

**Development Control (Hetton, Houghton & Washington)  
Sub-Committee**

**2 March 2010**

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## **REPORTS FOR CIRCULATION**

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### **REPORT BY DEPUTY CHIEF EXECUTIVE**

#### **PURPOSE OF REPORT**

This report is circulated to the Sub Committee Meeting. It includes additional information received after the preparation of both the report on applications and the supplement. This information may allow a revised recommendation to be made.

#### **LIST OF CIRCULATED ITEMS**

Applications for the following sites are included in this report.

##### **Washington**

1. Nissan Motor Manufacturing (UK) Limited

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Number:	1
Application Number:	<b>09/04780/FUL</b>
Proposal:	Erection of building to house a battery manufacturing process (24,825msq), to include detached plant room and associated mechanical, electrical installations and external works.
Location:	Nissan Motor Manufacturing (UK) Limited, Washington Road, Usworth, Sunderland.

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Further to the supplementary report to Members it is considered that the proposed erection of a building to house a battery manufacturing process, detached plant room and associated works is acceptable and in accordance with adopted Unitary Development Plan policy as set out on the main report to Committee and the supplementary report.

It is therefore recommended that Members approve the development proposed, subject to conditions set out below.

**Recommendation: APPROVE**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:
  - Existing Site Plan Drawing Number LBPS 040 Received 18 December 2009
  - Proposed Elevations Drawing Number LBPS 004 A Received 18 December 2009
  - Proposed Elevation Drawing Number LBPS 003 A Received 18 December 2009
  - Proposed East Elevations Drawing Number LBPS 002 A Received 18 December 2009
  - Proposed Floor and Roof Plan Drawing Number LBPS 001 Received 18 December 2009
  - LB Battery Plant Sections Drawing Number LBPS 005 Received 18 December 2009
  - Office and Plant Rooms Drawing Number LBS 010 Received 18 December 2009
  - Electrolyte Store Drawing Number LBPS 086 Received 18 December

2009

- Plant Room Elevations Drawing Number LBPS 084 Received 18 December 2009
- Plant Room Plans Drawing Number LBPS 082 Received 18 December 2009
- Sub Station Drawing Number LBPS 080 Received 18 December 2009
- Roads and Hardstandings Drawing Number LBPS 055 A Received 18 December 2009
- Drainage Drawing Number LBPS 060 A Received 18 December 2009
- Landscaping Drawing Number LBPS 050 A Received 18 December 2009
- Nissan Site Layout Drawing Number LBPS 1000 Received 21 December 2009
- Nissan Motor Manufacturing (UK) Ltd Flood Risk Assessment Battery Plant Received 18 December 2009
- NMUK Battery Plant External Lighting Proposals Received 18 December 2009
- Nissan Motor manufacturing (UK) Limited Workplace Travel Plan Received 18 December 2009
- Nissan motor manufacturing (UK) Limited Site Waste Management Plan Received 18 December 2009
- Extended Phase 1 Survey Report Received 18 December 2009
- Breeding Bird Survey Report Received 18 December 2009.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 No development other than site preparation works shall take place on the area of land to the north and the east of the site, (Indicated as “woodland thinning / coppicing” on the plan entitled “figure one” prepared by Durham Wildlife Services on 11<sup>th</sup> Feb 2010) before precise details of the design and location of the drainages ditch(es) and sluices (wiers) required in connection with the development have been submitted in writing to and approved by the Local Planning Authority. The development shall then take place in strict accordance with the approved details unless otherwise first agreed in writing with the Local Planning Authority, in order to achieve a satisfactory form of development on site, in the interest of nature conservation and to guard against flooding and adverse effect on the quality of surface water; in order to comply with the requirements of policies CN18 and EN12 of the adopted Unitary Development Plan.
- 4 Prior to the commencement of development, a plan shall be submitted to the Local Planning Authority indicating the position of barriers and / or ground protection to be erected in order to protect the area of land to the north and the east of the site, (Indicated as “woodland thinning / coppicing” on the plan entitled “figure one” prepared by Durham Wildlife Services on 11<sup>th</sup> Feb 2010). The size and specification of such barriers / protection is to be agreed in writing with the Local Planning Authority prior to its

implementation, in the interests of visual amenity and nature conservation, in order to comply with policies B2, CN18 and EN12 of the adopted Unitary Development Plan.

- 5 The erection of fencing for the protection of any habitat pursuant to condition no 4 of this approval shall be undertaken prior any equipment, machinery or materials being brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored within the fenced area for the duration of the development, in the interests of nature conservation, in order to comply with policy CN17 of the Unitary Development Plan.
- 6 Prior to any seeding of the site in connection with the development hereby approved precise details of the seed/species mix to be used shall be submitted to and approved in writing by the Local Planning Authority. All seeding of the site shall then be carried out in strict accordance with the approved seeding/species mix in the first available planting/seeding season. In order to achieve a satisfactory form of development on site and to comply with the requirements of policy CN14 of the adopted Unitary Development Plan.
- 7 Prior to the thinning of any trees/plantation woodland on site, a schedule of thinning works and a methodology for the thinning to take place, including any chemical treatment to be carried out, shall be submitted to and approved in writing by the Local Planning Authority. The thinning shall then be carried out in complete accordance with the approved schedule and methodology unless first agreed in writing with the Local Planning Authority. In order to achieve a satisfactory form of development on site and to comply with the requirements of policy CN14 of the adopted Unitary Development Plan.
- 8 The development hereby approved shall be carried out in strict accordance with the Flood Risk Assessment (FRA): Nissan Motor Manufacturing (UK) Ltd Flood Risk Assessment Battery Plant, dated November 2007, and the addendum report to the FRA, received 15 February 2010, and the following mitigation measures as detailed within the FRA:
  - Surface water network must include rain water harvesting and hydrobreaks.
  - There shall be no increase in discharge to the refurbished drainage ditch that flows under the A19 in to the adjacent housing estate.
  - In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site while using sustainable forms of drainage and to prevent flooding elsewhere by ensuring that the existing drainage regime is not affected and to comply with the requirements of policy EN12 of the adopted Unitary Development Plan.

- 9 No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 10 Prior to occupation of the development hereby approved, precise written details of a scheme to extend the footpaths within the site to link the development to car parking areas and bus stop(s) on Washington Road shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented in accordance with the approved plans and retained as such for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In order to achieve a satisfactory form of development on site and in the interest of highway safety and to comply with the requirements of Policy T14 of the adopted Unitary Development Plan.
- 11 An employment travel survey shall be undertaken by the developer three months after first occupation of the development hereby approved (or as soon as practically possible thereafter). The survey shall be undertaken using i-TRACE (or a similar format modified to suit) and precise written details of the methodology used to undertake the survey and the results of the survey shall be submitted to the Local Planning Authority within six months of the first occupation of the development. In order to monitor and review travel arrangements for the site in conjunction with the City Council's Travel Plan Co-ordinator and ensure that the targets set out in the Workplace Travel Plan for the site are met and to comply with the requirements of policy T14 of the adopted Unitary Development Plan.
- 12 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 13 No development, other than site investigation works, shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the Local Planning Authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the local planning authority, in

the interests of residential amenity and to comply with policy EN14 of the UDP.

- 14 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 15 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the Local Planning Authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 16 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows 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; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 17 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy EN14 of the UDP.
- 18 The development hereby approved shall be carried out in complete accordance with the mitigation measures, biodiversity enhancement and management measures set out in the Breeding Bird Survey Report, dated November 2009, received 18 December 2009 and the extended phase 1 Survey Report, dated November 2009, received 18 December 2009. In the interest of nature conservation and the conservation of protected species and habitats and to comply with the requirements of policy CN23 of the adopted Unitary Development Plan.
- 19 Prior to occupation of the development hereby approved the applicant shall submit a noise assessment in writing that has been prepared in accordance with the requirements of British Standard 4142: 1997 "Rating industrial noise affecting mixed residential and industrial areas", for the written approval of the Local Planning Authority. For the avoidance of doubt the noise source should either be measured or acoustic data taken from the manufacturer's information for the item or plant of interest. A background

noise survey must be performed during the proposed operating hours. Following analysis and corrections to the data in accordance with BS4142 the difference between the source and existing noise level should be determined. The comparison between the predicted noise level (LAeq) or, if corrected where necessary for undesirable characteristics, the rating level, from a development and the existing background noise level (LA90) gives an indication as to the likelihood of complaint about noise from the development. A difference of +10dB is a positive indication that complaints are likely. A difference of +5dB is said to be of marginal significance.

Where the submitted noise survey shows a noise level in excess of (LA90) by 5dB(A), noise mitigation measures will be required. In the event that noise levels in excess of (L90) by 5dB(A) are shown, precise written details of noise mitigation measures proposed together with a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The approved noise mitigation scheme shall then be fully implemented in accordance with the approved details prior to the commencement of use of the development and retained as such thereafter for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In the interest of residential amenity and to comply with the requirements of policy B2 of the adopted Unitary Development Plan.