

**Application No:** 21/02188/FUL Author: Julie Lawson  
Date valid: 13 October 2021 ☎: 0191 643 6337  
Target: 12 January 2022 Ward: Wallsend  
decision date:

Application type: full planning application

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

**Proposal: Erection of a modular workshop building to provide a flexible indoor work area**

Applicant: Smulders Projects UK, FAO Mr Chris Edwards Hadrian Yard Hadrian Way Wallsend NE28 6HL

Agent: Lambert Smith Hampton, FAO Mr James Cullingford 41-51 Grey Street Newcastle Upon Tyne NE1 6EE

## **RECOMMENDATION:**

**The Committee is recommended to:**

**a) indicate that it is minded to grant this application subject to expiry of consultation with the Coal Authority and the addition, omission or amendment of any other conditions considered necessary; and**  
**b) authorise the Director of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure a financial contribution for employment and training, towards employment initiatives within the borough.**

## **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 trees and ecology.

#### 2.0 Description of the Site

2.1 The application site is an existing industrial site measuring over 18 hectares. The site is operated by Smulders and specialises in offshore construction.

2.2 There is residential development to the north of the wider site at Hadrian Mews residential estate and to the south is the River Tyne. To the east is Willington Gut. Point Pleasant Industrial Estate, and other light industrial and commercial developments and housing are to the north/north-east. The site is bound to the west by the Oceania Business Park/Industrial Estate and residential properties on Railway Terrace to the north-west.

### 3.0 Description of the Proposed Development

3.1 The proposal is for a modular workshop structure designed to accommodate a range of fabrication activities such as assembling, welding, shot blasting, painting, mechanical installations and electrical installations. It will also be a moveable structure, which will allow it to be relocated to limited alternative areas within the yard. The applicant has submitted a plan showing which areas this would be limited to. These areas would be yard A, to the eastern part of the site adjacent to Willington Gut, and under the existing gantry cranes.

3.2 The building is constructed of profile sheet cladding and measures 38.5m by 99.3m. It has a height of up to 23.3m. It will enable work to be undertaken on site 24 hours a day within an enclosed environment.

3.3 The site is currently used to construct metal structures that act as a mounting base for wind turbines operating at sea. Most operations conducted on the site are related to metal fabrication, including the cutting and welding of metal and the loading of the finished product onto barges.

3.4 The agent has submitted a plan showing the area to be levelled. This would involve putting down new concrete in two areas. To do this they will need to excavate approximately 375mm in these areas which will amount to approximately 450 cubic metres of material. There is also one corner where the current level is slightly higher than the existing concrete level, here they expect to excavate an extra 50 cubic metres. In total they will take out approximately 500 cubic metres of material which will be kept on site.

3.5 In their Planning Statement the applicant has advised the following:

3.6 The proposed layout plan shows the intended location of the proposed workshop building at the eastern end of Hadrian Yard. It is understood that the workshop would be located in Yard A for at least the first two years of the workshop being operational. The areas shaded blue on the plan indicate other locations within the yard where the proposed building (in part or full) may also be located.

3.7 The proposed building will allow for works to be carried out within an enclosed environment, enabling Smulders to not only satisfy customer demand and meet deadlines, but also move noise generating work, which would usually be carried out outdoors, to inside of the workshop building. As such, it is anticipated that the proposal will largely result in reduced noise levels from Hadrian Yard, improving the amenity of existing residents.

3.8 The proposed building is a modular workshop structure designed to accommodate a flexible use of fabrication activities such as assembling, welding,

shot blasting, painting, mechanical installations and electrical installations all to take place within an enclosed and protected environment.

3.9 The construction of the proposed building will not involve the excavation of foundations. The building will sit on temporary plinths which in turn will sit on top of the floor level of the current concrete pad. The proposed building will therefore be a moveable structure which may be relocated to alternative areas within the yard by cranes or self propelled modular transporters (SPMT) (limited to those areas shaded blue on the proposed site plan), depending on the type of project work Smulders are contracted to carry out.

3.10 It is understood that the process of assembling, dismantling and movement of the fabrication workshop would take a number of weeks as opposed to hours or days. This process would only occur during the daytime period.

3.11 In terms of scale, height and massing, the proposed building responds to the context of the site to ensure any visual impact on the surrounding areas will be kept to a minimum. The height of the building will be similar to that of the existing buildings within the yard. The building will sit at lower-level locations at the southern and eastern end of the site within Yards A and C, which will reduce visual impact when viewed from nearby residential properties. The building will not be visible in long range views of the site. The proposed workshop building is considered to be modest in the context of the wider site, which includes much larger industrial buildings, cranes and stored wind turbine transition pieces.

3.12 The NPPF requires the planning system to contribute to the three overarching objectives of sustainable development - economic, social and environmental. In this respect, the proposed development performs the following important roles:

3.13 Economic: the proposed workshop will allow for fabrication work to be carried out around the clock, ensuring that Smulders are able to satisfy customer demand and remain competitive as a business. As such, the proposal will support the expansion of an existing business, which is a major employer, and ensure that existing jobs are retained within North Tyneside.

3.14 Social: the proposal will support local communities by ensuring local jobs are created and safeguarded in a location that is accessible via public transport (Hadrian Yard Metro Station and local bus services). It will also allow for fabrication activities that are usually undertaken outdoors to be moved indoors, thereby reducing noise levels and improving the amenity and well-being of existing residents.

3.15 Environmental: the proposal will utilise previously developed land, provide biodiversity enhancements through the provision of ledges for nesting birds and ensure there is no loss to trees or natural habitat. As such, the proposal will contribute to protecting and enhancing the natural environment.

3.16 The proposed building forms part of a significant wider investment plan for Hadrian Yard following the announcement in July 2021 that Smulders will receive support from the Government's £160 million Offshore Wind Manufacturing

Investment Support scheme and will invest a further £70 million to make offshore wind turbine transition pieces at Hadrian Yard.

#### 4.0 Relevant Planning History

21/01007/DEMGDO - Buildings marked 'A22' on the supporting plan to the West of 'A' Shop and part of the Rigging Loft (A17). Also two temporary buildings marked 'A24' & 'A25' on the supporting plan (permission not required) Permitted 07.05.21

21/00739/FUL - Variation of condition 5 (Hours of Operation) to allow 2no. gantry cranes to be operated 24 hours a day Monday to Sunday and partial discharge of condition 6 (Noise Assessment) in respect of the 2no. gantry cranes of planning approval 16/01595/FUL (resubmission) – refused 20.05.21 and allowed on appeal 29.11.21

20/02419/FUL - Variation of condition 5 (Hours of Operation) - to allow 1no ringer crane to be operated between 07:00 and 19:00 hours only Monday to Sunday and 2no gantry cranes to be operated 24 hours a day Monday to Sunday. Variation of condition 6 (Noise Assessment) - remove reference to 'does not exceed the background noise' and replace with 'does not exceed the daytime background noise level by more than +5dB', of planning approval 16/01595/FUL – withdrawn 11.03.21

17/00242/FUL - Removal of condition 5 of application 16/01595/FUL - operating hours of cranes – withdrawn

16/01595/FUL - Erection of 2no gantry cranes and 1no ringer crane – permitted 13.01.17

12/00806/FUL - Demolition of existing buildings and erection of building (120 x 300 x 56m) to accommodate the fabrication of offshore jacket foundations for wind turbines – permitted 20.09.12

09/00937/FUL: Hadrian West Yard: Change of use from use class B8 (storage or distribution) to use class B2 (general industrial) with no operational development. S106 glazing to Railway Terrace. Permitted 12.06.09

09/00868/CLPROP: Hadrian West Yard: Use of the site for the fabrication, assembly, installation, decommissioning and repair services to onshore and offshore traditional and renewable energy projects. Refused 01.05.09

09/00867/CLPROP: Amec Hadrian Yards A and B: Use of the site for the fabrication, assembly, installation, decommissioning and repair services to onshore and offshore traditional and renewable energy projects. Approved 28.04.09

#### 5.0 Development Plan

5.1 North Tyneside Local Plan 2017

#### 6.0 Government Policy

6.1 National Planning Policy Framework (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. This includes supporting economic growth to develop marine and renewable sectors of manufacturing in the River Tyne North Bank area.

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 AS2.5 'River Tyne North Bank' states that across the River Tyne North Bank area proposals for all forms of employment development will be supported to enable economic growth, investment and regeneration of the area where they do not restrict riverside access that could compromise the capacity of the River Tyne North Bank to support marine and off-shore related industry.

8.9 Policy AS8.1 'The Wallsend and Willington Quay Sub Area states that within this area the north bank of the River Tyne will provide a location for a range of opportunities for investment and economic development and support growth in advanced engineering, research and development particularly in renewable and marine off-shore manufacturing and sub-sea technologies and it also refers to reducing the impact of intrusive employment uses upon residential amenity in the area.

8.10 The proposal is to erect a modular building on the site to be used for industrial purposes. It can be divided into parts and moved around the site. The proposal complies with the allocation of the site in the Local Plan. The Council's Regeneration & Economic Development Team have advised that they support the proposal as it accords with their wider activity supporting job creation and business growth within the offshore wind sector in North Tyneside.

8.11 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 to the site are located to the north along Alwin Close, Coquet Gardens, Derwent Way, Point Pleasant Terrace and to the north-west along Railway Terrace. The dwellings are located over 180m from the areas indicated as locations for the building (or parts of the building).

9.6 The applicant is seeking to use the building 24 hours a day. The applicant has advised that the building is modular, thereby it can be dismantled and moved around the site. The applicant has submitted a plan to restrict the areas it could be moved to:

- An area to the western part of the site where the existing gantry cranes are located (in Yard C); and
- An area to the eastern part of the site at Yard A.

9.7 The applicant has advised that yard B will not be used as a location for the proposed building. A Noise Impact Assessment has been submitted.

9.8 The Manager of Environmental Health has been consulted and provided comments. She has noted that the site is located in close proximity to residential properties at Railway Terrace, Derwent Way, Alwin Close and Coquet Gardens, with rear gardens of properties overlooking into the yard. She has concerns over the proposed use of a modular building on the site if this resulted in a change to the activities and operations on the site resulting in these activities occurring closer to the sensitive residential receptors. Complaints have been received regarding operational noise from the yard. A statutory notice was served in 2017 on Smulders due to noise issues from the existing work activities occurring at night from the yard predominantly from yard B which faces the residential development known as Hadrian Mews.

9.9 She has reviewed the noise assessment that has considered potential noise impacts arising from the proposed activities within the workshop for 2 locations of the workshop identified on the site plan, the first in Yard A and the second location at the gantry cranes. The noise assessment has considered worst case noise based on all the activities taking place at the same time and this has determined that for location 1 (Yard A) the noise rating level at nearest sensitive receptor was calculated as +1dB during the night period. For location 2 the noise rating level was calculated as +6dB above the background for the night time period at Railway Terrace, which would be considered to be of adverse impact

although not giving rise to significant adverse impacts. The rating level of 40 dB during the night is below the noise limit of 45 dB specified within the statutory notice and is below the ambient night period noise level of 42 dB.

9.10 The Manager of Environmental Health advises that the noise assessment has demonstrated that nearest sensitive receptors will not be subject to noise levels giving rise to significant adverse impacts from the provision of the modular workshop, based on the structure being provided with acoustic doors. A condition would be required to ensure acoustic doors are installed if planning consent was to be given. Conditions are also recommended to restrict the construction and relocation of the modular workshop to daytime hours. It is also recommended that conditions are attached to ensure a noise scheme is provided for fabrication activities within the workshop, to require the acoustic fabric doors to be provided and conditions to address any new external plant installed as part of this development including for any new external lighting.

9.11 It is noted that objections have been received regarding the use of the wider site and the impact this has on residential amenity. Reference is made in the 'Planning History' section to a recent appeal decision against the refusal of planning consent to allow use of the gantry cranes at the site for 24 hours a day Monday to Sunday. The appeal was allowed and the Planning Inspector noted that the appellant's business already operates for 24 hours a day Monday to Sunday and that the proposed use of the cranes would not exceed the existing night time background noise levels. He advised:

"15. It may well be the case, as the Council contend, that there may be activities associated with the operation of the gantry crane through the night that would give rise to the generation of noise. However, the yard is already allowed unrestricted operation through the night and those noises, and others, may and will continue to occur. I am satisfied that it has been adequately demonstrated that the operation of the gantry crane would not exceed overnight background noise levels. Notwithstanding the concerns and misgivings of nearby residents regarding operations more widely at the appeal site, I have not been presented with compelling evidence that the operation of the gantry crane during the hours originally prohibited by disputed condition 5 would be responsible for harm to the living conditions of residential occupiers of nearby properties.

16. ...For the reasons I have set out, I am satisfied that the appellant has demonstrated that the variation of the 2017 permission in the manner sought would not give rise to additional levels of noise above background levels. Noise arising from other activities carried on by the appellant at the appeal site are not within the scope of the appeal proposal and do not alter my conclusion in respect of the main issue.

17. ....Whilst I sympathise with local residents in terms of the site's 24-hour operation, exposure to activities within the site such as light, noise and particulate matter these are all matters that have, and are currently, being experienced. The dismissal of this appeal, had I been so minded, would not alter many aspects of the neighbour's concerns and these therefore remain matters between residents, the appellant and the Council."



9.12 Members are therefore advised, as set out in the appeal decision, that currently activities can take place across the site without planning restrictions. The addition of the modular building will not give rise to additional noise and will enable certain activities to take place within the building.

9.13 Members need to consider whether the impact on existing occupiers would be acceptable. It is officer advice that subject to conditions the impact would be acceptable and in accordance with Policy DM5.19.

#### 10.0 Impact on the character and appearance of the area

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 and there are other large industrial buildings in the vicinity of the site. The building measures 38.5m by 99.3m with a height of up to 23.3m. There are different levels across the wider Smulders site, with parts of Yard A and C sitting at a lower level than the housing to the north and north-west. The agent has submitted photomontages to show how the building would look from Davy Bank and from Churchill Playing Fields to the north. In addition the applicant has submitted a plan annotating the heights of certain other buildings on the site and this shows that, taking into account the different levels of the site, it would be in keeping with the heights of other buildings on the site.

10.6 It is noted that the building is modular so it could either be sited as one whole unit, or parts of it could be split up and located on different parts of the areas indicated at the same time.

10.7 In terms of the proposed locations for the building, one of the areas would be under the gantry cranes to the west of the site. The gantry cranes are 44.6m in height. This area is visible from Davy Bank and Railway Terrace and to the River Tyne to the south and beyond. There are other large industrial buildings to

the west of this area. Whilst the building would be visible to the neighbouring areas given its height, potential location and size, it is not considered that it would have a detrimental visual impact given it would be set in the context of existing industrial buildings.

10.8 The other area for the building is in Yard A, to the east of the site adjacent to Willington Gut and adjacent to the River Tyne. Depending on which parts of Yard A it would be sited at a particular time, the building would be visible from the housing to the north and north-east, from the units to the east adjacent to Willington Gut and from the A187 to the north-east and also to the south. It would be seen in the context of other industrial buildings on the site therefore it is considered that the siting of the building in Yard A would not have a detrimental visual impact.

10.9 Some levelling of the site is required to enable the building to be set out on a single level. This would be minimal and not have a detrimental impact.

10.10 The applicant has stated that the existing buildings within the site and the belt of trees along the northern boundary will reduce the visual impact of the proposed development when viewed from the north and the nearest residential locations.

10.11 The site is over 600m to the east of the Hadrian's Wall military zone. In considering the application for a 56m high building in 2012, Historic England advised that they had no objections in terms of impact on views for that building. Historic England have been consulted and they have advised that they have no comments to make.

10.12 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 visual 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 Highways Network Manager has been consulted and advised no objections. He advises that the site has been established for some time and access and parking remain unchanged.

11.7 Members need to consider whether the proposal is acceptable in terms of its impact on the highway network.

#### 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.

DM5.7 'Wildlife Corridors' states that development proposals within a wildlife corridor 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 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 The application site is located within a designated wildlife corridor and adjacent to the River Tyne Local Wildlife Site (LWS). There are also existing tree groups located along the northern and eastern boundary of the site and adjacent to Willington Gut.

12.9 The Biodiversity Officer has advised that the site is within a designated Wildlife Corridor and there are some areas of boundary planting (trees/scrub) along the northern and eastern boundary adjacent to Willington Gut and there is

also a small area of grassland/scrub to the north of the current application location. There is woodland/tree/scrub habitat along the eastern boundary of the site (adjacent to Willington Gut) and a small area of planting to the north of the current scheme location which could be impacted if workshops are dismantled and moved around the site. In this instance, any existing landscaping should be retained and protected if workshops are moved to a new location. The Biodiversity Officer has advised that any proposal to move the current location of the workshop in the future should also ensure that it is located a safe distance from the River Tyne to avoid any disturbance to the River environment and prevent potential pollutants from entering the watercourse.

12.10 The current scheme will not result in the loss of any habitat as the works are proposed on existing hardstanding areas and the current information submitted confirms that the scheme will not result in any loss of trees or areas of natural habitat. However, the site is within a designated wildlife corridor and adjacent to the River Tyne Local Wildlife Site (LWS), therefore the Biodiversity Officer advises that the scheme should provide measures to contribute to the enhancement of the wildlife corridor. The wildlife corridor extends along the River Tyne and is important for birds, particularly species such as Kittiwakes which nest along key areas of the Tyne. It would, therefore, be beneficial if the applicant could provide measures that would benefit this species, thereby enhancing the wildlife corridor. This could be through the provision of some ledges on appropriate buildings to provide nesting areas for this species in the key breeding season.

12.11 Pollution impacts will need to be addressed through the provision of a detailed Construction Management Plan (CEMP) that sets out how construction and operation of the workshop will be managed to ensure pollution impacts to the River Tyne are prevented and what measures will be in place to mitigate any potential impacts.

12.12 The Biodiversity Officer has advised that the modular building should not be located in close proximity to the River Tyne, and a distance of 30m is suggested to ensure it does not have any impact in terms of pollution. The applicant has advised that they will amend the Site Layout plan to reduce the area in which the building could be located in yard A. This amended plan will be reported to planning committee but a condition is recommended to ensure this is the case.

12.13 Members need to consider whether the proposal is acceptable in terms of its impact on biodiversity. It is officer advice that subject to conditions the proposal will not have a detrimental impact on biodiversity or landscaping.

### 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.

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 applicant has submitted a Coal Mining Assessment. The Coal Authority have been consulted and their comments are awaited.

#### 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 Policy DM5.15 states that applicants will be required to show, with evidence, they comply with the Defra technical standards for sustainable drainage systems.

13.12 The application site is located within Flood Zones 1, 2 and 3. A Flood Risk Assessment, including a Sequential Test, has been submitted. The report notes that the proposed development is inextricably linked to the current operations of Hadrian Yard and can only be located on land owned by Smulders. The report notes that the other sites are partly in flood zones 2 and 3. The Flood Risk Assessment advises that all proposed development within the Flood Zone 2 area will have finished floor levels set at a minimum of 4.23mAOD or above to ensure that the proposed building is not at risk of flooding and is set at a level placing the structure in a Flood Zone 1 area.

13.13 The Environment Agency have responded with reference to their standard advice. The Local Lead Flood Authority have commented and advised no objections as the applicant has undertaken a sequential test and has established there are no suitable alternate sites. In order to mitigate against the current flood

risk within the site the applicant is proposing to set all plot levels to a minimum level of 4.23mAOD which is equivalent to the Flood Zone 1 level. He recommends a condition to require a flood evacuation plan to be produced for the development.

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, the proposed development accords with the relevant national and local planning policies.

### 13.15 Archaeology

13.16 The Tyne and Wear Archaeology Officer has been consulted and she has advised the construction of the proposed building will not involve the excavation of foundations, but some levelling of the site will be required, however the site has previously been surfaced with concrete therefore she considers that the proposals will not have a significant impact on any known archaeological heritage assets, and no archaeological work is required.

### 13.17 S106 obligations and CIL

13.18 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.

13.19 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.

13.20 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.

13.21 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 exact amount is being agreed with the relevant service area and the applicant and this will be reported to committee.

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

#### 13.26 Local Financial Considerations

13.27 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).

13.28 The proposal supports an existing business in the borough.

#### 14.0 Conclusion

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, on ecology and the impact on the highway network.

#### **RECOMMENDATION:**

**The Committee is recommended to:**

- a) indicate that it is minded to grant this application subject to expiry of consultation with the Coal Authority and the addition, omission or amendment of any other conditions considered necessary; and**
- b) authorise the Director of Housing, Environment and Leisure to determine the application following the completion of the Section 106 Legal Agreement to secure a financial contribution for employment and training, towards employment initiatives within the borough.**





annually or whenever the modular unit is relocated to another part of the site. The noise management plan must be considered with regard to guidance provided by the Environment Agency Horizontal Guidance Note IPPC H3 (part 2) with particular regard to reviewing the impact of noisy activity upon closest residential premises.

Reason: In the interest of residential amenity with regards to policy DM5.19 of the North Tyneside Local Plan 2017.

8. Prior to the installation of external plant, ventilation and extraction systems to the development, a noise scheme must be submitted to the planning authority agreed in writing giving mitigation measures and thereafter implemented and maintained. The noise scheme must provide details of all noisy external plant and any tonal or impulsivity characteristics to the plant and the assessment must be carried out in accordance to BS4142. The noise scheme shall include the overall equivalent noise level and noise rating level for different worst case operational scenarios for day and night time arising from the site. 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 maintained in working order.

Reason: In the interest of residential amenity with regards to policy DM5.19 of the North Tyneside Local Plan 2017.

9. Flood Lighting Scheme Details LIG001 \*

10. No sound reproduction equipment which is audible outside the curtilage of the premises shall be operated from the building hereby approved.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

11. No development shall take place until details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

12. No development shall take place until details of the air ventilation systems have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented before the development is first occupied in accordance with the approved details and permanently retained.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

13. There shall be no visible airborne emission of dust beyond the site boundary, from any external vent fitted to the modular building. If emissions are visible, monitoring to identify the origin of a visible emission shall be undertaken. All emissions to air shall be free from droplets.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

14. A flood evacuation plan shall be submitted to and approved in writing to the Local Planning Authority prior to the commencement of the use of the building. The operation of the unit shall be carried out in accordance with the approved plan.

Reason: To prevent any impact from flooding from any sources in accordance with the NPPF and Policy DM5.12 of the North Tyneside Local Plan 2017.

15. No vegetation removal or works to features that could support nesting birds 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 on site.

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.

16. One wildlife ledge shall be provided for nesting habitat for Kittiwakes in a suitable location (building) within the site. Details of the location and specification of the ledge shall be submitted to the Local Planning Authority for approval within 4 weeks of works commencing on site. Thereafter, these agreed details shall be installed prior to the occupation of the workshop building and permanently retained.

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.

17. A Construction Method Statement/Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing and will include details of the storage of equipment, materials etc. and measures to prevent contamination of the watercourse. The development shall be carried out in accordance with the agreed details.

Reason: This is required prior to the commencement of development in order 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.

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

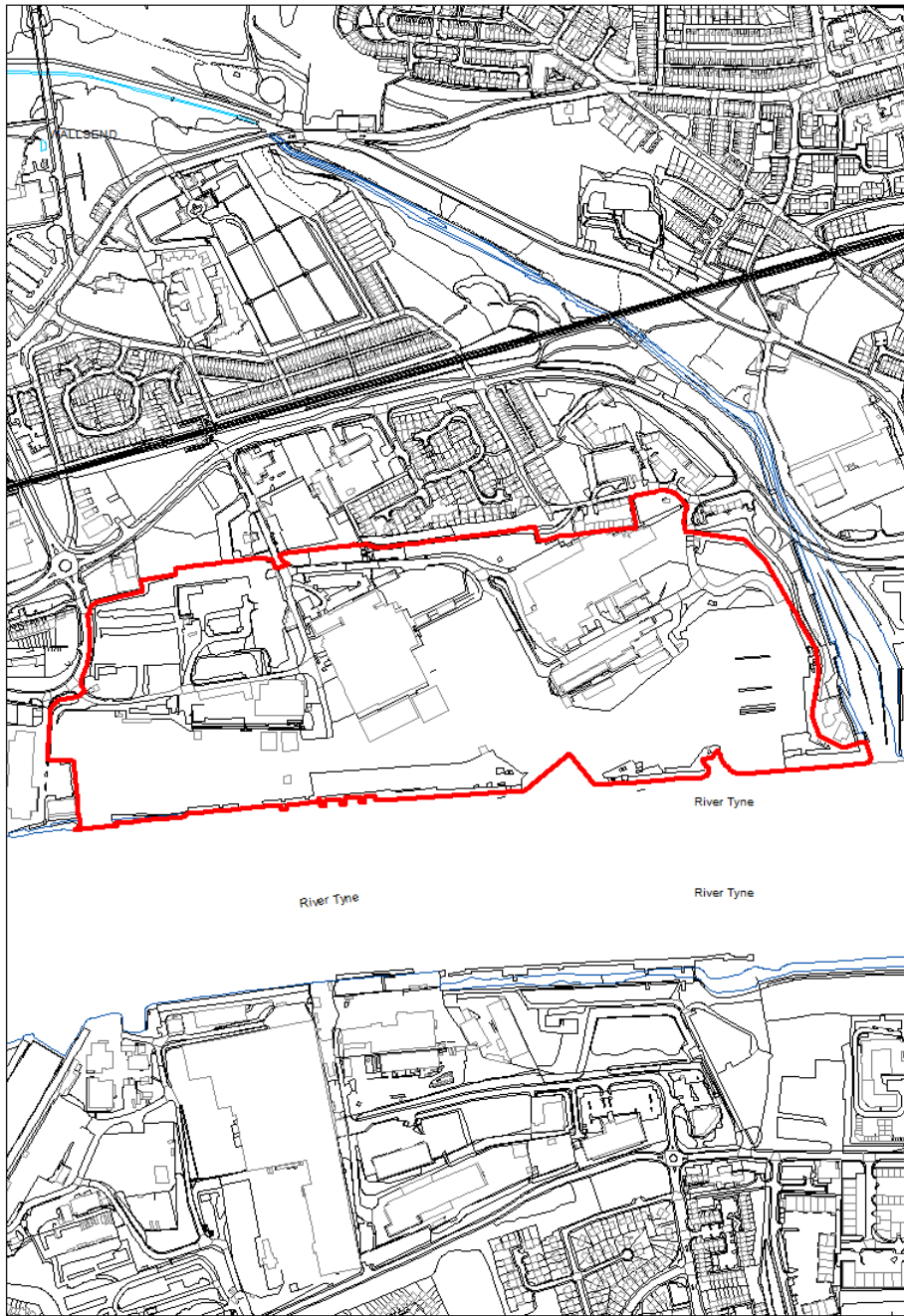
The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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)

Highway Inspection before dvlpt (I46)



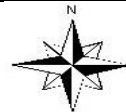
**Application reference: 21/02188/FUL**

**Location: Hadrian Yard A B And C, Hadrian Way, Wallsend, Tyne And Wear**  
**Proposal: Erection of a modular workshop building to provide a flexible indoor work area**

Not to scale

Date: 02.12.2021

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**Consultations/representations**

1.0 Internal Consultees

2.0 Environmental Health (Pollution)

2.1. Thank you for consulting Pollution with regard to this application for the erection of new modular workshop building to provide a flexible indoor work area. The site is located in close proximity to residential properties at Railway Terrace, Derwent Way, Alwin Close and Coquet Gardens, with rear gardens of properties overlooking into the yard. I have concerns over the proposed use of a modular building on the site if this resulted in a change to the activities and operations on the site resulting in these activities occurring closer to the sensitive residential receptors. Historically, complaints have been received regarding operational noise from the yard. A statutory notice was served in 2017 on Smulders due to noise issues from the existing work activities occurring at night from the yard predominantly from yard B which faces the residential development known as Hadrian Mews.

2.2 I have reviewed the noise assessment that has considered potential noise impacts arising from the proposed activities within the workshop for 2 locations of the workshop identified on the site, the first in Yard A and the second location at the gantry cranes. The noise assessment has considered worst case noise based on all the activities taking place at the same time, this has determined that for location 1 Yard A the noise rating level at nearest sensitive receptor was calculated as +1 during the night period. For location 2 the noise rating level was calculated as +6 above the LA90 background for the night period at Railway Terrace, which would be considered to be of adverse impact although not giving rise to significant adverse impacts. The rating level of 40 dB during the night is below the noise limit of 45 dB specified within the statutory notice and is below the ambient night period noise level of 42 dB. Internal noise levels for bedrooms would be in the region of 25 dB LAeq during the night period, based on an open window.

2.3 The NPPF Paragraph 185 states that "planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) 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 the quality of life". The noise assessment has demonstrated that nearest sensitive receptors will not be subject to noise levels giving rise to significant adverse impacts from the provision of the modular workshop, based on the structure being provided with acoustic doors. A condition would be required to ensure acoustic doors are installed if planning consent was to be given. Conditions are also recommended to restrict the construction and relocation of the modular workshop to daytime hours. It is also recommended that conditions are attached to ensure a noise scheme is provided for fabrication activities within the workshop, to require the acoustic fabric doors

to be provided and conditions to address any new external plant installed as part of this development including for any new external lighting.

2.4 If planning consent is to be given I would recommend the following conditions:

The dismantling and erection of the modular unit must only be carried out between 08:00 to 18:00 hours Monday to Saturday.

The location of the modular workshop shall be restricted for use to Yard A or the location identified as the area of the Gantry Cranes, as shown on site layout plan drawing no. 8513-1002-01-E-02. The modular workshop is not permitted to be relocated for use in any other area of the site without written agreement of the local planning authority.

Prior to operational activities taking place within the workshop, acoustic fabric doors must be installed. The workshop doors of the modular unit must be kept closed whenever fabrication activities take place, except for access, egress and in case of an emergency.

Prior to the installation of the modular unit a noise management plan must be produced, submitted for written approval to the local planning authority and implemented thereafter. The noise management plan must be reviewed annually or whenever the modular unit is relocated to another part of the site. The noise management plan must be considered with regard to guidance provided by the Environment Agency Horizontal Guidance Note IPPC H3 (part 2) with particular regard to reviewing the impact of noisy activity upon closest residential premises.

Prior to the installation of external plant, ventilation and extraction systems to the development, a noise scheme must be submitted to the planning authority agreed in writing giving mitigation measures and thereafter implemented and maintained. The noise scheme must provide details of all noisy external plant and any tonal or impulsivity characteristics to the plant and the assessment must be carried out in accordance to BS4142. The noise scheme shall include the overall equivalent noise level and noise rating level for different worst case operational scenarios for day and night time arising from the site. 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 maintained in working order.

NOI02 for the modular unit

EPL01 for any external vents and chimneys

EPL02

There shall be no visible airborne emission of dust beyond the site boundary, from any external vent fitted to the modular building. If emissions are visible, monitoring to identify the origin of a visible emission shall be undertaken. All emissions to air shall be free from droplets.

HOU05

SIT03

LIG01 for any new external lighting

### 3.0 Highways Network Manager

3.1 This application is for the erection of a modular workshop building to provide a flexible indoor work area. The site has been established for some time and access & parking remain unchanged. The proposal enhances the existing operation of the site and conditional approval is recommended.

Conditions:

SIT06 - Construction Method Statement (Minor)

Informatives:

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlp

### 4.0 Regeneration & Economic Development

4.1 This planning application is supported which accords with our wider activity supporting job creation and business growth within the offshore wind sector in North Tyneside.

### 5.0 Local Lead Flood Authority

5.1 I have carried out a review of the proposals and I can confirm I have no objections. The applicant has undertaken a sequential test as the site falls within flood zones 2 & 3 and has established there are no suitable alternate sites. In order to mitigate against the current flood risk within the site the applicant is proposing to set all plot levels to a minimum level of 4.23mAOD which is equivalent to the Flood Zone 1 level. The surface water drainage from the site is proposed to utilise the existing drainage system which drains into the adjacent River Tyne.

5.2 I would recommend a condition is placed on the application requiring a flood evacuation plan to be produced for the development which should be submitted to LLFA for approval before the building comes into operation.

### 6.0 Biodiversity Officer

6.1 The above application is for the 'Erection of a modular workshop building to provide a flexible indoor work area' at Hadrian yard in Wallsend. The site is within a designated Employment Area and also within a designated Wildlife Corridor as shown on the Local Plan Policies Map (2017).

### 6.2 Site Description

6.3 The proposed development area is located within an existing industrial site (approx. 18 ha) used for Offshore Wind & Renewables construction, which is owned and operated by Smulders. The wider site is accessed off Hadrian Road, Wallsend and sits between existing residential development to the north at Hadrian Mews and the River Tyne to the south. The site is bound to the east by Willington Gut. Other light industrial and commercial developments are located to the north and west of the site. The proposed development area lies to the south of existing buildings and structures within the site that are used for offices and fabrication works.



6.4 There are some areas of boundary planting (trees/scrub) along the northern and eastern boundary adjacent to Willington Gut and there is also a small area of grassland/scrub to the north of the current application location.

6.5 The proposed site plan supporting the application shows the intended location of the proposed workshop building at the eastern end of Hadrian Yard (Yard A). The Planning Statement indicates that the workshop would be located in Yard A for at least the first two years of the workshop being operational. The areas shaded blue indicate other locations within the yard where the proposed building (in part or full) may also be located.

6.6 Proposed areas for the temporary workshop indicates two zones (hatched blue) as possible areas for the temporary/mobile work shop with the aim that it can be dismantled and moved around the site when a new project arises. There is woodland/tree/scrub habitat along the eastern boundary of the site (adjacent to Willington Gut) and a small area of planting to the north of the current scheme location which could be impacted if workshops are dismantled and moved around the site. In this instance, any existing landscaping should be retained and protected if workshops are moved to a new location. The second location indicated on the plans is identified 'under the gantry cranes' which is closer in location to the River Tyne. Any proposal to move the current location of the workshop in the future should also ensure that it is located a safe distance from the River Tyne to avoid any disturbance to the River environment and prevent potential pollutants from entering the watercourse.

6.7 The current scheme will not result in the loss of any habitat as the works are proposed on existing hardstanding areas and the current information submitted confirms that the scheme will not result in any loss of trees or areas of natural habitat. However, the site is within a designated wildlife corridor and adjacent to the River Tyne Local Wildlife Site (LWS), therefore, in line with Planning Policy DM5.7, the scheme should provide measures to contribute to the enhancement of the wildlife corridor. The wildlife corridor extends along the River Tyne and is important for birds, particularly species such as Kittiwakes which nest along key areas of the Tyne. It would, therefore, be beneficial if the applicant could provide measures that would benefit this species, thereby enhancing the wildlife corridor. This could be through the provision of some ledges on appropriate buildings to provide nesting areas for this species in the key breeding season. I would be happy to discuss potential locations within the site with the applicant to deliver this.

6.8 Pollution impacts will need to be addressed through the provision of a detailed CEMP that sets out how construction and operation of the workshop will be managed to ensure pollution impacts to the River Tyne are prevented and what measures will be in place to mitigate any potential impacts.

6.9 I have no objection to the application subject to the following conditions being attached to the application:

#### Conditions

- No vegetation removal or works to features that could support nesting birds will take place during the bird nesting season (March-August inclusive) unless a

survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing on site.

- Any change in location of the Temporary Workshop from the location indicated on the 'Proposed Site Plan' will require prior consent from the LPA.
- 1 no. wildlife ledge to provide nesting habitat for Kittiwakes will be provided in a suitable location (building) within the site. Details of the location and specification of the ledge will be submitted to the LPA for approval within 4 weeks of works commencing on site. Thereafter, these agreed details shall be installed prior to the occupation of the workshop building and permanently retained.
- A Construction Method Statement/Construction Environmental Management Plan (CEMP) will be submitted to the Local Planning Authority for approval prior to development commencing and will include details of the storage of equipment, materials etc and measures to prevent contamination of the watercourse.

## 7.0 Representations

### 4 objections on the following grounds:

- Adverse effect on wildlife
- Impact on landscape
- Inappropriate materials
- Loss of privacy
- Loss of residential amenity
- Loss of visual amenity
- Will result in visual intrusion
- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - fumes
- Nuisance - noise
- Out of keeping with surroundings
- Pollution of watercourse
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Precedent will be set
- Traffic congestion
- I find it hard to take in, once again, this ugly beast has woken up again. This should not go ahead because of the problems we have had with this company in the past.
- Query amount of foreign labour employed rather than local labour.
- Current noise levels are breached pre 8am with work starting before this time. The noise levels when the site is in full operation are abysmal due to loud music from staff and general car noise - 2am. I can't foresee adding this will dampen or assist in the noise and light pollution from welding not to mention help with the spray of metal particulate matter that are currently embedded on the houses (see any of the windowsills/cars which are covered in rust ). I can only see this leading to further disturbance.
- I wish to object to the planned modular workshop as it will create even further stress, combatting the fatiguing effects of noise, light and environmental pollution for those residents on the Hadrian Mews residential estate. As a resident whose dwelling backs right onto the Hadrian yard, I am very concerned over the following aspects of the plan which will diminish the quality of life.
- Noise Pollution - With reference to planning document "NOISE\_ASSESSMENT-785361.pdf":

Section 6, Page 13, Table 6-2 states for receptors 2,3 and 4, and I quote “It is not expected that noise from the mobile fabrication workshop would not be audible above the ambient sound climate due to the distance between source and receptor and also the intervening existing buildings.” The above statement due to the use of a double negative in the same sentence, means noise from the workshop would be heard above the ambient sound climate. This is of grave concern.

- Section 2, page 2 states, and I quote “Workshop doors of the modular unit must be kept closed whenever noisy work activities occurs at the site, except for access, egress and in case of an emergency.” The statement “noisy work activities” is not quantifiable and is purely subjective. What is noisy? How is noisy measured? Does that mean the workshop will be less noisy in the summer, when the days are hotter and the nights warmer and someone makes the call it’s ok to open the doors, because they think it’s not noisy? In essence the above gives Smulders carte blanche to have the doors open whenever they like. Any number of excuses can be brought into play, for example. “It’s noisy” is subjective, so anyone can claim it to be anything. The excuse the doors are open for access and egress has no bounds either. Doors could be deliberately left open longer than they need be, the excuse that materials or components are coming and going through the doors hence they are open for that reason. One small palette of materials once per hour would provide an excuse.

- The exiting workshop in Yard B has doors which are left open at night in the summer, despite an agreement with North Tyneside Council that they should be kept closed. Given Smulders track record of just doing what they like anyway, this places an undue burden on the nearby residents to police the use of the proposed new workshop. It doesn’t matter how good the doors are at sound insulation, if they can be left open to suit whatever Smulders motives may be, the doors might as well not exist. What restrictions are in place to limit noise during night-time operation if the doors to the workshop can be opened at any time?

- Finally, the yard has a platform that was specifically constructed to act a noise monitoring station and was operational 24/7 when previous owners OGN owned the yard. Why can’t a permanent tamper-proof, noise monitoring to British Standard BS4142:2014+A1:2019 be reinstated to provide round the clock noise monitoring and recording as a matter of record?

- Light Pollution - At the time of writing, Smulders are not engaged in any night-time activity. Even so, the level of light pollution from the yard is significant. After sunset gardens are in permanent twilight due to the powerful floodlights used to illuminate the yard. This gets worse when night-time working resumes. You cannot see the stars in the sky, inside our homes, heavy curtains/blinds are needed to shut out the light. How will the workshop attempt to eliminate even more light pollution?

- Air Pollution - Will the extraction fans in the workshop filter the extracted air for airborne particles? One of the issues facing residents, is the welding and shot blasting activities in the yard generate large amounts of airborne rust particles. If the wind direction is southerly these rust particles contaminate cars, uPVC windows and door frames, garden furniture, and clothes on washing lines. Smulders answer to this problem is to supply any resident who complains loudly enough about it, cans/aerosol sprays of decontaminant designed to remove the rust. This is an inadequate response to the problem. I shouldn’t have to invest

my time and energy to remedy a property damaging issue resulting from Smulders industrial endeavours.

- Visual Impact - Why are there no 3D generated images showing the visual impact of the workshop in any of the various locations within the yard where it may be located?

As the workshop is designed to be semi-portable, what effect will its construction and dis-assembly/reconstruction have when it is moved on the residents?

- The applicant's Noise Impact Assessment states that the workshop will be located in 'A' Yard '...for at least the first two years of the workshop being operational'. I'm therefore concerned this a 'Trojan Horse' application with the purpose of establishing the workshop, before relocation to 'B' Yard in 2 years' time. This will have a detrimental impact on a greater number of residents, given the close proximity of the Hadrian Mews development. This could however be controlled via a condition restricting the workshop to 'A' Yard only.

- I note the submitted plans however the scale and extent would be far better shown and understood by 3-D images. To date however, these have not been provided by the applicant - this is surely not beyond the applicant's budget with CAD being software being widely available.

## 8.0 External Consultees

### 9.0 Port of Tyne

No comments.

### 10.0 Northumbrian Water

10.1 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. 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/services/developers/>

10.2 For information only: We can inform you that two combined public sewers cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/services/developers/>.

### 11.0 Environment Agency

11.1 Response given referring to the Environment Agency's 'Standard Response'. This refers to the issues the Environment Agency recommends Local Planning Authorities should consider when determining applications for development in Flood Zone 3. This refers to safe access and floor levels.

#### 12.0 Newcastle International Airport

No comments.

#### 13.0 Tyne and Wear Archaeology Officer

13.1 An archaeological desk-based assessment for the western part of the site was carried out in 2012 by Archaeological Services Durham University (event 3749 report 2012/53). This concluded that evidence for mid to late 19th century wagonways and associated structures and other industrial structures and rail lines may survive across the site. The HER and historic maps show that the eastern part of the site where the temporary workshop will initially be located is broadly similar in nature, having been reclaimed in the later 19<sup>th</sup> century and developed as a shipyard (HER2210 <http://www.twsitelines.info/SMR/2210>). The site therefore has some archaeological potential for below ground structural remains of the Wallsend Slipway site.

13.2 The construction of the proposed building will not involve the excavation of foundations, but some levelling of the site will be required, however the site has previously been surfaced with concrete. Overall I consider that the proposals will not have a significant impact on any known archaeological heritage assets, and no archaeological work is required.

#### 14.0 Historic England

On the basis of the information available to date, we do not wish to offer any comments.

#### 15.0 South Tyneside Council

No objections.