

Application No: 18/01414/FUL Author: Maxine Ingram
Date valid: 15 October 2018 ☎: 0191 643 6322
Target decision date: 14 January 2019 Ward: Camperdown

Application type: full planning application

Location: Block F, K, H, J, M & L, The Killingworth Site, Harvey Combe, Station Industrial Estate, Killingworth

Proposal: Demolition of blocks F, K, L and M and erection of new replacement vehicle maintenance unit. Reconfiguration of vehicle access routes and parking (additional reports and plans received May-July 2019)

Applicant: North Tyneside Council, Mr Ian Lillie Quadrant Silver Link North Cobalt Business Park Newcastle Upon Tyne NE27 0BY

Agent: Ainsworth Spark Associates, Mr Peter Nugent 9 Summerhill Terrace Newcastle Upon Tyne NE4 6EB

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

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

- The principle of the development (impact on listed building, biodiversity, design);
- The impact on amenity;
- The impact on character and appearance;
- The impact on highway safety;
- Other issues.

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

2.0 Description of the Site

2.1 The site to which this application relates is the North Tyneside Depot at Harvey Combe, Killingworth. The site consists of a number of standalone blocks of offices, store and workshops. The buildings, subject of this application, are located within the north west corner of the site; Block F, K, L and M. The remaining buildings within the north west corner of the site (Block G and N) are

not located within the redline boundary of this application. Block A and B located to the south east of the application site are Grade II* Listed.

2.2 The East Coast main railway line is located adjacent to the western boundary of the site. To the north of the site there is an existing commercial unit.

2.3 The application site forms part of a wider mixed use designation of the Local Plan (LP).

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the demolition of Blocks F, K, L and M and the erection of a replacement vehicle maintenance unit. The existing vehicle access routes and parking will be reconfigured.

4.0 Relevant Planning History

4.1 The most recent planning applications are set out below:

Block A

15/00653/LBC - Removal of asbestos containing materials – Permitted
31.08.2017

18/00402/FUL - Variation of condition 4 of planning approval 15/00653/LBC - To allow weekend working - Permitted 30.05.2018

18/00811/FUL - Refurbish existing building including cleaning and repairs to external fabric, removal of unnecessary services, adjusting threshes and heads to access door and raising the internal floor to the open plan offices to accommodate electrical/ data services. The internal flexible layout will change and the fixed areas remain predominantly as existing – Permitted 17.10.2018

18/00812/LBC - Refurbish existing building including cleaning and repairs to external fabric, removal of unnecessary services, adjusting threshes and heads to access door and raising the internal floor to the open plan offices to accommodate electrical/ data services. The internal flexible layout will change and the fixed areas remain predominantly as existing. (Additional plans received 30.08.2018) – Permitted 17.10.2018

19/00506/LBC - Amendment and update of previous approved submission to address the following: 1) Roof repairs, and provision of safe access. 2) Cladding: Concrete panel repair and decoration: Damaged steel sheeting and remedial proposals: Brickwork repairs. 3) Doors and louvred over-panels 4) Windows amended proposals 5) Removal of external stair and associated first floor door on the west elevation 6) Adjustment of external ground levels adjacent to vertical sheeting. 7) Vehicle safety barrier to the perimeter of the first floor car park. 8) Feature strip light to the head of ground floor cladding – Permitted 05.06.2019

19/00609/FUL - Variation of conditions 1(approved) and 6(cladding) of planning approval 18/00811/FUL. Amendment and update of previous approved submission to address the following: 1) Roof repairs, and provision of safe access. 2) Cladding: Concrete panel repair and decoration: Damaged steel sheeting and remedial proposals: Brickwork repairs. 3) Doors and louvred over-

panels 4) Windows amended proposals 5) Removal of external stair and associated first floor door on the west elevation 6) Adjustment of external ground levels adjacent to vertical sheeting. 7) Vehicle safety barrier to the perimeter of the first floor car park. 8) Feature strip light to the head of ground floor cladding – Permitted 25.06.2019

Block E

19/00067/FUL - Variation of condition 1 (approved plans) of planning approval 18/01010/FUL - change design of north elevation and amend internal layout to kitchen and self service area – Permitted 07.03.2019

18/01456/FUL - Variation of condition 5 of planning approval 18/01010/FUL - to allow change to working times 08:00 - 18:00 Mon to Fri, 08:00 - 18:00 Sat and 08:00 - 14:00 Sun – Permitted 12.12.2018

18/01162/FUL - Refurbishment of existing hardstand/car park to the north of Block E to accommodate a parking area for staff and visitors. Access area between Blocks A and E is to be changed to provide a pedestrian and access area to reception areas. (Further Ecology information received 11.09.18) – Permitted 13.11.2018

18/01010/FUL - Alterations of existing internal layout, refurbishment of facilities – Permitted 11.09.2018

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policies

6.1 National Planning Policy Framework (NPPF) (February 2019)

6.2 National Planning Practice Guidance (NPPG) (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 Local Planning Authorities (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 Detailed Planning Considerations

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

- The principle of the development (impact on listed building, biodiversity, design);
- The impact on amenity;
- The impact on character and appearance;
- The impact on highway safety;
- Other issues.

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

8.0 Principle of the development (impact on listed building, biodiversity, design)

8.1 The Council has a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting.

8.2 The Local Plan (LP) was adopted in July 2017 to guide development in the period up to 2032. The council acknowledges that the policies contained within the LP predate the publication of the revised NPPF however, it is clear from paragraph 213 of the NPPF that: “However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).” The council considers that, as the plan is very recent, the local plan policies set out in this report are consistent with the NPPF and can be afforded significant weight.

8.3 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: an economic objective; a social objective; and an environmental objective. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

8.4 The NPPF paragraph 11 makes it clear that plans and decisions should apply a presumption in favour of sustainable development. However, the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The NPPF paragraph 12 states “Where a planning application conflicts with an up-to-date development plan permission should not normally be granted. Local Planning Authorities (LPA’s) may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

8.5 The NPPF paragraph 80 states “Planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both business needs and wider opportunities for development”.

8.6 The NPPF Section 16 sets out guidance relating to conserving and enhancing the historic environment. Considering the potential impacts on the significance of a designated heritage asset are set in paragraphs 193 to 196.

8.7 LP Policy S6.5 ‘Heritage Assets’ aims to pro-actively preserve, promote and enhance its heritage assets, and will do so by, amongst other matters: respecting

the significance of assets; maximising opportunities to sustain and enhance the significance of heritage assets and their settings.

8.8 LP Policy DM6.6 'Protection, Preservation and Enhancement of Heritage Assets' states that proposals that affect heritage assets or their settings will be permitted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of heritage assets in an appropriate manner. As appropriate, development will, amongst other matters: conserve built fabric and architectural detailing that contributes to the heritage asset's significance and character; and ensure that additions to heritage assets and within its setting do not harm the significance of the heritage asset.

8.9 LP Policy DM6.6 makes it clear that any development that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment, and cannot be met in any other way.

8.10 Paragraph 124 of the NPPF recognises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

8.11 Paragraph 130 of the NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

8.12 LP Policy DM6.1 'Design of Development' 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. Proposals are expected to demonstrate, amongst other matters: a design responsive to landscape features, topography, wildlife habitats, site orientation and existing building and a positive relationship to neighbouring buildings and spaces.

8.13 LDD11 'Design Quality' SPD applies to all planning applications that involve building works.

8.14 The NPPF paragraph 174 seeks to protect and enhance biodiversity.

8.15 The NPPF paragraph 175 states "When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...".

8.16 LP Policy DM5.7 'Wildlife Corridors' states "Development proposals within a wildlife corridor, as shown on the Proposals Map, must protect and enhance the

quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.

8.17 LP Policy S5.4 'Biodiversity and Geodiversity' states the borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relevant significance. This strategic policy is further supported by Policy DM5.5 'Managing effects on Biodiversity and Geodiversity'.

8.18 LP Policy DM5.9 'Trees, Woodland and Hedgerows' states "Where it would not degrade other important habitats the Council will support strategies and proposals that protect and enhance the overall condition and extent of trees, woodland and hedgerows in the Borough'. Amongst other matters this includes protecting existing landscape features and securing the implementation of new landscaping as a condition of planning permission for new development.

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

8.20 This application is for the demolition of existing buildings and the construction of a new vehicle maintenance unit. The buildings to be demolished (blocks F, K, L and M) will make way for the new vehicle maintenance unit and reconfiguration of the car park associated with this unit and the wider site.

8.21 The applicant advised that "The new unit is required to enable the Council to continue using the site as currently Block F is the facility for vehicle maintenance, but this has become unworkable as service vehicles have changed over the years. The layout required has changed and the access points for the vehicles need to be wider and more sensibly laid out to facilitate their servicing."

8.22 Block F is unlisted, but it does form part of the setting for the listed Block A and sits as a linear development of the site layout after Block E. The applicant has advised that its layout, form, position and condition mean that it is not suitable for expansion to bring it up to the standards required, hence the proposal of the new unit. The retention of Block F alongside the proposed unit would result in a reduction in the level of available car parking provision to accommodate the Council's service vehicle fleet.

8.23 The applicant has also advised that Blocks L and M are also now redundant and, particularly Block M, failing materially. Therefore, these buildings are also included in the demolition proposals. The applicant has also advised that Block K is in a poor state of repair and does not marry with the overriding design of the principle buildings in this part of the overall site. The applicant believes that Block K was added sometime between 1974 and 1995 and is poorly placed for further use.

8.24 The applicant states that “As Block F does contribute to the setting of the listed Block A, we shall be producing a full photographic Building Recording prior to its demolition”.

8.25 The proposed building would consist of a large, open plan vehicle service area, with associated plant, stores, offices and welfare provision at each end. The total proposed floor area of the new building is 1, 200 sqm. The footprint of the buildings to be demolished (Block F, K, L and M) equates to 1, 616 sqm.

8.26 The proposed unit would accommodate seven vehicle maintenance bays, each with a through-route with the entrances along the southern façade and the exits along the north façade. Bookending this 9m high space are a series of ancillary rooms. To the west end are the MOT office and reception, a plant room and an oil store and the east end is a larger suite of offices, toilets, tea room, store and grinder room. Surrounding the unit are access routes and parking associated directly with the proposed building and the wider site.

8.27 The footprint of the proposed building is not larger than the existing Block F in plan; it would provide an improved layout. Part of the improvement comes with the extra height over and above the current Block F afforded in the new vehicle bays, with the extra 2.5m of height allowing doors more suitable for manoeuvring modern service vehicles through. By siting the new unit in the far north west corner of the available space, the potential negative impact of this extra height on the 10.5m high Block A is minimised. The removal of the extra service blocks allows for a more logical flow of uses around the site.

8.28 The design of the building reflects the original version of the buildings in this grouping by mirroring the flat-roofed, eaves-less monolithic shape of the early blocks, thus helping to integrate it into its setting. Similar to Block A, the new unit consists of a clearly read rectangular shell within which the uses are placed. External materials are grey panels, so that the block appears subservient to the bright white of Block A upper levels, with the vehicle entrances and exits in a darker, vertically orientated cladding, reminiscent of the ground floor and end elevation cladding of Block A.

8.29 Historic England has been consulted. They have advised that Block F, albeit not as significant as Blocks A, B and E, has some interest, sharing stylistic features with the main blocks and contributing towards their setting as well as housing secondary functions for the site, but the quality of materials and design is not on the same level as for Blocks A and B. They welcome the fact the Council is going to retain and reuse the site, as this keeps the site within a single ownership with a use that is highly compatible with the sites original function, and also recognises the importance of this nationally designated asset within the region and its capacity for reuse. That said, as Block F makes a positive contribution to the setting of the listed buildings and so its demolition would be harmful, albeit minor in degree.

8.30 Historic England has advised that regardless of the level harm, it still requires clear and convincing justification to be outweighed by the public benefits of the proposals in order for the application to meet the requirements of

paragraphs 194 and 196 of the NPPF. In this case, Historic England considers that the applicant has provided clear reasons why the existing building cannot be adapted to meet current requirements, and the heritage benefits of bringing the whole site back into active use outweighs the harm of losing the building. On this basis, they have raised no objections to the development, subject to the imposition of the suggested conditions.

8.31 The proposed building would be sited in the north west corner of the wider depot site. Glimpses of the proposed building would be afforded from Station Road to the east of the site. When viewed from this direction, it would be seen in the context of an existing commercial and operational site. Views of the proposed building would be afforded from the west of the site, including the East Coast main line and residential properties beyond. Views from the residential properties located to the west of the site would be afforded some screening by the existing landscape buffer between them and the railway line. When viewed from this direction, it would be seen in the context of an existing commercial and operational site. The proposed building is simple in terms of its visual appearance. It is not considered necessary to impose a levels condition, as the finished floor level has been provided on the drainage plan. The building would be of a comparable height to existing commercial buildings within the vicinity of the site. On balance, it is the view of officers that the proposed building, would not significantly detract from the character and appearance of the wider area.

8.32 The Tyne and Wear Archaeology Officer has been consulted. She has confirmed that no further archaeological work is required. The submitted archaeological building survey has been entered into the Tyne and Wear HER in compliance with the NPPF (paragraph 199).

8.33 The site, subject of this application, is located adjacent to a designated wildlife corridor. An Ecological Appraisal and Bat Survey report have been submitted to accompany this application. This report has been considered by the Council's Biodiversity Officer. She has recommended conditional approval.

8.34 The NPPF, paragraph 54 states "Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Paragraph 55 states "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects." The NPPF paragraphs 174 and 175 seek to protect and enhance biodiversity. Members are advised that it is clear from the Biodiversity Officer's comments set out in paragraphs 1.1 - 1.6 of the appendix to this report that appropriate mitigation to reduce the impacts on protected species can be secured by conditions.

8.35 Members need to determine whether the proposed development is acceptable in terms of its impact on the heritage assets, having special regard to the desirability of preserving the setting of a Grade II* listed building, the proposed design and the impacts on biodiversity. It is officer advice that, subject to the imposition of the suggested conditions, the impacts of the proposed development are considered to be acceptable. As such, the proposed

development is considered to accord with both national and local planning policies.

9.0 Impact upon amenity

9.1 Paragraph 180 of the 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 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 amongst other matters; mitigate and reduce to a minimum potential adverse impacts resulting from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

9.2 LP Policy DM5.19 'Pollution' states that development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution, so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity.

9.3 DM5.19 further states that "Development proposed where pollution levels are unacceptable will not be permitted unless it is possible for mitigation measures to be introduced to secure a satisfactory living or working environment."

9.4 The Manager for Environmental Health has been consulted. She has raised concerns regarding noise arising from the construction of a new building. No noise assessment has been submitted. However, consideration has been given to the fact that it is a replacement of existing buildings. Members are advised that it is clear from the environmental health comments set out in paragraphs 1.7 - 1.11 of the appendix to this report that appropriate mitigation to reduce the impacts on amenity can be secured by conditions.

9.5 Members need to determine whether the proposed development is acceptable in terms of its impact on amenity. It is officer advice that, subject to the imposition of the suggested conditions, the impacts on are considered to be acceptable. As such, the proposed development is considered to accord with both national and local planning policies.

10.0 Highways

10.1 The NPPF paragraph 109 makes it clear 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.

10.2 LP Policy DM7.4 'New Development and Transport' makes it clear that the Council will ensure that the transport requirements of new development, are commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents health and well being.

10.3 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

10.4 The Highways Network Manager has been consulted. He has advised that the site has been established for some time and access to the site from the main road to the east remains unchanged. He has advised that the proposed layout is suitable for the needs of this site. On this basis, he has recommended conditional approval.

10.5 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network and parking provision. It is officer advice that, subject to the imposition of the suggested conditions, the impacts on the highway network and parking provision are considered to be acceptable. As such, the proposed development is considered to accord with both national and local planning policies.

11.0 Other Issues

11.1 Flooding

11.2 The NPPF paragraph 163 makes it clear that "When determining planning applications, LPA's should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site specific flood risk assessment (FRA) following the sequential test."

11.3 LP Policy "DM5.12 Development and Flood Risk" 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 taken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

11.4 Northumbrian Water has been consulted. They have raised no objections to the proposed development.

11.5 The Lead Local Flood Authority (LLFA) has been consulted. He has advised that the applicant intends to utilise the existing surface water drainage system within the site. There will also be a rainwater harvesting system, which is designed to capture surface water from the building in order to provide a facility to allow the vehicles to be filled with the captured water. The LLFA has advised that the introduction of the rainwater harvesting system will help reduce the volume of surface water leaving the site which will assist in reducing the impact of the development on the local sewer network. A condition is suggested to request details of the maintenance schedule for the existing petrol receptor.

11.6 Members need to determine whether the proposed development is acceptable in terms of its impact on flood risk. It is officer advice that, subject to the imposition of the suggested conditions, on flood risk are considered to be acceptable. As such, the proposed development is considered to accord with both national and local planning policies.

11.7 Housing Designation

11.8 The site is designated as a mixed use site within the Local Plan – Site 5 Harvey Combe, Station Road, Killingworth. Policy S4.3 Distribution of Housing Development Sites is relevant to the determination of this application. This application relates to the demolition of existing buildings, the construction of a new building and the reconfiguration of existing access and parking arrangements. The proposed development would improve the existing facilities within the wider depot site for its existing commercial/business use. Should any future applications be submitted for housing on this site then they would need to be considered on their own merits in accordance with the most relevant national and local planning policies.

11.9 Contamination

11.10 NPPF paragraph 178 states “Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This include risks arising from natural hazards of former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from the remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments”

11.11 NPPF paragraph 179 states “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”.

11.12 LP Policy DM5.18 “Contaminated and Unstable Land” states: “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 which:

a. Shows that investigations have been carried out to assess the nature and extent of contamination or stability issues and the possible effect it may have on the development and its future users, biodiversity, the natural and built environment; and

b. Sets out detailed measures to allow the development to go ahead safely and without adverse affect, including, as appropriate:

- i. Removing the contamination;
- ii. Treating the contamination;
- iii. Protecting and/or separating the development from the effects of the contamination;
- iv. Validation of mitigation measures; and
- v. Addressing land stability issues.

Where measures are needed to allow the development to go ahead safely and without adverse affect, these will be required as a condition of any planning permission”

11.13 The Contaminated Land Officer has been consulted. Subject to the imposition of an informative, she has raised no objection to the proposed development.

11.14 The Coal Authority has been consulted. They have raised no objections to the proposed development.

11.15 Members need to determine whether the proposed development is acceptable in terms of its impact on ground conditions and future use. It is officer advice that, subject to the imposition of the suggested informative, the impacts on ground conditions and future use are considered to be acceptable. As such, the proposed development is considered to accord with both national and local planning policies.

11.16 Railway

11.17 Network Rail has been consulted. They have raised no objections to the proposed development.

11.18 North West Villages Sub Area

11.19 The proposed development would not affect the aims of Policy AS8.28 Former Engineering Research Centre or Policy AS8.24 The North West Villages Sub Area.

11.20 Aviation Safety

11.21 Newcastle International Airport Limited (NIAL) has been consulted. Their initial comments have raised no objections to the proposed development, subject to the imposition of their suggested conditions.

11.22 Any further comments received from airport as a result of the re-consultation will be reported to Members as a separate addendum.

12.0 Local Financial Considerations

12.1 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. It is not considered that the proposal results in any local financial considerations.

13.0 Conclusion

13.1 The Council has a statutory duty under Section 66(1) of the Planning and Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting. Members need to determine whether this proposed development would preserve the setting of the Grade II* listed building. Members also need to decide whether the proposed development is acceptable in terms of its design both of the building itself and its impact upon its surroundings. Members also need to determine whether the proposed development is acceptable in terms of its impact on amenity, and all other issues including its impact on highways, ground conditions, flooding and the wildlife corridor. It is the view of officers that the proposed development is

6. Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Reason: To ensure that the impacts on biodiversity are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017) and NPPF.

7. The roots and crowns of retained trees shall be protected during construction, including through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

Reason: To ensure the impacts on existing landscape features are adequately protected during construction having regard to Policy DM5.9 of the North Tyneside Local Plan (2017).

8. Prior to the commencement of any development, a Bat Working Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved, including demolition of any building, construction works and felling of trees, shall be carried out in full accordance with these agreed details.

Reason: This is required from the outset to ensure that the impacts on biodiversity are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017) and NPPF.

9. An updated Bat Report will be required to be submitted to and approved in writing by the Local Planning Authority should the development hereby approved not commence within 12 months of this report being issued.

Reason: To ensure that the impacts on biodiversity are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017) and NPPF.

10. Prior to the construction of any part of the development above ground level, details of 6no. general bat boxes to be installed in adjacent trees, within the ownership of the applicant, at a minimum height of 4m shall be submitted to and approved in writing by the Local Planning Authority. These details shall include box specifications, locations and timing of installation. Thereafter, the development shall be carried out in full accordance with these agreed details which shall be permanently maintained and retained.

Reason: To ensure that the impacts on biodiversity are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017) and NPPF.

11. Prior to the commencement of any development, a Reptile Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved, including clearance of grassland areas and areas of bare ground shall be carried out in full accordance with these agreed details.

Reason: This is required from the outset to ensure that the impacts on biodiversity are adequately protected having regard to policy DM5.7 of the North Tyneside Local Plan (2017) and NPPF.

12. Prior to the commencement of any construction above ground level, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority and in consultation with Newcastle International Airport Limited. This plan shall include tree replacement on a 2 to 1 basis. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy DM5.9 of the North Tyneside Local Plan (2017).

13. Prior to the commencement of any development, an Invasive Species Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved, including the removal of *Contoneaster* sp., shall be carried out in full accordance with these agreed details.

Reason: To ensure any invasive species are removed correctly from this site having regard to policy DM5.7 of the North Tyneside Local Plan (2017).

14. Prior to the construction of any part of the development hereby approved above ground level a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details for all operations carried out at the site, including details of deliveries and collections to and from the site and all mitigations measures, including timings of implementation, to prevent noise emanating from the site. Thereafter, the development shall be carried out in full accordance with these agreed details.

Reason: To protect the occupants of nearby properties from noise disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

15. Prior to the installation of any external plant, ventilation and extraction systems to the development, a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. 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 both daytime and night time arising from the site to the nearest noise sensitive housing. Thereafter, the development hereby approved shall be carried out in full accordance with these agreed details.

Reason: To safeguard the occupiers of adjacent properties from undue noise of other associated disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

16. Within one month of the installation of any plant and equipment pursuant to condition 15 acoustic testing shall be undertaken to verify compliance with this

condition. This verification shall be submitted to and approved in writing prior to the permanent operation of this plant and equipment. Thereafter, it shall be maintained in working order.

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

17. Restrict Hours No Construction Sun BH HOU00 *
4

18. Noise No Tannoys Externally Audible NOI002 *

19. No storage of waste materials is permitted externally, or within containers or heavy goods vehicles.

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

20. Construction Method Statement - Major SIT007 *

21. Prior to installation of any floodlighting or other form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. External lighting that may reduce bat use of potential roost sites will be avoided. High intensity security lights will be avoided as far as practical. Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects. This lighting scheme shall include the following information:

- a statement of frequency of use, and the hours of illumination;
- a site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features;
- details of the number, location and height of the proposed lighting columns or other fixtures;
- the type, number, mounting height and alignment of the luminaires;
- the beam angles and upward waste light ratio for each light;
- an isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties or the public highway to ensure compliance with the institute of lighting engineers Guidance Notes for the reduction of light pollution to prevent light glare and intrusive light for agreed environmental zone ; and
- where necessary, the percentage increase in luminance and the predicted illuminance in the vertical plane (in lux) at key points.

The lighting shall be installed and maintained in accordance with the approved scheme.

Reason: In the interest of biodiversity and visual amenity having regard to policies DM5.7 and DM5.19 of the North Tyneside Local Plan (2017).

22. Wheel Wash SIT008 *

23. No part of the building shall be occupied until an area has been laid out within the site for fleet 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).

24. The scheme for parking 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, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

25. Notwithstanding any indication of materials which may have been given in the application, prior to the commencement of any construction above ground level a schedule and/or samples of the materials and finishes for the development has 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: To secure a satisfactory external appearance having regard to policies DM6.6 and DM6.1 of the North Tyneside Local Plan (2017).

26. Prior to the construction of any part of the development above ground level details of the maintenance schedule for the existing petrol interceptor shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in accordance with these agreed details.

Reason: In the interests of surface water management having regard to NPPF.

27. Prior to the operation of cranes, over 60m in height, on site, a Method Statement for Crane Operation, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Newcastle International Airport. Thereafter, the development shall be carried out in accordance with these agreed details. Any crane over 45m in height must be fitted medium intensity red steady obstacle lights.

Reason: This information is required from the outset in the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

28. All lighting associated with the development either permanently or during construction, should be fully cut off so as not to direct lighting up into the atmosphere with the potential to distract pilots flying aircraft overhead.

In the interest of aerodrome safeguarding and in accordance with the National Planning Policy Framework.

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)

Consent to Display Advertisement Reqd (I04)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

Take Care Proximity to Party Boundary (I21)

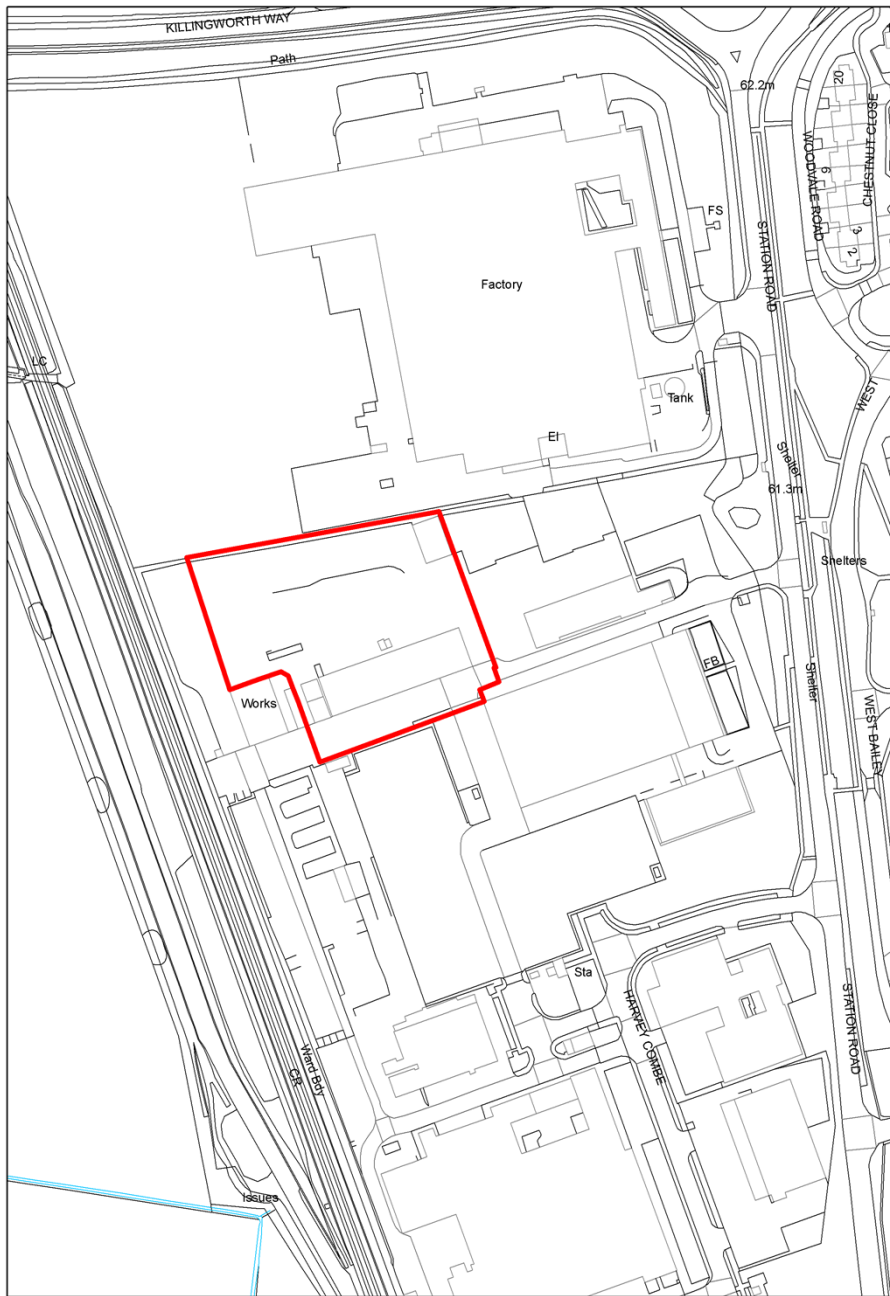
Advice All Works Within Applicants Land (I29)

Coal Mining Standing Advice (FUL,OUT) (I44)

Highway Inspection before dvlpt (I46)

Contamination may be on Site (I15)

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.



Application reference: 18/01414/FUL

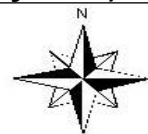
Location: Block F, K, H, J, M & L, The Killingworth Site, Harvey Combe, Station Industrial Estate

Proposal: Demolition of blocks F, K, L and M and erection of new replacement vehicle maintenance unit. Reconfiguration of vehicle access routes and parking (additional reports and plans received May-July 2019)

Not to scale

Date: 25.07.2019

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Number 0100016801



**Appendix 1 – 18/01414/FUL
Item 6**

Consultations/representations

1.0 Internal Consultees

1.1 Biodiversity Officer

1.2 An Ecological Appraisal and Bat Survey report (June 2019) has been submitted to support the application.

1.3 The 2019 bat risk assessment of additional structures included within the development plan found that Block G, Block N and the existing vehicle workshop are of low suitability for use by roosting bats. Suitability of subsidiary structures and metal containers present were considered to range from negligible to low-negligible. Dusk emergence survey of Blocks G and N, the vehicle workshop and the surrounding ancillary buildings was carried out on the 10th of June 2019. No bats were recorded emerging from the structures during the survey and overall bat activity recorded was very low, limited to occasional noctule passes. As with Blocks A and E, there is considered to remain a residual risk that individual bats may roost within the structures at times.

1.4 The site is also considered likely to be of local value to birds with the buildings supporting nesting swallow and potentially herring gull.

1.5 The report identifies the following potential impacts of the development:-

- There is a low risk that works to Block A, E, G, N and the Vehicle Workshop could cause harm/disturbance to roosting bats. Roosts have not been proven within these buildings but there is considered to remain a low residual risk of use by individual bats at times during the year.
- Works to buildings onsite could cause disturbance to nesting birds should works be undertaken during the nesting season.
- Proposals will cause the loss of a small number of trees considered to be of low suitability for use by roosting bats.
- Clearance of grassland and felling of trees could cause harm/disturbance to nesting birds if undertaken during the nesting season.
- Any lighting scheme associated with the new parking area has the potential to reduce the value of the site and adjacent land to wildlife.
- There is a risk that construction works could cause harm to hedgehog or reptiles should they be present and enter the construction area during works.

1.6 The following conditions should be attached to this application:-

- Vegetation clearance/tree felling will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.
- External building works and demolition will not be undertaken during the bird nesting season (March to August inclusive) unless a checking survey undertaken by a suitably experienced ornithologist confirms the absence of active nests.
- 4no. swallow nest features will be provided in appropriate locations on buildings within the site. Details of nest specifications, locations and timing of installation will be submitted to the LPA for approval within 4 weeks of development

commencing on site and will be undertaken in accordance with the approved plans.

-Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

-The roots and crowns of retained trees will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

-A Bat Working Method Statement will be submitted to the LPA for approval prior to works commencing on site. All demolition/building works and felling of trees will be undertaken in accordance with the approved Bat Method Statement

-If development does not taken place within 12 months of the Bat Report being undertaken, an updating survey will be required.

-A Reptile Method Statement will be submitted to the LPA for approval prior to works commencing on site. Clearance of grassland areas and areas of bare ground will be undertaken in accordance with the approved Reptile Method Statement.

-In advance of the start of works 6 general bat boxes will be erected in adjacent trees, within the site owner's landholding, to provide alternative roost sites. Boxes will be erected as high as possible, ideally at a minimum height of 4m. Details of bat box specifications and locations will be submitted to the LPA for approval prior to development commencing.

-Landscape planting will include tree replacement on a 2 to 1 basis.

-An Invasive Species Method Statement will be submitted to the LPA for approval prior to works commencing on site. Removal of *Cotoneaster sp.* will be undertaken in accordance with the approved Invasive Species Method Statement.

-External lighting that may reduce bat use of potential roost sites will be avoided. High intensity security lights will be avoided as far as practical. Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.

1.7 Manager for Environmental Health (Pollution)

1.8 I have concerns with regard to this application with regard to noise arising from the erection of new replacement vehicle maintenance unit and reconfiguration of vehicle access routes and parking.

1.9 No noise assessment has been provided to determine the impacts of the proposed operations on nearest sensitive receptors from the new replacement vehicle maintenance unit. However, as it is a replacement of existing buildings I would recommend a condition to require a noise scheme is provided to determine what mitigation is required to address noise arising from the operations carried out on the site, this may include acoustic screening, closing of workshop doors when noisy equipment is in use etc. The noise scheme will need to include all operations occurring on the site. I would also recommend conditions to address deliveries to the site and a noise scheme for plant and equipment.

1.10 I would also recommend conditions to cover for any new external lighting for the site.

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

NOI10 noise scheme to include for all operations carried out at the site and mitigation measures.

Prior to occupation, details for the management of deliveries and collections to and from the site must be submitted for agreement in writing by the planning authority to assess the impact and provide details of mitigation measures and management controls that will be put in place.

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 both daytime and night time arising from the site to the nearest noise sensitive housing.

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.

HOU04

NOI02

No storage of waste materials is permitted externally, or within containers or heavy goods vehicles.

SIT01 Dust management scheme during construction phase only.

LIG01

1.12 Highways Network Manager

1.13 The site has been established for some time and access remains unchanged. The proposed layout is suitable for the needs of the site and conditional approval is recommended.

1.14 Recommendation - Conditional Approval

1.15 Conditions:

ACC25 - Turning Areas: Before Occ

PAR04 - Veh: Parking, Garaging before Occ

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

1.16 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

146 - Highway Inspection before dvlp

1.17 Contaminated Land Officer

1.18 I have no objections to this development, however previous land use may have given rise to contamination. Therefore I would recommend an informative (I15) to be attached as any spoil from foundations will have to be disposed of at a suitably licensed facility.

1.19 Lead Local Flood Authority (LLFA)

1.20 I have carried out a review of the above planning application.

1.21 I can confirm I have no objections to the surface water drainage proposals. To provide the developments surface water drainage the applicant intends to utilise the existing surface water drainage system within the site. There will also be a rainwater harvesting system installed which is designed to capture surface water from the building in order to provide a facility for the grounds maintenance teams to fill up their vehicles with the captured water. The introduction of the rainwater harvesting system will help reduce the volume of surface water leaving the site thus reducing the impact of the development on the local sewer network by providing a facility to recycle the surface water which falls on the building.

1.22 I would recommend that a condition is placed on the application requesting details of the maintenance schedule for the existing petrol interceptor.

2.0 Representations

2.1 None

3.0 External Consultees

3.1 Tyne and Wear Archaeology Officer

3.2 I note that the applicant has provided a report on the archaeological building survey of the building. This fulfils our requirements for the building and no further archaeological work is required. The report has been entered into the Tyne and Wear HER in compliance with the NPPF (para 199).

3.3 Historic England

3.4 No further comments to make following re-consultation.

3.5 On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

3.6 Historic England Advice

3.7 The grade II* listed Engineering Research Station (block A) and School of Engineering (block B) at Killingworth, built in 1966 and 1975 respectively and designed by one of the most important provincial architectural firms of the post-war era - the North East based firm of Ryder and Yates - form a distinctive and exciting group of structures with flexibility and innovation at the core of a subtle but uncompromising modernist design. Although not as significant as blocks A, B and E, block F (which comprises blocks F, J and the infill) has some interest, sharing stylistic features with the main blocks and contributing towards their setting as well as housing secondary functions for the site, but the quality of materials and design is not on the same level as for blocks A and B.

3.8 Generally speaking, the news that the Council is going to retain and reuse the site is very much welcomed; it keeps the site within a single ownership with a use that is highly compatible with the site's original function, and also recognises the importance of this nationally designated asset within the region and its capacity for reuse. That said, as discussed above block F does make a positive contribution to the setting of the listed buildings and so its demolition would be harmful, albeit minor in degree.

3.9 Regardless of the level of harm, it still requires clear and convincing justification and to be outweighed by the public benefits of the proposal in order for the application to meet the requirements of paragraphs 194 and 196 of the National Planning Policy Framework (NPPF). In this case, the applicant has provided clear reasons why the existing building cannot be adapted to meet current requirements, and the heritage benefits of bringing the whole site back into active use outweighs the harm of losing the building. As such, I have no objections to the proposal, but ask that the finer design details and materials are conditioned to ensure they are in character with the rest of the site, so maintaining the setting of the listed buildings as far as possible.

3.10 Recommendation

3.11 Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 194 and 196.

3.12 In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

3.13 Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

3.14 Network Rail

3.15 With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the development of an electrified railway.

3.16 Drainage

3.17 All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.

3.18 For this matter we would be pleased if an informative could be attached to the decision notice.

3.19 Northumbrian Water

3.20 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.

3.21 Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have the following comments to make:

3.22 Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:

- Discharge into ground (infiltration);
- Discharge to a surface water body;
- Discharge to a surface water sewer, highway drain, or another drainage system;
- As a last resort, discharge to a combined sewer.

3.23 Newcastle International Airport Limited (NIAL)

3.24 NIAL's original comments are set out below. Any further comments received as a result of the re-consultation from the airport will be reported to Members as an addendum.

3.25 Physical Development

3.26 The proposed development itself does not present a hazard to aircraft, however the use of cranes or other tall construction equipment during the development phase could be. Although it is anticipated that the scheme will not need such equipment, any crane over 60m in height would penetrate the airfield's protected obstacle limitation surface and the developer would need to consult the Airport further to agree a method statement. Any crane above 45m in height should be fitted with medium intensity red steady obstacle lights.

3.27 Lighting

3.28 Any lighting required for the development either permanently or during construction, should be fully cut off so as to minimise light pollution spilling into the atmosphere which could distract pilots on final approach to Newcastle Airport.

3.29 Landscaping

3.30 Certain types of landscaping can be bird attracting, providing a habitat/feeding source for birds with the potential to result in an increase in bird strike incidences. The grouping of trees in certain arrangements can also provide roosting habitat for species such as starlings, which can be especially hazardous to aircraft owing to the density of flocks.

3.31 Given the distance of the site from the airport is considered that the below species should not make up greater than 20% of the planting schedule for the site. They should also be dispersed throughout the development.

Crataegus monogyna Hawthorn
Ilex aquifolium Holly
Rosa canina Dog Rose
Berberis spp Barberry
Cotoneaster
Viburnum
Aucuba Buddleia
Callicarpa Beauty Berry
Chaenomeles Japonica
Clerodendrum
Danae Butcher's Broom
Daphne Euonymus Spindle
Hypericum St John's Wort
Lonicera Honeysuckle

Lonicera Honeysuckle
Mahonia
Malus Crab Apple
Sorbus aucuparia Rowan
Pernettya Prickly Heath
Prunus avium Wild Cherry
Pyracantha Firethorn
Rhus Sumac
Ribes Ornamental Currant
Sambucus nigra Elder
Skimmia
Stransvaesia
Symphoricarpus Snowberry
Taxus Yew

3.32 The Coal Authority

3.33 The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

3.34 In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.