires; 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. It must also include tree protection measures for the trees to be retained. Cabins, storage of plant and materials and parking must not be located within the RPA of the retained trees as defined by the Tree Protection Plan. The AMS must form part of the Contractors Method Statement.

Construction shall not commence on any part of the development other than the construction of a temporary site access and site set up until the agreed wheel washing/road cleaning measures are fully operational. 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.

8. 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 adoptable highway(s) is kept free from mud and debris in the interests of highway safety having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

9. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

10. The development shall not be occupied until a Framework Travel Plan has been submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met. The travel plan shall thereafter be implemented in accordance with the agreed details.

Reason: To encourage sustainable transport; having regard to policy DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

11. No part of the development shall be occupied until details of Electric Vehicle (EV) parking and charging provision has been submitted to and approved

by in writing the Local Planning Authority. This must be implemented in accordance with the approved details prior to occupation of the development and thereafter retained.

Reason: To encourage sustainable transport; having regard to policy DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

12. No part of the development shall be occupied until details of secure and undercover cycle parking provision has been submitted to and approved by in writing the Local Planning Authority. This must be implemented in accordance with the approved details prior to occupation of the development and thereafter retained.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

13. Prior to the installation of any external plant a noise scheme must be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with BS4142 and must determine the current background noise levels without the plant operating at the boundary of the nearest residential premises and appropriate mitigation measures where necessary to ensure the rating level of external plant and equipment does not exceed the background noise. Thereafter the plant must be installed and maintained in accordance with the approved 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.

14. Within one month of the installation of any external plant or equipment acoustic testing must be undertaken to verify compliance with condition no.13 of this approval and the results submitted in writing for the approval of the Local Planning Authority. Thereafter, the plant and equipment shall be operated in complete accordance with the approved details and maintained in working order.

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

15. Site Investigation	CON004	*
16. Remediation Method Statement	CON005	*
17. Validation Report	CON006	*
18. Unexpected Hotspots	CON007	*
19. Gas Investigate no Development	GAS006	*
20. Noise No Tannoys Externally Audible	NOI002	*

21. Prior to the installation of any drainage systems a detailed scheme for the disposal of foul and surface water has been submitted to and approved by in

writing by the Local Planning Authority in consultation with Northumbrian Water. The agreed scheme shall be implemented prior to occupation of the development and retained thereafter.

Reason: This information is required from the outset to provide a satisfactory means of drainage and prevent the increased risk of flooding from any sources in accordance with the NPPF and Policy DM5.12 of the North Tyneside Local Plan 2017.

22. No vegetation removal shall 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. When undertaking works to the building, any nesting birds will be allowed access to the nest until the young have fledged.

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.

23. The applicant shall meet the following employment and apprenticeship targets and provide written confirmation to the Local Planning Authority of how the targets have been met prior to 31 December 2023.

- Recruitment of a minimum of 10 new employees in 2022
- Recruitment of a minimum of 10 new employees in 2023
- 10 x mature apprenticeships in NVQ Level 3 Leadership & Development starting in 2022 (15 months course)
- 5 x mature apprenticeships in NVQ Level 5 Leadership & Development starting in 2022 (18 months course)

Reason: To enable the Council to be put forward local eligible unemployed people with a view to securing work and training opportunities to encourage employment in accordance with policy S2.1 of the North Tyneside Local Plan (2017).

24. Prior to occupation of the development details of the maintenance regime for the surface water drainage infrastructure, including the downstream defender and petrol interceptor, and contact details for the company responsible for this work, must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the proposed development would not increase flood risk in accordance with NPPF and Policy DM5.12 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)

Contact ERH Construct Highway Access (I05)

Contact ERH Works to Footway (I08)

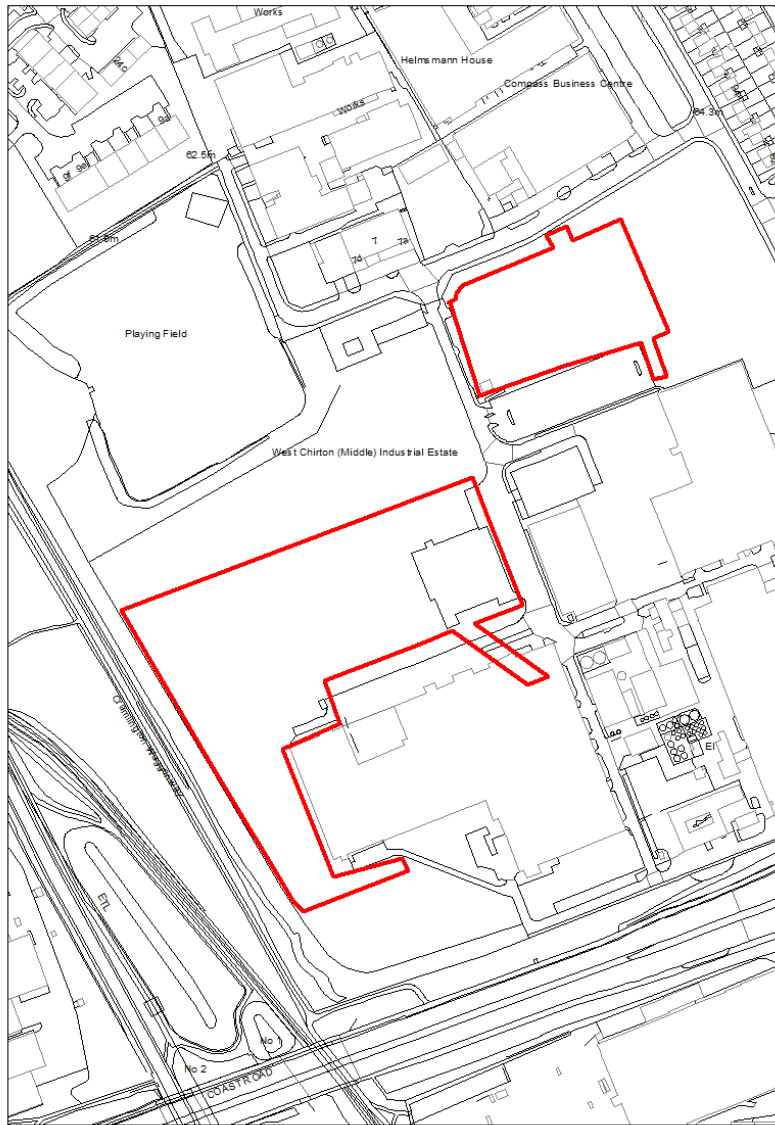
Contact ERH Path Bridleway Xs Site (I07)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)



**Application reference: 21/01618/FUL**

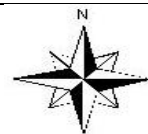
**Location: Formica Ltd, West Chirton Industrial Estate Middle, Norham Road North, North Shields**

**Proposal: Extend existing carpark to the north of the site, for staff and visitor overflow with new access from Westmoreland Road. Relocation of existing motorbike shelter and cycle stores to new carpark including additional cycle storage. Erection of new factory to the north of the site to be linked to the existing west factory at two locations with two canopies to the north of the building including new concrete service yard. New access road to the west of the site to link new service yard to the existing road to the south of the west factory. Extending the existing west factory to the west. New sprinkler tanks to be installed to the west of the west factory extension.(ADDITIONAL INFORMATION)**

Not to scale

Date: 16.09.2021

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**Appendix 1 – 21/01618/FUL  
Item 4**

**Consultations/representations**

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 This application is to extend the existing carpark to the north of the site, for staff and visitor overflow with new access from Westmoreland Road, relocation of the existing motorbike shelter and cycle stores to the new car park including additional cycle storage, erection of new factory to the north of the site to be linked to the existing west factory at two locations with two canopies to the north of the building including new concrete service yard, new access road to the west of the site to link new service yard to the existing road to the south of the west factory, extending the existing west factory to the west with new sprinkler tanks to be installed to the west of the west factory extension.

1.3 The site has been operating for decades and whilst the proposal undoubtedly improves the operation on site, the associated traffic impacts of the proposal are not considered to be severe on the local highway network and in any event shift pattern changeovers occur outside network peaks. Alternative modes of transport will be promoted and information such as bus timetables made available to employees. The new access from Westmorland Road is acceptable and conditional approval is recommended.

1.4 Recommendation - Conditional Approval

1.5 Conditions:

ACC10 - New Access: Access before Devel

ACC25 - Turning Areas: Before Occ

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

No part of the development shall be occupied until a Framework Travel Plan has been submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

No part of the development shall be occupied until details of Electric Vehicle (EV) parking & charging provision has been submitted to and approved by in writing the Local Planning Authority. This will implemented in accordance with the approved details and retained thereafter

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

No part of the development shall be occupied until details of secure & undercover cycle parking provision has been submitted to and approved by in writing the Local Planning Authority. This will implemented in accordance with the approved details and retained thereafter

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

#### 1.6 Informatives:

I05 - Contact ERH: Construct Highway Access

I07 - Contact ERH: Footpath/Bridleway X's Site

I08 - Contact ERH: Works to footway.

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dvlp

#### 1.7 Manager of Environmental Health (Pollution)

1.8 Formica is currently regulated as a Part A2 permitted process which places controls on emissions. The proposal consists of creating a new building which is predominantly for storage and some manufacturing. I note that there will be an enclosed passageway connecting the existing and new building which will attenuate noise from fork-lift truck movements. I note that there will be external plant which should be screened by existing building to houses located on Norham Road.

1.9 I would have no objections to the development but would request the following noise condition to protect residential and offices from external noise.

1.10 A noise scheme must be submitted in accordance with BS4142 to determine the noise rating level of external plant and equipment operating at the site and that appropriate mitigation measures are taken where necessary to ensure the rating level of the plant and equipment does not exceed the existing background noise level.

It will be necessary following installation of the plant and equipment 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 and thereafter maintain in working order.

#### 1.11 Manager of Environmental Health (Contaminated Land)

1.12 I have read the Phase 1 report and note that it states:

##### *1.3 Objectives*

*The objectives of the Geo-Environmental Investigation are to:*

*Review historical plans, geology, hydrogeology, site sensitivity, flood-plain issues, mining records and any local authority information available in order to complete a Desk Study in line with Environment Agency (EA) document Model Procedures for the Management of Contaminated Land (Contaminated Land Report 11 (CLR11));*

1.13 CLR 11 was withdrawn from use on the 8th October 2020 and replaced with the Land Contamination Risk Management Guidance. I would recommend that the Phase 1 report be amended to reflect this.

1.14 The Phase 1 report has identified that the site may be at risk from volatile hydrocarbon and organic compounds that may be present within onsite deposits associated with possible spillages and leakages from industrial processes, landfilling and the railway workings. If a potential risk is determined, then localised remediation involving the delineation and excavation of impacted material with suitable validation or the provision of a chemical resistant membrane within any proposed units would provide mitigation.

1.15 The risk is considered to be low-moderate at this stage, however, this will need to be confirmed upon receipt of the proposed development plan and assessed via chemical testing of Made Ground as part of any subsequent intrusive investigation works.

1.16 The report has also identified a potential risk of asbestos due to the age of the buildings. The presence of ACM within Made Ground and mounded materials should be confirmed as part of any intrusive investigation. Should any demolition be planned as part of the proposals an intrusive asbestos survey of the affected structures/elevations should be completed to confirm the presence or otherwise.

1.17 The site lies within a Coal Referral Area the report identified that made ground underlying the site and potential underlying potential shallow coal mining may represent a potentially significant source of gas generation. Ground gas can also migrate through permeable strata, foundation structures and/or service ducting and accumulate within confined spaces where they may pose a risk to future site users. Based on the information currently available there is considered to be a moderate risk.

1.18 This will likely require confirmation through a series of monitoring well installations and subsequent ground gas monitoring. Should a ground gas risk to end users be proven, the risks can be mitigated through the adoption of suitable control measures within the building construction using guidance presented within CIRIA 665 (Assessing Risk Posed by Hazardous Ground Gases to Buildings) and BS8485 (Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments).

1.19 Based on the information supplied the following conditions must be applied:

Con 004

Con 005

Con 006

Con 007

Gas 006

#### 1.20 Landscape Architect and Biodiversity Officer

1.21 Further information will be required to assess the impacts of this scheme on biodiversity in accordance with Planning Policy. The site supports several large semi-improved neutral grassland fields assessed as being of parish value. The scheme appears to result in the loss of an extensive area of this valuable

grassland (potentially up to 4ha) to facilitate this development along with the loss of tall ruderal habitat, scrub and trees. The applicant has not submitted a landscape mitigation plan to address habitat loss and at present there is no indication of the extent and type of habitat loss that will result from the scheme. A Biodiversity Net Gain (BNG) Assessment will therefore need to be undertaken in line with the DEFRA Biodiversity Metric 3.0 in order to demonstrate that biodiversity net gain is being delivered in accordance with Planning Policy and NPPF. This assessment and subsequent design plans and mitigation should also demonstrate how the principles of the mitigation hierarchy have been followed. The Ecological Appraisal also indicates that a number of trees/tree groups have been removed on site. These habitats will also need to be taken into consideration as part of the BNG assessment and appropriately mitigated for.

1.22 The Appraisal also states that the grassland offers potential to ground nesting birds, although no breeding bird survey has been undertaken. There is therefore the risk that the grassland could support species such as skylark, particularly as the grassland within the application site is part of a wider area of grassland (up to 7ha) that could support both ground nesting birds and wintering birds. The report recommends a single bird risk assessment, but this has not been submitted to support the application. In addition, the large grassland area within the site (up to 7ha in size) has the potential to support wintering birds and no assessment has been submitted regarding this. A wintering bird risk assessment will therefore need to be provided as part of the ecological appraisal.

1.23 With regard to invertebrates, in particular Dingy Skipper butterfly, the Ecological Appraisal states that “although bird’s foot trefoil was recorded on site, these were largely confined to areas of tall grassland to the north west of the site, where the mosaic of suitable habitat is limited. Only part of this area is to be affected by proposals, with the remainder retained, so impacts of the proposed development on dingy skipper are considered unlikely”. The report states that several records of dingy skipper are found within 2km of the site with some recorded locally by E3 Ecology. Dingy skipper records submitted to North Tyneside Council by Butterfly Conservation in June this year, show that dingy skipper have been regularly recorded very close to the site (the adjacent wagonway) between 2011-2019 at Grid Reference NZ 328687 with additional records at Grid ref: NZ 328688 and NZ 326687 (Grid Reference locations are provided in the image below for reference) Whilst the Appraisal has considered that the application site is unlikely to support dingy skipper, the records from Butterfly Conservation as well as the fact that there is habitat capable of supporting this species within the site, suggests that the site has a higher risk of supporting dingy skipper butterfly. If this is the case, then there is currently insufficient information to assess the potential impacts on this priority species or to determine the level of mitigation required to address these impacts if the site is supporting this species. This needs to be taken into consideration as part of the appraisal with details of mitigation for dingy skipper included, based on a worst case scenario for this species and site designs that take this into account.

1.24 Section 6.0 of the Design and Access Statement refers to some of the existing landscaping to be removed, but there is no detail as to the extent of the removal. An Arboricultural Impact Assessment (AIA) has been requested and

one is currently being prepared. However, recent correspondence confirms that the 'existing landscape' to be removed refers to areas of grass (after a number of trees have been removed), however it appears that further trees could be impacted by the development. The AIA will survey any remaining trees on the site and provide details of any impacts from the proposed development and any protection measures in line with Local Plan policy DM5.9. As drainage information is available, the AIA should consider if any further impacts arise as a result of these works.

1.25 To conclude, the following information needs to be provided and/or issues addressed:-

- Biodiversity Net Gain (BNG) Assessment in line with the DEFRA Biodiversity Metric (3.0) with accompanying landscape plans detailing habitat mitigation/compensation
- Breeding bird risk assessment
- Wintering bird risk assessment
- Updated dingy skipper butterfly risk assessment taking into account Butterfly Conservation records. Details of habitat mitigation for dingy skipper butterfly.
- Arboricultural Impact Assessment

#### 1.26 Local lead Flood Authority

1.27 I have carried out a review of the surface water drainage proposals for planning application 21/01618/FUL. I can confirm in principle I have no objection to the proposals. The applicant will be providing surface water attenuation for a 1in100yr rainfall event including a 40% increase for climate change within the site via the use of filter drains and upsized sewers. The surface water discharge rate from the development will be restricted to the Qbar rate calculated to be 15.8l/s before discharging into the local surface water sewer network at MH8601. Water Quality and Treatment will be achieved via the use of filter strips / filter drains and a downstream defender which will provide mitigation against the risk of pollution entering the downstream drainage network.

1.28 I would recommend that a condition is placed on the application requiring details of the maintenance regime for the proposed surface water drainage system including the downstream defender and petrol interceptor.

## 2.0 External Consultees

### 2.1 Northumbria Police

2.2 We note the development proposals and having due regard to the scope and extent we have no objections from a Crime Prevention perspective. We do however ask that consideration be given to the security implications of moving the car park further north and closer to the boundary of the site. Ideally, we would have liked to see a boundary treatment included in the design to protect the car park from foot incursion via the northern gate.

### 2.3 Coal Authority

2.4 The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

## 2.5 The Coal Authority Response: Substantive Concern

2.6 The application site falls partly within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

2.7 More specifically, the Coal Authority's information indicates that a number of coal seams outcrop at or close to the surface of the site, which may have been worked in the past. In addition, the potential zone of influence/instability associated with off-site recorded mine shaft 432568-003 encroaches into the western part of the site. Due to potential plotting inaccuracies, the actual position of this former coal mining feature could deviate from its plotted position by several metres. We hold no details of any past treatment of the shaft.

2.8 We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on the matter can be found at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distanceof- mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distanceof-mine-entries)

2.9 The planning application is accompanied by a Phase I Geo-environmental Site Assessment (July 2021, prepared by ERGO); however, the Coal Authority does not consider that this adequately addresses the impact of coal mining legacy on the proposed development. We therefore object to the proposal and consider that the applicant needs to revise and resubmit the report to the LPA.

2.10 Based on a review of relevant sources of coal mining geological information, Section 4.3.2 of the report concludes that recorded mine workings in the High Main coal seam and possible unrecorded mine workings in a number of shallow coal seams pose Moderate and High risks to the development respectively. It also considers that two recorded mine shafts beyond the western site boundary pose a potentially high risk to the development.

2.11 The report recommends that, in order establish the shallow coal mining situation, a borehole investigate should be carried out. It also recommends that an inspection should be carried out of the area adjacent to the recorded positions of the mine shafts following an initial site strip. The report does not outline what remedial/mitigatory measures may be required to address coal mining legacy affecting the site.

2.12 The Coal Authority welcomes the recommendation for the undertaking of intrusive site investigations into coal mining legacy. However, we are concerned that the submitted report does not adequately assess the risk posed to the proposed development by recorded shaft 432568-003.

2.13 The plotted position of shaft 432568-003 is c.18.6m from the application site



boundary. We acknowledge that this feature is unlikely to be present within the application site, although it may be within the applicant's wider land holding. Nevertheless, due to expected thick superficial deposits, the zone of influence/instability associated with the shaft potentially extends into the western part of the site.

2.14 We note that the footprint of the proposed factory building would extend close to the western site boundary. The submitted information does not demonstrate that this detailed layout of development avoids the potential zones of influence/instability associated with an off-site collapse of shaft 432568-003. As such, the applicant has not demonstrated that the development would comply with our adopted policy outlined above.

2.15 The applicant should therefore be requested to submit a revised report which provides an enhanced assessment of the safety and stability risk posed by the recorded mine entry. The revised report should calculate the potential zone of influence associated with the shaft and should confirm the built development is proposed in a position which avoids this area of potential instability. Clarification should also be provided as to whether mitigatory measures are required for other elements of the development, such as access roads, which may be located within the zone of influence of the shaft.

2.16 The shaft and its zones of influence should be clearly identified on a revised Proposed Site Plan. Should insufficient ground investigation data already exist, initial site investigations may be required to enable the zone of influence to be calculated.

2.17 The applicant should note that Permission is required from the our Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property. Any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

2.18 It is a requirement of the NPPF, paragraphs 183-184, that the applicant demonstrates to the satisfaction of the LPA that the application site is safe, stable and suitable for development.

#### 2.19 Northumbrian Water

2.20 In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

2.21 It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

2.22 Having assessed the proposed development against the context outlined above we have the following comments to make:

2.23 The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. The Flood Risk Assessment suggests that a pre-planning enquiry has been submitted to Northumbrian Water. We therefore advise that the applicant reviews our pre-planning enquiry response and updates the drainage information submitted if required. In the interim, we request the following condition:

**CONDITION:** Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

**REASON:** To prevent the increased risk of flooding from any sources in accordance with the NPPF.

2.24 The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

2.25 If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre planning enquiry directly to us.