

## **DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE**

### **AGENDA**

**Meeting to be held in the Committee Room 2 on Thursday, 26<sup>th</sup> March, 2015 at 5.45 p.m.**

ITEM		PAGE
1.	<b>Receipt of Declarations of Interest (if any)</b>	
2.	<b>Apologies for Absence</b>	
3.	<b>Applications made under the Town and Country Planning Acts and Regulations made thereunder</b>	1
	Report of the Deputy Chief Executive (copy herewith)	

E. WAUGH,  
Head of Law & Governance.

Civic Centre,  
SUNDERLAND.

18<sup>th</sup> March, 2015

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

26th March 2015

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### **REPORT ON APPLICATIONS**

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

##### **PURPOSE OF REPORT**

This report includes recommendations on all applications other than those that are delegated to the Deputy Chief Executive for determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

##### **LIST OF APPLICATIONS**

Applications for the following sites are included in this report.

1. 14/01127/FUL - Connor Solutions Limited 3 Gadwall Road Rainton Bridge South Houghton-le-Spring DH4 5NL
2. 15/00052/LAP - Land At Hillthorne Farm Washington
3. 15/00039/FU4 - Land At Hillthorne Farm Washington
4. 15/00053/FUL - Land North Of Station Road/North West Of Pattinson Road And Adjacent To Barmston Road Washington

##### **COMMITTEE ROLE**

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or the Development Control Manager (019 561 8755) or email [dc@sunderland.gov.uk](mailto:dc@sunderland.gov.uk) .

## **DEVELOPMENT PLAN**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

### **Unitary Development Plan - current status**

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

## **STANDARD CONDITIONS**

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION**

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the Office of the Chief Executive in the Civic Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

Janet Johnson  
Deputy Chief Executive

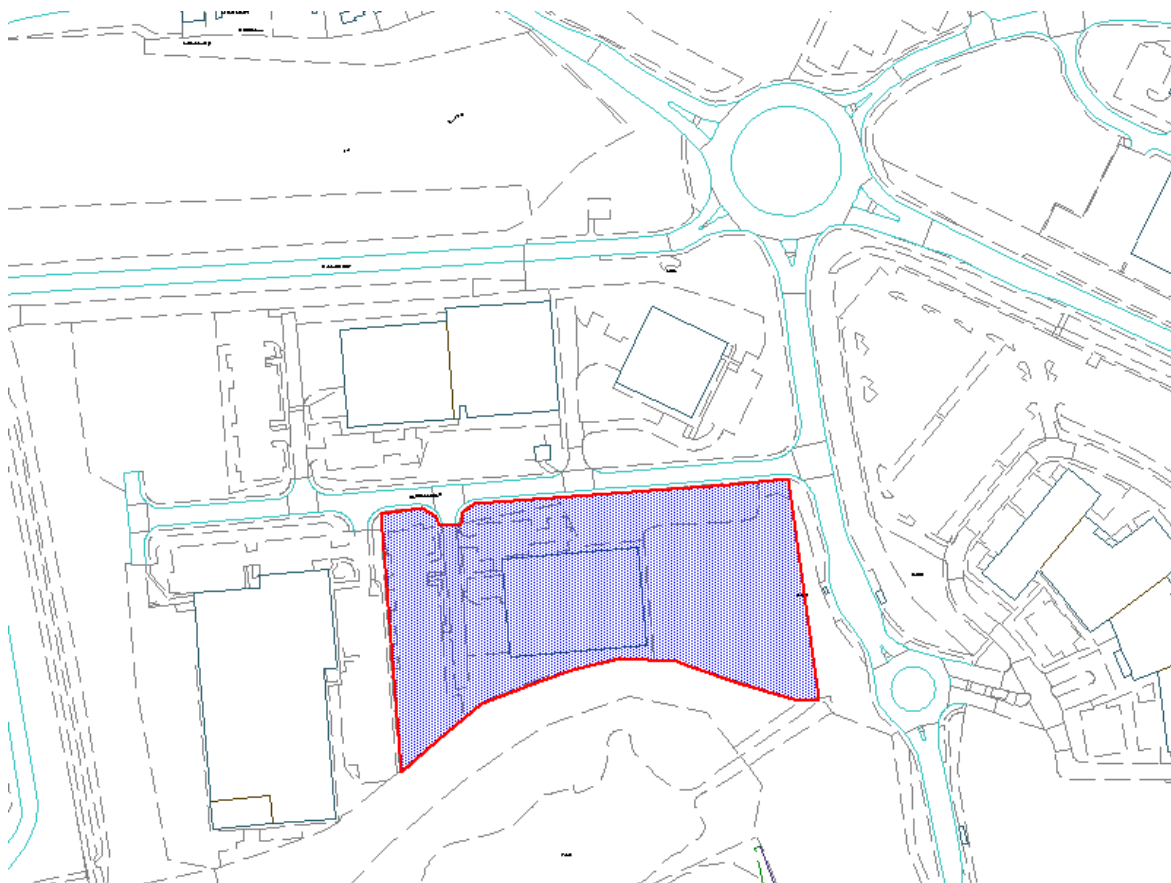
Reference No.: 14/01127/FUL Full Application

**Proposal:** **Erection of single-storey extensions to west side and east side / rear and two-storey extension to front / east side to provide 4234sq.m of additional floor space, provision of front entrance canopy, elevational alterations and new site access to front and creation of 88no. additional car parking spaces (AMENDED DESCRIPTION 01.10.2014)**

**Location:** Connor Solutions Limited 3 Gadwall Road Rainton Bridge South Houghton-le-Spring DH4 5NL

**Ward:** Hetton  
**Applicant:** Connor Solutions Ltd  
**Date Valid:** 10 September 2014  
**Target Date:** 10 December 2014

### Location Plan



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## **PROPOSAL:**

Planning permission is sought to erect a two-storey extension to the front (north) / east side and single-storey extensions to west side and east side / rear of the existing unit to provide 4234sq.m of additional gross floor space, increasing the gross floor space of the building from 2860sq.m to 7094sq.m. The application also proposes to erect a front entrance canopy, to carry out elevational alterations and new site access to the front and to create 88no. additional car parking spaces within the curtilage of the site.

The proposed extensions would provide offices, storage, a training room, areas for the receipt and dispatch of goods and a canteen. The applicant has confirmed that the business currently employs 145no. people, which would be increased to at least 173no. by 2017 as a minimum, however this figure is more likely to rise to in excess of 220no. in future.

The proposed two-storey extension has a maximum forward projection of 16.6m and would be set a minimum of 17m from the front boundary of the site. This extension has an overall width of 73m, incorporates a flat roof to a maximum height of some 7m which, together with its front building line, would be stepped to provide 4no. distinct sections. The submitted plans appear to indicate that this extension would be rendered in a mix of white and pastel colour.

The proposed single-storey extension to the east side sits behind the proposed two-storey extension and predominantly comprises a shallow pitch with a ridge height of 8.8m tying in to that of the existing building and projecting 5.4m beyond the rear building line. A lower (7.5m to ridge) section is also proposed which would accommodate a goods delivery area and would project 24m further eastward than the remainder of the proposed extension on this side of the building.

The single-storey extension to be provided to the west in place of an existing refuse store would provide a despatch area, has a footprint of 18m by 18.4m and would be set back some 24m from the existing front building line. This extension has a shallow pitched roof with an eaves height of 8m and would also be finished predominantly with light beige rendering with darker coloured render along its base.

The proposed canopy would be provided in front of the existing main front entrance of the building and comprises a 2.9m high flat-roof with a width of 8.6m and projecting 4.6m beyond the front building line.

The proposed external alterations relate predominantly to the west side of the host building and comprise the provision of a large roller shutter with glazing along one side in place of existing windows and 2no. pedestrian-scale doors.

The proposed new site access would be provided directly off Gadwall Road some 125m east of the existing access and would serve staff, visitors and freight vehicles. The additional parking would be provided to the front and east of the site which would result in the provision of a total of 189no. spaces within the curtilage of the site and 4no. further spaces would be dedicated for people with disability. A cycle stand would also be provided to the west side which could accommodate 14no. bicycles.

The application site is situated within the Rainton Bridge (South) Employment Area on the south side of Gadwall Road, from which it is accessed, and to the west of Cygnet Way. The site has an area of approximately 1.65ha and accommodates a large factory building currently operated by Connor Solutions Limited for electronic manufacturing. The host building has a footprint of some 2520sq.m incorporating single-storey and two-storey/mezzanine elements and finished with a mix of facing brickwork and metal sheeting. The site is largely relatively flat, although it's eastern section slopes gradually upward from west to east and includes a significant amount of planting including a group of trees/vegetation along the northern boundary of its eastern section abutting Gadwall Road, a belt of trees along its rear boundary and a section of dense vegetation near to Cygnet Way. The site is bordered by paladin fencing which is separated from Gadwall Road by a strip of grassed land. The adjacent buildings typically accommodate industrial uses and offices and are generally two storeys in height.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Neighbour Notifications

#### **CONSULTEES:**

Network Management  
Hetton Town Council  
Hetton - Ward Councillor Consultation  
Natural England  
Durham Wildlife Trust  
Northumbrian Water  
Environmental Health  
Environment Agency

Final Date for Receipt of Representations: **16.02.2015**

#### **REPRESENTATIONS:**

No representations have been received from neighbouring occupants.

The Environment Agency (EA) initially objected to the application on the basis that the originally submitted Flood Risk Assessment (FRA) was deemed to be inadequate. However, the EA subsequently withdrew its objection upon receipt of a proposed drainage layout and on the basis that surface water would be discharged to the public sewer network at a restricted rate as agreed by Northumbrian Water. The EA also advised that controlled waters on this site are of low environmental sensitivity, set out how the developer should address risks to controlled waters from contamination, advised that water run-off from the car parking areas pass through an oil interceptor and consideration be given to the potential presence of water vole in the area.

Natural England noted that the site is in close proximity to Joe's Pond Site of Specific Scientific Interest (SSSI), however do not consider that this would be

adversely affected should the proposal be carried out in accordance with the submitted details and upon imposition of a condition requiring the submission of a Method Statement detailing the pollution prevention measures to be implemented during construction works and the operation of the facility. Natural England also highlighted the duties of the Local Planning Authority to result other ecological impacts, including local sites (biodiversity and geo diversity), local landscape character and local or national biodiversity priority habitats and species.

Northumbrian Water (NWL) initially requested the imposition of a condition requiring the submission of a scheme for the disposal of surface and foul water. In indicative drainage layout was subsequently submitted and inspected by NWL who advised that it is satisfied with this scheme, provided that soakaways tests have been submitted indicating that the provision of a soakaway is not feasible.

The Council's Environmental Health section provided comments on the submitted Phase 1 Desk Study report and accepts the finding of this Study that the proposed land use is relatively insensitive to contamination and that, assuming the preliminary conceptual site model can be confirmed, the risks from ground contamination to the site users will be negligible. Environmental Health goes on to advise that a Mining Risk Assessment be provided to address risk from ground instability due to the possible presence of unrecorded ancient mine workings below the site and that monitoring of groundwater level and gas monitoring instruments be carried out on six occasions, rather than three as proposed, during the Phase 2 intrusive works.

The Council's Natural Heritage section raised a number of concerns over the initially submitted Ecology Report (09 September 2014). However, a revised Ecology Report (20 February 2015) was subsequently submitted and considered by Natural Heritage to satisfactorily address all initial concerns, upon condition that all proposed mitigation measures are carried out and agreement of a management schedule and operational delivery of management for the woodland plantation.

The Council's Network Management section advised that the proposed level of parking is appropriate and that staff and freight movements within the site be segregated, although the latter is an operational, health and safety issue to the management of the facility of which the applicant should be aware and has little to no direct impact on highway safety. Network Management also recommended that a Framework Travel Plan be produced and the applicant has subsequently provided details on the transport modes of each existing member of staff and has confirmed the company's preference to hire locally and encouragement of alternative modes of transport to private cars.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments

CN\_18\_Promotion of nature conservation (general)

CN\_20\_Developments affecting designated/proposed SSSI's

CN\_22\_Developments affecting protected wildlife species and habitats

EC\_4\_Retention and improvement of existing business and industrial land

EN\_1\_Improvement of the environment  
EN\_12\_Conflicts between new development and flood risk / water resources  
HA\_1\_Retention and improvement of established industrial / business areas  
T\_8\_The needs of pedestrians will be given a high priority throughout the city.  
T\_9\_Specific provision will be made for cyclists on existing/new roads and off road  
T\_10\_Protect footpaths; identify new ones & adapt some as multi-user routes  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments

## **COMMENTS:**

The main issues to consider in assessing this application are:

- the principle of the proposal;
- design, scale and appearance;
- highway implications;
- flood risk and drainage;
- ecology; and
- ground conditions / contamination.

### Principle

The Rainton Bridge (South) Employment Area is allocated by policies EC4 and HA1(6) of the adopted UDP as an established industrial/business area, which is to be retained and improved primarily for Use Classes B1 (Offices and Research and Development and Light Industry), B2 (General Industry) and B8 (Warehouses and Storage).

Rainton Bridge North and South are also identified as Primary Employment Areas by the emerging Sunderland Local Plan: Core Strategy and Development Management Policies (Draft Revised Preferred Options August 2013) and policy DM3.1 of this document reiterates the safeguarding, promotion and management of the uses set out by the UDP as above.

The property is currently used as an electronic manufacturing services plant, which is considered to fall within Use Class B2, and the proposal would provide an expansion of this existing operation. Such a use is identified as being an acceptable use of the site by the aforementioned adopted and emerging policies. Therefore, the principle of the proposal is considered to be acceptable.

### Design, Scale and Appearance

One of the core principles of the National Planning Policy Framework (NPPF), as set out by paragraph 17, is that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Paragraphs 56 and 57 expand upon this principle, highlighting the importance Central Government place on the design of the built environment, including individual buildings, public and private spaces and wider area development schemes. Paragraph 64 of the NPPF goes on to state 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'.

UDP policy B2 reflects the above, stating that the scale, massing, layout and/or setting of new developments should respect and enhance the best qualities of nearby properties and the locality whilst large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'.

The proposed extension, in particularly its two-storey element, would appear as a highly prominent addition when viewed from Gadwall Road. However, the contemporary design of this front element is considered to be a positive approach which would add interest to the building. Despite its significant scale, this two-storey addition would remain notably lower (some 1.6m) than the ridge of the pitched roof of the main building and, given the significant size of the host plot and other buildings in Gadwall Road, the resultant scale of the building is considered to be acceptable. In addition, the amount and form of glazing ensures that the prominent front elevation would appear appropriately active within the street whilst maintaining the existing style of glazing of the host building.

Accordingly, the design and scale of the proposal is considered to be acceptable and, upon condition that the external materials are agreed with the LPA, it is not considered that the proposed extension would be detrimental to the visual amenity of the locality.

#### Highway Implications

Paragraph 75 of the NPPF 75 states that, 'planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.

UDP policies T8, T9 and T10 promote the facilitation of mobility for pedestrians and cyclists whilst upgrading and identifying new paths and multi-user routes. Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met whilst policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

As set out above, the Council's Network Management section has advised that the proposed level of parking is appropriate for the resultant scale of the host building within this location. Facilities for the storage of 14no. bicycles would be provided on site and the applicant has provided details on the transport modes of each existing member of staff, has confirmed the company's preference to hire locally, where practicable, and encouragement of sustainable modes of transport including walking, cycling and car sharing, through a bike to work scheme, the provision of lockers and changing facilities and advertising of car pools.

The proposed provision of a new access from Gadwall Road is also considered to be acceptable, upon consultation with Network Management, which would be afforded adequate visibility and, given the internal layout, vehicles could safely enter and exit the site in forward gear. Network Management raised some concerns over the inter-relationship between staff/visitors and freight movements

within the site. However, this is considered to be an operational, health and safety issue to the management of the facility, which the applicant has been made aware, and, as advised by Network Management, would not be detrimental to highway safety.

## Flood Risk and Drainage

In respect of flood risk, policies EN11 and EN12 of the UDP require appropriate protection measures to be incorporated in development proposals within areas at risk of flooding and require the LPA, in conjunction with the EA, to ensure that proposals would not impede the flow of flood water, increase the risk of flooding or adversely affect the quality or availability of ground or surface water.

It is noted that the site is situated within a Critical Drainage Area, but lies within Flood Zone 1 so is of low sensitivity in respect of potential flooding. A Flood Risk Assessment and drainage layout has been provided which indicates that surface water would be discharged to the public sewer network, which was established following the testing of ground conditions indicating that the site is not realistically suitable for the provision of a soakaway whilst drainage to the adjacent watercourse is not desired for ecological reasons as set out below, as per the hierarchy of preference set out by the Building Regulations. Northumbrian Water has assessed this information and confirmed its satisfaction with this arrangement and that the local sewerage network has sufficient capacity to accommodate this additional flow, provided that a restricted surface water flow of 95 l/sec can discharge into the existing 300/525mm diameter surface water sewers.

However, given that the submitted drainage strategy is indicative, it is recommended that a condition be imposed requiring a detailed drainage strategy to be provided, should Members be minded to approve this application.

## Ecology

Chapter 11 of the NPPF sets out the Government's aims to conserve and enhance the natural environment through the planning process.

Reflective of such aims, policy CN18 promotes the preservation and creation of habitat for protected species where possible. Policy CN20 sets out that development which adversely affects a Site of Special Scientific Interest (SSSI) will not normally be permitted and UDP policy CN22 goes on to state that 'development which would adversely affect any animal or plant species afforded special protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and, where appropriate, planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the city'.

It is noted that Joe's Pond SSSI is situated some 80m to the south of the site at its nearest point, which is separated from the site by a buffer pond and woodland. A small water course lies particularly close to the southeast corner of the site which runs into the buffer pond which, in turn, links to Joe's Pond. The revised Ecology Report (20 February 2015) considers this and the possibility of substances such as diesel being carried into the SSSI and therefore identifies the requirement of mitigation in the form of a full detailed risk assessment and method statement for the protection of the water course; such mitigation

measures have also been suggested by Natural England. This Report also proposes the directing of surface water to the north of the site away from ecological sensitive sites, which is considered to be appropriate and can be covered by the afore-suggested drainage condition, and it is recommended by a further condition be imposed requiring details of oil interceptors to be provided to ensure that pollutants are not carried outwith the site.

The Ecology Report goes on to propose detailed mitigation measures through various stages of the development, to the satisfaction of the Council's Natural Heritage section. Therefore, upon condition that such measures are adhered to in full and that no external lighting shines southward to the ecologically sensitive sites, it is not considered that the proposal would result in any notable residual detrimental impact on the ecological value of the site or its surroundings.

#### Ground Conditions / Contamination

Policy EN1 of the UDP seeks improvements to the environment by minimising all forms of pollution whilst policy EN12 states that the Council, in conjunction with the Environment Agency and other interested parties, will seek to ensure that proposals would:

- (i) not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding (including coastal flooding); and
- (ii) not adversely affect the quality or availability of ground or surface water, including rivers and other waters, or adversely affect fisheries or other water-based wildlife habitats.

In addition, policy EN14 dictates that, where development is proposed on land which there is reason to believe is either unstable or potentially unstable, contaminated or potentially at risk from migrating contaminants or potentially at risk from migrating landfill gas or mine gas, adequate investigations should be undertaken to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of instability, contamination, or gas migration would allow development, subject to preventive, remedial, or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

As set out above, a Phase 1 Desk Study report has been provided which has been assessed and considered appropriate by the Council's Environmental Health section, subject to the monitoring of groundwater level and gas monitoring instruments out on six occasions, rather than three as proposed, during the Phase 2 intrusive works, subject to confirmation of the underlying geology.

In respect of coal mining, it is noted that the site is not situated within a high risk area of coal mining activity, so it is considered that a condition can reasonably be imposed for the submission of a Mining Risk Assessment, as requested by Environmental Health, prior to the commencement of development to establish the depth of workable seams and the thickness of overlying rock and or drift. If, on the basis of desk study, there is insufficient confidence regarding the depth of cover, then intrusive investigation, preferably by rotary coring, will be warranted.

## Conclusion

For the reasons set out above, the proposed development is considered to be acceptable in terms of its principle, design, scale and appearance and it is not considered that it would be detrimental to highway safety, flood risk, the ecological value of the site or its surroundings or the environment. The proposal therefore complies with the relevant UDP and NPPF criteria, as set out above, and it is therefore recommended that Members approve the application.

## **RECOMMENDATION: Approve**

### **Conditions:**

- 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:

Drawing no. SCC/MA0348/001 Rev. A: Location Plan received 14.05.2014

Drawing no. SCC/MA0348/100: Existing Plan received 14.05.2014

Drawing no. SCC/MA0348/200 Rev. A: Ground Floor Plan and Elevations received 14.05.2014

Drawing no. SCC/MA0348/201: First Floor Plan received 14.05.2014

Drawing no. SCC/MA0348/210: Proposed Floor Areas received 14.05.2014

Drawing no. SCC/MA0348/800: Existing Site Plan (1:200) received 14.05.2014

Drawing no. SCC/MA0348/801: Existing Site Plan (1:500) received 14.05.2014

Drawing no. SCC/MA0348/810 Rev. A: Proposed Site Plan (1:200) received 14.05.2014

Drawing no. SCC/MA0348/811 Rev. B: Proposed Site Plan (1:500) received 09.02.2015

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 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 adopted Unitary Development Plan.

- 4 The extension hereby approved shall not be brought into use until a method statement detailing pollution prevention measures to be implemented during construction works and the operation of the facility, including the provision of oil interceptors to treat water run off from all car parking areas. All works and operations shall thereafter be carried out in accordance with the submitted details, to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy EN14 of the adopted Unitary Development Plan.
- 5 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number 6 to number 8 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 9 has been complied with in relation to that contamination. To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the adopted Unitary Development Plan.
- 6 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application and including a Mining Risk Assessment, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination (for the avoidance of doubt monitoring of groundwater level and gas monitoring instruments should be carried out on at least six occasions);
  - (ii) an assessment of the potential risks to:
    - human health
    - property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments.

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11', to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy EN14 of the adopted Unitary Development Plan.

- 7 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contaminated to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the adopted Unitary Development Plan.
- 8 The remediation scheme approved under Condition number 7 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the adopted Unitary Development Plan.

- 9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with

the requirements of condition number 6 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 7 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 8 (Implementation of Approved Remediation Scheme).

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the adopted Unitary Development Plan.

- 10 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, including a 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. All works shall be carried out in accordance with the submitted details, in the interests of the proper planning of the development and to protect the amenity of the area and to comply with policies, B2, EN5 and T14 of the adopted Unitary Development Plan.
- 11 The development hereby approved shall be carried out in complete accordance with the mitigation measures set out by section 5 of the Ecology Report prepared by Dendra Consulting Limited dated 20 February 2015. For the avoidance of doubt and in addition, no development shall commence until details of a management schedule and operational delivery of management for the woodland plantation has been submitted to and approved, in writing, by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details and maintained as such thereafter, unless first agreed, in writing, by the Local Planning Authority, in order to ensure the retention and enhancement of the recognised biodiversity of the site and to comply with policies CN18 and CN22 of the adopted Unitary Development Plan.
- 12 No development shall take place, other than that required to carry out remediation works, until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and the extension hereby approved shall not be brought into use until the facilities have been fully provided and installed in accordance with the

approved details, to ensure that satisfactory drainage is provided for the development to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system, in accordance with policy B24 of the adopted Unitary Development Plan.

- 13 No external lighting to be provided to the rear of the host building shall be installed to shine southward, in order to protect the ecological value of the adjacent ecologically sensitive sites and to comply with policies CN18 and CN22 of the adopted Unitary Development Plan.
- 14 The extension hereby approved shall not be brought into use until all vehicle parking spaces and hardstanding areas within the site have been constructed, surfaced, sealed and made available for use in accordance with the approved plans. The parking areas shall then be retained and permanently reserved for the parking of vehicles, to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policies B2, T14 and T22 of the adopted Unitary Development Plan.



Reference No.: 15/00039/FU4 Full Application (Reg 4)

**Proposal:** **Erection of a new 40,500sqm B8 warehouse facility with 475sqm first floor offices, together with associated ancillary buildings, external yard and parking areas, hard and soft landscaping, perimeter fencing, utility diversions, site set up compounds and temporary haul road with associated access on to A1290. (Amended Site Set Up Plan received 18.02.2015 and Amended Environmental Statement received 20.02.2015).**

**Location:** Land At Hillthorne Farm Washington

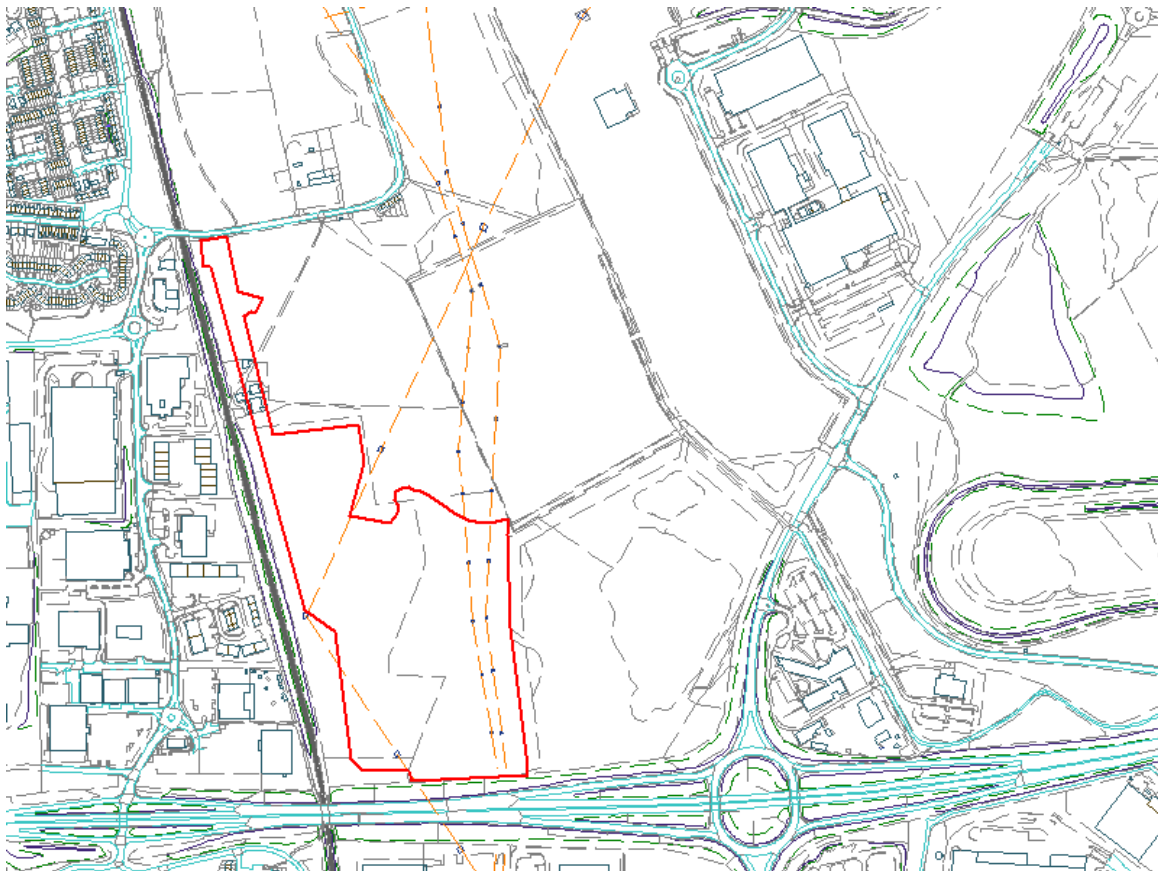
**Ward:** Washington North

**Applicant:** Hitachi Transport System (Europe) B.V

**Date Valid:** 12 January 2015

**Target Date:** 4 May 2015

### Location Plan



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**PROPOSAL:**

Planning permission is sought for the erection of a new 40,500 square metres (B8) warehouse facility with 475 square metres of first floor offices, together with associated ancillary buildings, external yard and parking areas, hard and soft landscaping, perimeter fencing, utility diversions, site set up compounds and temporary haul road with associated access on to A1290 on land at Hillthorne Farm, Washington.

#### Context:

The wider Hillthorne Farm site (26 Hectares) is currently in full Council ownership, but has previously been let on the terms of a long term farm business tenancy, until the Council negotiated a surrender of the tenancy and regained possession of the site in March 2014 following Cabinet agreement in February 2104 that the site should be brought forward as quickly as possible in order to deliver economic development, particularly in relation to further developing the low carbon vehicles and advanced manufacturing sectors.

Masterplanning for the Hillthorne Farm site has since commenced, with the northern area of the site forming part of the A19 Enterprise Zone. In order to facilitate development within the site a tandem yet separate planning application for Phase 1A of the highway infrastructure works, including a new priority junction to the existing A1290 has been submitted by Sunderland City Council. (App ref. 15/00052/LAP).

#### Site Description:

Hillthorne Farm is located to the north of the Sunderland Highway (A1231), separated by a landscaped embankment and at a significantly lower level than the road. To the west, is Glover Industrial Estate that runs alongside and parallel with the former Leamside Line railway line, with an existing access track connecting to Washington Road (A1290) to the north of the site. To the north east of the site is an area of open standing used by the nearby Nissan Car Plant with the remainder of the eastern boundary adjacent Barmston Nature Reserve.

The topography of the site falls gradually from west to east dropping 4 metres over its width, (east/west axis), however it is relatively flat over the north/south axis.

The current proposal is located to the south of the larger Hillthorne Farm site, covering approximately 9.3 hectares, although additional land outside the aforementioned is to be enclosed to the immediate north, during the construction phase to enable two compounds to be constructed to facilitate the storage of materials and provide associated construction cabins and parking. A temporary haul road that will provide access to both the Vantec site, compounds and the construction of the Phase 1A road is also proposed.

The site shape is informed by strong surrounding boundaries. An existing bridleway runs along the boundary of the nearby Nissan car storage area and is to remain unchanged, whilst a public footpath (Washington Footpath 26) runs across the site, which connects a pedestrian level crossing on the unused Leamside Line adjacent to the former Hillthorne farmhouse to Washington Road. A separate Extinguishment Order for the closure of this route was sought and a Public Path Extinguishment Order served under Section 258 of the Town and

Country Planning Act 1990 was sealed dated 16th January 2015, thereby making this route redundant.

As well as the physical boundaries and constraints identified, the site also has a number of significant service routes and easements running through it, principally connecting through the surrounding area. These service constraints have influenced the site plan layout for the proposed Vantec building which avoids the main electricity pylons and proposes local diversions for some of the smaller electricity services and sewers passing through the site to be relocated against the eastern boundary.

#### Site History.

The site has no previous planning history with the exception of an emergency notification for demolition of the Hillthorne Farm buildings (ref:14/01178/EDM). These buildings were cleared utilising Permitted Development Rights from Part 31 of the Town and Country Planning (General Permitted Development) Order 1995 due to them being structurally unsound and in imminent danger of collapse and in the interest of public safety.

#### Proposed Development:

The 40,500 square metres warehouse development proposes to include a ground floor warehouse with a footprint that measures 233 metres in length and 174 metres in width, reaching a maximum height of 11.45 metres at eaves level and 13.20 metres at top of roof. Due to the fall in the land the proposal will require an element of cut and fill within the site to provide a finished floor level. Vehicular access is to be taken from the north and south elevations, with the main office block centrally located within the west facing elevation. The proposal seeks to provide 475 square metres of first floor offices, with a further similar sized area identified above for the provision of the buildings plant and machinery.

The applicant has advised that the proposed development would create approximately 300 full time jobs.

In addition to the main building, the proposal has identified a number of ancillary buildings which include the following:

- (i) A single storey gatehouse building that measures 8 metres in length and 4 metres in width to be sited at the south western entrance to the site. (32 square metres)
- (ii) Sprinkler tank measuring 10.5 metres in diameter by 10.5 metres in height (86.5 square metres), pump house measuring 6.1 metres square and 2.8 metres in height (37.2 square metres) and LPG tanks sited on a floor space measuring 4.9 metres in length and 4.4 metres (21.56 square metres) in width all sited adjacent the west facing elevation of the building.
- (iii) Electricity sub-station measuring 6.8 metres in length and 4.1 metres in width (27.9 square metres) sited alongside the south western boundary.
- (iv) Two compactors measuring 4.8 metres in length and 2.6 metres in width each (25 square metres) sited adjacent the north facing warehouse elevation.
- (v) Smoking shelters.
- (vi) Cycle shelters.

The development sought for the external yard and parking areas includes:

- 153 staff/visitor parking spaces;
- 17 disabled spaces for staff/visitors;
- 4 cycle shelters accommodating up to 16 cycles;
- Motorcycle provision;
- 2 electric car charging points;
- Separate docking spaces for delivery vehicles entering and leaving the site (approx.18 spaces each) ;
- Trailer parking spaces.

Hard and soft landscaping for the proposal seeks to introduce a 4 metres wide, 1 metre high bund to the south of the site and a mixed and comprehensive planting scheme across the site.

Perimeter fencing to secure the warehouse development is primarily 2.4 metres high black polyester coated galvanised steel paladin fence, with specific locations adding a further 400mm of anti intruder chains above.

Utilities diversions - Two existing 66kV overhead lines supported by 10 existing wooden poles will need to be removed and diverted underground. This work will involve excavating a trench for the overhead line to be replaced by an underground cable. It is proposed that the cable will be buried in a trench measuring approximately 1.2 metres in depth, 90 cm in width and 350 metres in length and will be realigned along the eastern boundary of the site.

Along the eastern boundary of the Hillthorne Farm site, there is an existing sewer (1200mm in diameter). A total length of 810 metres will be required to be diverted to facilitate the proposed development on site. It is proposed that the working area will be approximately 20/25metres in width over the route of the diversion starting 6 metres from the sites eastern boundary. Excavation widths will be approximately 2.5 metres. Excavation depths will vary, with depths to extend to 5.5 metres in the north and generally decreasing to 2.0 metres in the south of the site. Due to the minimal cover to the sewer diversion at the southern end of the site, an amount of filling works will be undertaken to level this area. This material will be taken from material won on site.

The construction compounds will seek to introduce a number of temporary structures including stores, offices and plant storage all secured behind clipped heras fencing.

The temporary haul road that seeks to provide a new access onto the A1290 will provide the main transport corridor for the Vantec warehouse construction, utilities diversions and Phase 1A road development, with the proposed design provided in three separate sections, depending upon the volume and nature of the traffic anticipated.

Measuring approximately 1km in length, the various sections of the road involve:

(i) Section A - New access created 72 metres south of the proposed new access for the Phase 1A road development and creating a 7.3 metres wide carriageway with a 50mm surface binder course. The road is cambered with a 2.5% fall towards drainage ditches to be dug either side of the carriageway, with the westernmost boundary also introducing a 875mm high, 3.3metres wide

topsoil/berm/mound. The length of this road will facilitate, development traffic for all the aforementioned construction compounds.

(ii) Section B - Similar width and construction to section A, however the top surface binder coarse is omitted.

(iii) Section C - 3 metres wide access track of geogrid and geotextile with a capping layer above, for limited traffic to undertake utility diversions.

The proposal was subject to pre-application discussions and a Planning Performance Agreement (PPA) has been entered into between the City Council and Vantec's development team that sought to agree requirements and timescales for the pre-application process and requirements and timescales for the consideration and determination of the planning application for the purpose of providing the parties with a level of certainty as to the process and timescale to be followed.

Further to entering into the PPA it was established that the application would fall within part 10(a) (Infrastructure Projects) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and consequently the planning application is supported by an Environmental Statement (ES).

No formal EIA Screening or Scoping Opinion was sought due to project delivery schedules and following initial consultations, the ES has been amended to expand its scope.

The purpose of the ES is to inform statutory consultees, the public and interested parties about the likely effects of the proposed development on the environment. These likely effects are documented in the ES, which is then consulted on. The ES for this application has essentially been presented in three volumes:-

- Volume 1 : Non-Technical Summary
- Volume 2 : Main Text and Appendices; and
- Volume 3 : ES figures

Volume 2, which is the main body of the ES and the section that considers the significance of the impact on the environment, has considered the following as chapters:-

- Chapter 1 : Introduction
- Chapter 2 : Need for the Proposed Scheme
- Chapter 3 : Scheme Description
- Chapter 4 : Environmental Impact Assessment Methods
- Chapter 5 : Transport
- Chapter 6 : Socio-Economics
- Chapter 7 : Landscape and Visual
- Chapter 8 : Ecology and Nature Conservation
- Chapter 9 : Water Environment
- Chapter 10 : Ground Conditions and Hydrogeology
- Chapter 11 : Noise and Vibration
- Chapter 12 : Air Quality
- Chapter 13 : Cultural Heritage
- Chapter 14 : Cumulative Impacts and Interaction of Effects

## - Chapter 15 : Conclusions

In summary, the consideration of the relative impact on the environment within the chapters has been based on the following methodology:-

- Baseline conditions : an understanding of the existing environmental conditions against which the predicted environmental impacts have been assessed, including an assessment of environmental receptors
- Predicted impacts : identification of predicted impacts resulting from the proposed development and assessment of impact magnitude
- Mitigation and enhancement measures : recommendation for mitigation measures to avoid, offset or reduce the identified adverse impacts of the project, or for the enhancement measure to maximise positive impacts
- Residual impacts : assessment of significance of effects after consideration of mitigation measures.

In terms of assessing the planning considerations of the development proposal the above impacts are considered under the various headings in the Consideration Section of this report.

The current planning application has been supported by the following documents:

- Environmental Statement
- Design and Access Statement
- Air Quality Assessment
- Coal Mining Recovery Report
- Coal Mining Risk Assessment
- Geoenvironmental Desk Study Report
- Ground Investigation Report
- Drainage and Flood Risk Statement
- External Lighting Report and Lighting Plan
- Landscaping Scheme
- Noise Survey
- Sustainability Statement
- Transport Assessment
- Unexploded Ordnance Desk Study
- Ventilation and Extraction Report

### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

### **CONSULTEES:**

Washington North - Ward Councillor Consultation  
Environment Agency  
Natural England

The Highways Agency  
Environment Agency  
Natural England  
National Planning Casework Team  
Washington North - Ward Councillor Consultation  
Environment Agency  
Natural England  
The Highways Agency  
National Planning Casework Team  
The Coal Authority  
Nexus  
Sustrans  
Northumbrian Water  
Tyne And Wear Archaeology Officer  
National Grid Transco  
Fire Prevention Officer  
Durham Wildlife Trust  
Force Planning And Police Architectural Liaison Officer  
Network Rail  
Network Management  
Environmental Health  
Business Investment

Final Date for Receipt of Representations: **16.03.2015**

## **REPRESENTATIONS:**

### Representations

The application has benefitted from two rounds of consultation given the amendment to the ES. On both occasions the application has been publicised in accordance with the Town and Country Planning (Development Management Procedure)(England) Order (DMPO) 2010, the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the City Council's Statement of Community Involvement. The application has been advertised in the Sunderland Echo, while site notices have been erected adjacent to and within the vicinity of the site and all adjoining properties have been consulted.

National Planning Casework Unit (NPCU) - No Comment.

### Environment Agency (EA)

The EA has no Objections to the proposed development, but note the following:

1. Surface Water Disposal - The site lies in Flood Zone 1 and surface water will be discharged at a restricted rate to the private sewer network. All drainage to be agreed with sewer network provider.
2. Land Contamination - The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the EA "Guiding Principles for Land Contamination."
3. Disposal of Foul Sewage - It should be demonstrated that the sewerage and sewage disposal systems serving the development have sufficient capacity to

accommodate the additional flows, generated as a result of the development, without causing pollution.

4. Car Parking Areas - Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor.
5. Great crested Newt and Water Vole - Records show that there could be either or both species in the area and these are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

#### Natural England (NE)

1. Statutory Nature Conservation Sites - No Objection.
2. Protected species - Referred to standing advice.
3. Local sites - If the proposal is on or adjacent to a local site e.g. Local Wildlife Site or Local Nature Reserve the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.
4. Biodiversity and Landscape enhancements - The application may provide opportunities to incorporate features into the design which are beneficial to wildlife and enhance the character and local distinctiveness of the surrounding natural and built environment.

#### Coal Authority

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

The application has been supported by a Coal Mining Risk Assessment Report and a Coal Mining Recovery Report, which the Coal Authority considers are sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating that the application site is, or can be made safe and stable for the proposed development. The Coal Authority therefore has NO OBJECTION to the proposed development.

Highways Agency - No Objection.

National Grid - No Objection.

#### Northumbrian Water Limited (NWL)

Following initial consultations NWL recommended that should Members be minded to grant consent the following condition be imposed:  
"Development shall not commence until a detailed scheme for the disposal of surface and foul water from the development hereby approved has submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details."

Further to receipt of the above comments, additional drainage plans were submitted and NWL have confirmed that these plans are sufficient to dispense with the above condition on the premise that they should form part of any future planning approval.



## County Archaeologist

The development site has remained in agricultural use. The title map of 1840 shows a field called "Pit Field" which suggests the presence of coal mining activity. There are no known archaeological features within the development site, however the site has never been archaeologically investigated. With this in mind, it is recommended that should Members be minded to Grant consent then the following conditions should be attached.

1. Archaeological Excavation and Recording.
2. Archaeological Post Excavation Report.
3. Archaeological Publication Report.

In light of the above, a Geophysical Survey (report 3671- February 2015) produced by Archaeological Services, Durham University has been submitted and a programme for 12 preliminary trenches has been agreed. If archaeological remains are found in those trenches, the excavation area will have to be enlarged and the remains will have to be fully archaeologically excavated before any groundworks can start in that particular part of the site.

Nexus - No Objections.

## Network Rail

Network Rail has No Objection in principle, however, given the adjacency of the Leamside Line Network Rail highlighted various requirements that would need to be met . Network Rail also expressed the view that the Council has aspirations to reopen the currently mothballed Leamside Line and as such Network Rail considers that this line is regarded as operational and safeguarded for future use.

To summarise, Network Rail have asked for issues covering the drainage, boundary fencing, method statements and lighting should be subject to conditions. The conditions will, in part, ensure safety, operational needs and integrity of the railway. Furthermore, Network Rail also requested that their other comments and observations i.e. in respect of access rights, cranes etc. are covered via informatives on the decision notice.

Tyne and Wear Fire and Rescue Service - No Objections.

## Business Investment Team

Confirm that the creation of additional B8 warehouse space by Vantec is a crucial element in underpinning the growth of Nissan and the automotive sector in Sunderland. As such, it fits with the City's strategic approach.

## Design Services - Landscape

The landscape proposals detailed in the Proposed Landscape Strategy and Outline Planting Plan are considered to be acceptable.

## Durham Wildlife Trust

The Trust's views on the proposal relate to the development as part of the Enterprise Zone and proposed industrial developments in the wider area.

The Trust's view is that an overall spatial development strategy is required to take account of environmental, social and economic factors and set out how development can be incorporated into the existing landscape, not imposed upon it. Without this approach it will be increasingly likely, over time, that development is no longer able to meet legal obligations, becomes increasingly complex and expensive to deliver and is not sustainable. The environmental, social and economic potential of the area will not be maximised.

The Trust continue by stating that:

"A tremendous opportunity presents itself, to undertake a master planning exercise that sets out how to work with nature, helping to deal with issues such as surface water and fluvial flooding, and that shows how economic development can enhance the natural environment and provide a better working environment and lower ongoing costs for the businesses that locate there. A piecemeal approach to development and planning across the area is not the most effective approach."

Further to consultations with the City Council's Heritage Protection Team, it is noted that an overarching ecological and landscape masterplan and adopted maintenance schedule is currently being prepared for the wider site, based on the raft of ecological reports that support the application. The current proposal has been designed and informed by the aforementioned reports and has been assessed alongside the draft masterplan document.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

CN\_8\_Protection of higher grades of agricultural land (Grades 2 and 3A)  
CN\_18\_Promotion of nature conservation (general)  
B\_2\_Scale, massing layout and setting of new developments  
B\_11\_Measures to protect the archaeological heritage of Sunderland (general)  
B\_13\_Sites and monuments of local importance affected by development  
B\_14\_Development in areas of potential archaeological importance  
B\_15\_Developments causing large scale ground disturbance (currently undeveloped areas)  
B\_16\_Assessing, recording and preserving historic sites discovered during development  
EC\_1\_General Support for economic development proposals and initiatives  
EC\_2\_Supply of land and premises for economic development purposes  
EC\_3\_Support for new and existing economic activity  
EC\_4\_Retention and improvement of existing business and industrial land  
EC\_10\_Maximising the potential of the Enterprise Zones  
EN\_11\_Restrictions upon new development or intensified use of land liable to flooding  
EN\_5\_Protecting sensitive areas from new noise/vibration generating developments  
EN\_12\_Conflicts between new development and flood risk / water resources  
T\_1\_Promote the development of a varied, balanced, integrated & sustainable transport system  
T\_13\_Criteria influencing proposals for highways improvements including new road construction.

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
R\_1\_Working towards environmentally sustainable development  
WA\_1\_Retention and improvement of established industrial / business area  
WA\_17\_Provisions for maintaining the environmental identity of Washington New Town  
WA\_22\_Protection and enhancement of Barmston Pond as a Local Nature Reserve  
WA\_30\_Reservation of land for road proposals  
T\_9\_Specific provision will be made for cyclists on existing/new roads and off road  
T\_22\_Parking standards in new developments  
CN\_22\_Developments affecting protected wildlife species and habitats  
CN\_16\_Retention and enhancement of existing woodlands, tree belts and hedgerows  
CN\_21\_Developments affecting designated / proposed LNR's, SNCI's or RIGS

## **COMMENTS:**

The development of Hillthorne Farm is being pursued by the Council in response to demand from companies that want to locate to the City, with significant amounts of public funding already allocated to facilitating the necessary infrastructure works to quickly bring the site on stream. The application for Phase 1a seeks to unlock the development potential of the site and enable the current proposal to locate on a site large enough to meet the requirements of their business model, whilst ensuring a logistics company to the Nissan plant is located appropriately to safeguard the plants long term future.

The key issues to consider in determining the application are as follows:

1. Principle of Development
2. Siting, Design and Appearance / Landscape and Visual Impact
3. Highway Implications
4. Socio-Economic Impacts
5. Ecology and Nature Conservation
6. Surface Water and Flood Risk
7. Ground Conditions and Hydrogeology
8. Noise and Vibration
9. Air Quality
10. Cultural Heritage
11. Cumulative Impacts and Interaction of Effects.

1. Principle of Development.

In 2009, Nissan announced its intention to invest in a new facility to pioneer electric vehicle battery production, whilst the Government announced that the UK's first Low Carbon Economic Area for Ultra Low Carbon Vehicles would be centred on Sunderland.

On the back of these announcements in October 2010 Sunderland City Council launched its Economic Masterplan (EMP), a 15 year economic strategy for the city. Aim 2 of the EMP is to establish Sunderland as a leading UK city for low

carbon technology and production and to support the wider region in developing a sustainable, low carbon economy.

In order to facilitate the above, the Government announced plans to stimulate economic growth through a new wave of Enterprise Zones (EZ), one of which would be located in the North Eastern Local Enterprise Partnership (NELEP) area. The format of the EZ was agreed in 2011, with its focus on low carbon businesses including a sizeable area of land around the Nissan Plant.

In 2013 the first development on the Enterprise Zone was completed, namely Vantec's warehousing and distribution facility. In addition, Nissan commenced production of the Leaf electric vehicle, providing the wider region with the opportunity to position itself at the forefront of a highly significant growth opportunity for the UK economy. Nissan have since continued to grow, introducing further models, such as the Juke, Note and Qashqai and have recently announced that the luxury Infiniti models will be produced at the factory.

Given the importance of Nissan to Sunderland and its foresight in developing low carbon vehicle technology, the A19 EZ, has been located in close proximity to Nissan's car plant. It is broken down into three sites, including:

- A portion of the 26 Hectare Council owned Hillthorne Farm (referred to as EZ3). The wider plan for the whole of the site has the potential to accommodate around 98,000 square metres of employment floorspace.

In considering the proposal for the erection of Vantec's warehouse on the former Hillthorne Farm site it is important to consider both National and Local Planning Policy.

#### National Planning Policy

By virtue of section 38(6) of the Planning and Compulsory Purchase Act, 2004, the starting point for consideration of any planning application is the saved policies of the development plan. A planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

However, since the publication of the National Planning Policy Framework (NPPF) in March 2012 (which is a material consideration for the purpose of Section 38(6)), the weight that can be given to the development plan depends upon the extent to which the relevant policies in the plan are consistent with the more up to date policies set out in the NPPF. The closer the relevant policies in the development plan to the policies in the NPPF, the greater the weight that can be given to the development plan.

The NPPF has two key themes:

- Providing a greater level of integration and simplification of the planning policies governing new development nationally;
- Contribute to the achievement of sustainable development from an economic, social and environmental perspective.

Paragraph 14 of the NPPF indicates that at the heart of the NPPF is a presumption in favour of sustainable development. For decision- taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- (b) specific policies in this Framework indicate development should be restricted.

City of Sunderland saved adopted Unitary Development Plan (UDP) 1998.

The main strategic aims of the UDP in part include:

- provide sufficient employment opportunities in both range and number to allow the City's residents to find appropriate work without being forced to commute to other towns or move away;
- exploit the significant benefit to the local economy of higher education provision in the City;
- protect and enhance the best features of both the built and natural environment;
- develop a transportation system which emphasises accessibility rather than mobility, thereby minimising traffic movements , whilst allowing residents the choice of more environmentally acceptable modes of transport.

To achieve these aims the UDP provides a number of relevant strategic policies. These include:

Sustainable Development Policy R1 which states in part that:

"The City Council will work towards environmentally sustainable development which meets the economic and social needs of the city."

Economic Development Policies EC1, EC2, EC3, EC4 and EC10. In summary policy EC1 states that:

"The City Council will encourage proposals and initiatives which:

- (i) develop the City's role as a major manufacturing centre, especially in relation to advanced or high technology processes;
- (ii) assist the creation and growth of local businesses;
- (iii) further develop the service sector, especially education, offices and tourism;
- (iv) are targeted at areas of economic and social deprivation."

Whilst policy EC2 seeks to ensure through the allocation of some 1250 ha of adequate land and premises that the City's economic development needs are achieved, maximising choice by identifying a wide range of sites.

Policy EC3 states that:

"The Council will support new and existing economic activity by:

- (i) providing land and premises for business and industrial use;
- (ii) encouraging initiatives which improve employment opportunities for disadvantaged groups;
- (iii) creating a higher quality environment for industry, business and the workforce;
- (iv) encouraging the re-use of land and premises; and,
- (v) developing and improving infrastructure.

Policy EC4 states that existing business and industrial land amounting to some 1215 ha will be retained and improved for the following range of uses; offices, research and development, light industry (B1); general industry (B2); warehouses and storage (B8). Policy EC10 relates to Enterprise Zones and seeks to maximise their potential.

The development site and wider Hillthorne Farm is allocated in the adopted UDP under land use policy WA1.5 and is allocated for B1, B2 and B8 uses. Policy WA1.5 seeks to safeguard land for the future expansion of advanced manufacturing activities, given the key role played by Nissan in the local economy.

Natural England's Agricultural Land Classification map for the North East Region identifies the site as constituting Grade 3 (Good to Moderate) land, although it does not specify whether it falls within Subgrade 3a (Good Quality) or Subgrade 3b (Moderate Quality). Consequently, on review of the MAGIC website, which is the authoritative geographic information about the natural environment from across government, it is noted that the site has been surveyed but that it has not been classified as agricultural land in any of grades (1-5). It is also noteworthy that the land to the north of Nissan and A1290, which has been categorised as agricultural land, predominantly constitutes Grade 3b land, with some pockets of Grade 3a and 2 areas located approximately 1km to the north of the application site.

The National Vegetation Classification (NVC) survey, which assessed the types of vegetation and their extent at Hillthorne Farm and is one of the evidential reports that supports the ES, confirms that at the time of the survey (summer 2013) there was 13.95 hectares of land under arable crop. Natural England in their response to the application offered no observations in respect of the development proposal being situated on land that was previously farmed.

Given the longstanding land use allocation for economic development, it has always been earmarked and intended for economic development purposes. It is therefore considered that as the land surrounding the site is categorised as 3b, with the higher Grades 2 and 3a land allocated around a kilometre further north towards the boundary with South Tyneside, the development proposal is on balance acceptable and in accordance with paragraph 112 of the NPPF, policy CN8 of the UDP and emerging Core Strategy policy DM7.17.

The above land allocation has been carried forward into the draft revised Core Strategy/Allocations DPD (Preferred Options August 2013). As such, even in the absence of the A19 EZ, from a local planning policy perspective the identified future land uses for the site are of an industrial/business area nature and therefore it is considered that the principle of the development on the site is considered to be in accordance with both National Policy and existing and emerging local planning policy.

## 2. Siting, Design and Appearance - Landscape and Visual Impacts.

One of the core principles of the NPPF, as set out by paragraph 17, is that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings."

Paragraphs 56 and 57 expand upon this principle, highlighting the importance Central Government place on the design of the built environment, including individual buildings, public and private spaces and wider area development schemes. Paragraph 64 of the NPPF goes on to state 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."

UDP policy B2 reflects the above stating that the scale, massing, layout and/or setting of new developments should respect and enhance the best qualities of nearby properties and the locality whilst large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas.

The philosophy of the proposed design incorporates design choices established by the sister Vantec building to the east on Turbine Park. The proposed scheme is of a significant scale and has 174 metres of frontage to the A1231, although differences in ground levels minimise the visual impact of this elevation. Composite panels are to be installed in a graduated manner with dark-grey panels at the base and subsequent courses using lighter tones. These panels are also shown as being jointed tightly together and using the minimum of capping/edging, in order to produce a building which will be sleek, modern and bold.

The building is orientated along a north/south axis with the delivery and shipping yards contained at the northern/southern elevations with associated parking and delivery/loading bays. The main office entrance and staff car park is located to the west of the warehouse. The orientation of the building has been determined by the existing constraints, namely the overhead electricity cables and pylons to the west of the site, with further restrictions to the east of the site in the form of Barmston Nature Reserve.

Where glazing is proposed for office and ancillary areas these are integrated within the panelling module as curtain walling areas or ribbon windows.

The roof form is hipped to allow a continuous eaves line, coloured grey and will contain 10% rooflights which provide additional lighting into the warehouse space.

In terms of design, it is noted that the vast majority of the warehouse space will remain unheated and will also be naturally ventilated, thus reducing any additional energy input and reduce the carbon footprint of the building. A separate Building Regulations application has also been lodged with the City Council, thus ensuring that the building will be constructed in accordance with all parts of the Building Regulations Standards.

A landscape and visual impact assessment (LVIA) was undertaken as part of the Environmental Statement submitted with the application. The LVIA was undertaken from 8 view points and included a variety of receptors (recreational, residential, highway and heritage) around the city to gain an understanding of the

overall potential impact of the new development proposal. The significance of effects was considered during the construction period, year 1 of operation and year 15 of operation.

Mitigation of potential landscape and visual effects has been incorporated into the design proposal and was factored into the assessment. The mitigation proposals include:

- (i) Site fencing will be a 2.4 metres high paladin fencing with a security wire above is to be coated black/grey subject to agreement, to provide an aesthetically attractive and recessive barrier to compliment the building.
- (ii) The landscape design to the primary elevation seeks to compliment the linear elevation providing a formal setting to the frontage. The planting around the building and car park areas comprises structured planting of British native stock, along with ornamental planting to give both colour and interest to the site. Native woodland planting is to be used to reduce visibility of the building and soften its outline from locations to the north and west particular.
- (iii) The building is of similar height to others in the locality and will merge visually when viewed from elevated viewpoints to the south and east.
- (iv) Lighting around the building will be sufficient for security purposes and in keeping with lighting in the wider context of the site.

The assessment concludes that overall the scheme will only result in a very localised, short duration, significant visual effects (moderate) for the public right of way that runs alongside the former Leamside line to the west of the site, this would remain throughout year 1 of the operation, but reduce once construction was complete and planting was established.

For all other locations at all stages of the development there would be no significant effects on visual amenity.

At a site level there would be loss of existing landscape elements (agricultural land) but the landscape mitigation proposals are considered to strengthen and extend characteristic landscape elements present in the wider landscape.

No significant effects on landscape character have been identified of the study area at any stage.

In conclusion there is no over-riding landscape or visual reason, identified within the LVIA to suggest that the development would cause other than very localised harm to landscape or visual amenity. With due regard to the above and in summary, it is considered that the siting, design and appearance of the proposal is acceptable with regards to its chosen location and relevant UDP policies.

### 3. Highways Matters.

Paragraph 32 of the NPPF requires that:

"All developments that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:



- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. "

Policies T14 and T22 of the UDP cover matters relating to ensuring that developments are easily accessible and have adequate levels of parking. T8, T9 and T10 relate to the needs of pedestrians and cyclists, which are given a high priority throughout the city. The proposal has been assessed in line with both national guidance and local policy.

In terms of accessing the site, the proposal is located within Hillthorne Farm which is accessed directly from the A1290 Washington Road, the current proposal has been subject to pre-application discussions and the exact location of the new proposed haul road access from the A1290 identified with the construction of the Phase 1A junction in mind.

A series of junction improvements have recently been undertaken along the A1290 corridor comprising new traffic signals at the Cherry Blossom Way junction, renewal of the traffic signals at the main staff entrance to Nissan and the A1290/Downhill Lane junction has been upgraded within South Tyneside to replace the existing double roundabout with new signalised junctions. All the new traffic signals equipment includes enhanced signal operation technology to improve traffic flow and reduce congestion. Cameras are also being installed which will be linked to the Tyne and Wear Urban Traffic Management Control Centre which allows additional signal control in any unforeseen or exceptional circumstances. The Highways Agency is improving the A19/A1231 junction including the upgrading of the traffic signals and constructing a new approach lane to add capacity for A19 northbound traffic.

The submitted Transport Assessment (TA) indicates that there will be a relatively low increase in traffic numbers in relation to staff journeys. Staff numbers are to be split over a three shift pattern (107 on day shift, 90 on back shift, and 90 on night shift).

Five key junctions in the vicinity of the proposal have been assessed which take into account peak traffic flows. The TA concludes that the identified junctions all operate within capacity including committed development, and traffic flows associated with the proposed development.

#### Freight Operations and Movement.

Freight movement is a key element of the business operation, delivering goods to automotive partners in the supply chain. It is considered that the proposal will assist the movement of HGV's between the storage facility; the local and strategic road network. The inbound/outbound HGV schedule identifies that the maximum number of HGV's entering the site will be 8 during peak hours for road traffic.

All HGV parking and turning movements can be accommodated on site within the two dedicated large hard-standing and lorry parking areas located in the site on either side of the main building. The possibility of short-stay lorry parking taking place on the access road should be considered, along with any mitigation measures, and subject to a period of monitoring. The provision of restrictions to prohibit heavy goods vehicles parking along the proposed new access road is recommended. These restrictions will need to be introduced through the relevant Traffic Order.

The introduction of a weight limit to prohibit heavy goods vehicles travelling along Sulgrave Road should be considered and whilst it is unlikely that any heavy goods vehicles associated with the proposal will use this route, it is recommended that the situation is monitored.

Following consultations with the Network Management Section it is considered that in order to ensure appropriate management of the traffic flow between the Vantec development/Hillthorne Farm site and the local and strategic road network, a operational freight routing strategy shall be provided for consideration. The current access arrangement of the site and the potential access arrangements following the introduction of the Phase 1A road does not prevent HGV's from turning right onto A1290 and head towards the A19 along the double bend arrangement past Severn Houses. With this in mind, a condition is recommended to control daily movement and transportation of ingoing/outgoing products from the site. Right turns should be managed/restricted with HGV's directed westbound along the A1290, turning left onto the A195 before proceeding to the A1231. (It is noted that any such agreed route plan will need to be flexible to accommodate the proposed Phase 1B road extension to the north of the site, which would resolve the future use of the A1290 around the Severn Houses bends).

Further to the receipt of the above comments, the applicant has provided written confirmation that deliveries to the warehouse facility are pre-scheduled events. Therefore, the customers and hauliers delivering product to the Hillthorne warehouse would all be contacted in advance of delivery and given a location map and written detail of the preferred route to the warehouse. This would give detail of the routes to be avoided. Total HGV delivery vehicles number approximately 129 (21m length) per day. Given that a large proportion of the inbound delivery traffic would be heading North on the A1(M), then the preferred route of the A1231, Northumberland Way and Glover Road to the A1290 and the new junction giving access to the new Hillthorne estate road would be the logical route for inbound traffic.

Confirmation, over the percentage numbers of vehicles is sought and following receipt of this information, a base line figure can be established that will inform the potential impact of increased traffic flow potentially turning right from the Hillthorne Farm site. The level of increased HGV movements utilising the A1290 and the Severn Houses bends can then essentially be managed and if required mitigation measures imposed.

Highway Access and Car Parking.

The proposed development comprises mainly of storage and distribution facilities to move goods for the automotive sector. Three vehicular access points are

proposed to the building from a side road, with a separate/entrance for the staff and visitor parking located centrally.

The proposed development identifies the provision of 170 parking spaces on site, which includes 17 bays appropriately located for disabled provision. Height restriction barriers are proposed at the entrance to the staff/visitor car park to prevent HGV access. Two double electric vehicle charging points are to be provided within the car park to accommodate 4 spaces, alongside suitable provision for motorcycle parking. Following consultations with the Network Management Section the above arrangements are considered to be acceptable.

#### Public Transport.

The site is served by local bus services 50 and 56, with the nearest bus stops located on the A1290 to the north and A1231 slip road to the south.

The proposal is well-sited with an established network of pedestrian/cycle routes available in proximity to the site and National Cycle Network Route 7 located to the south of the A1231.

4 cycle shelters accommodating up to 16 cycles are to be provided, which will assist staff cycling to and from work. The cycle storage and smoking shelters are to be provided at separate locations as part of the external works.

#### Framework Travel Plan.

The submitted Framework Travel Plan document sets out the key travel planning requirements. Should Members be minded to grant consent the travel planning measures adopted within the existing Vantec facility as part should be adopted for new staff to be employed for the proposed development and conditioned accordingly.

#### Air Quality and Noise.

Initial traffic flows from the access road serving Hillthorne Farm are considered to be relatively low. However, based on the change in land use there is likely to be an increase in the number of cars and goods vehicles travelling along the A1290, this may have a detrimental impact in terms of noise and air quality. Based on the evidence provided within the submitted Air Quality Assessment, the Network Management Section have advised that there will be a negligible impact to air quality based on the additional traffic generated by the proposal.

#### Landscaping.

It is recommended that a maintenance schedule for the landscaping is introduced via condition should Members be minded to grant consent to ensure that visibility to the right of the proposed entrance to the site is not restricted.

#### Construction Traffic.

The temporary haul road is proposed to enable construction of a new access road and the building works. The Network Management Section have recommended that traffic management may be required to facilitate safe access/egress with the A1290. With the above in mind a traffic management

scheme has been submitted in support of the application and should Members be minded to grant consent this scheme can be conditioned to be carried in full accordance with the aforementioned Traffic Management Scheme.

The Network Management Section have also indicated that routes for construction traffic need to be identified along with mitigation measures to avoid any detrimental impact to the local road network and nearby residential properties (i.e. Severn Houses and Sulgrave Road. In light of this requirement a construction traffic route plan has been submitted and should Members be minded to grant consent a condition imposed requiring its adherence.

Environmental Statement (ES) .

The supporting TA and Chapter 5 (Transport) of the ES focus on the transport implications of the Vantec development at Hillthorne Farm only, although reference is made to the wider masterplan development which seeks to introduce approximately 95,400 square metres of commercial development across the entire site. Contained within its conclusions it is stated that:

"Should the Vantec site gain planning permission, the site access junction and neighbouring highway junctions can operate in a satisfactory manner in future scenarios, inclusive of the vehicular and pedestrian demand likely to be experienced post development."

It is noted however that the junction assessment for Cherry Blossom Way shows that this junction would not operate with enough capacity in the future scenario of 2026. In light of this situation new traffic surveys are to be undertaken in March 2015 and once these results are available mitigation measures can be put in place if necessary. Such mitigation would inform the future planning application for the Phase 1B road extension that would expedite journeys from Hillthorne Farm to the aforementioned junction.

The ES acknowledges within its conclusion that traffic forecasting is not an exact science and the accuracy of projections is open to debate. Recognising this fact, it is generally accepted that accuracies greater than 10% are not achievable. It should also be noted that the day-to-day variation of traffic on a road is frequently at least + or - 10%. At a basic level, it should therefore be assumed that projected changes in traffic of less than 10% create no discernible environmental impact.

Following traffic modelling of the proposed development it is considered that there will be a 2% increase in traffic along the A1290 and A1231 following the opening of the proposed development. Therefore any impact from the proposed development is likely to have no discernible environmental impact. Furthermore, there is no evidence to suggest an accident problem relating to traffic in the area, therefore nothing to suggest that an increase in accidents on the highway would result from this proposal.

In summary, it is considered that the proposed development will not result in any detriment to highway safety, amenity or conditions and therefore in accordance with paragraph 32 of the NPPF and policies T8, T9, T10, T14 and T22 of the UDP and based upon all of the environmental information available in this regard there are no highway reasons why this proposal should not be granted consent.

#### 4. Socio-Economics.

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF outlines 12 core planning principles that should underpin plan making and decision taking. Seven of these are particularly relevant to the assessment of the socio-economic impacts of the proposed development of the larger Hillthorne Farm site.

They are summarised below:

- to enhance and improve places in which people live their lives;
- to promote sustainable economic development to deliver homes, businesses, infrastructure and local places that are needed, based on the assessment of local need;
- to provide high quality design and amenity;
- to take account of the different roles and character of different areas including promoting the vitality of main urban areas and recognising the intrinsic character and beauty of the countryside;
- to promote mixed use developments;
- to maintain growth to make the fullest use of sustainable modes of transport and focusing development in sustainable locations; and
- to improve health, social and cultural wellbeing and delivering community facilities to serve local need.

In addition to the above UDP policies EC1, EC2, EC3 and EC8 are all of particular relevance.

The ES has examined the potential effects that the proposed scheme is likely to have on existing population and visitors and assessed the significance of these effects both during and after construction identifying potential mitigation and the residual impacts. In conclusion it has found that:

"Based upon the residual effects of the proposed works there are no significant adverse effects. There are beneficial effects of the proposed works considered to be significant. These include temporary construction employment generated during the construction phase and the permanent employment (250 -300 jobs) at the Vantec site."

The proposal accords with both national and local planning policy and is therefore considered to be acceptable in terms of its socio-economic impact.

#### 5. Ecology and Nature Conservation.

The current proposal raises a number of issues in relation to the impact on ecology, in terms of both species and habitats. The biodiversity issues raised by the scheme have been fully assessed in accordance with the duties imposed on Local Planning Authorities by:

The Conservation of Habitats and Species Regulations 2010 (as amended): Containing five Parts and four Schedules, the Regulations provide for the designation and protection of "European sites", the protection of "European protected species", and the adaptation of planning and other controls for the protection of European Sites.

Natural Environment and Rural Communities Act 2006: Section 40 of this Act introduced a new duty on public bodies to have regard to the purpose of conserving biodiversity in the exercise of their functions.

The Wildlife and Countryside Act 1981 (as amended): This is the primary UK mechanism for the protection of individual species listed within the Act.

Hedgerow Regulations 1997: In England the Hedgerow Regulations 1997 are intended to protect important countryside hedges from destruction or damage.

Chapter 11 of the NPPF sets out the Government's aim to conserve and enhance the natural environment through the planning process. Paragraphs 109 and 118 of the NPPF state that local authorities should minimise impacts on biodiversity and provide net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient, and that new development should aim to provide opportunities to incorporate biodiversity in and around developments.

UDP policy CN16 encourages the retention of and enhancement of field hedgerows and to undertake and encourage new planting in order to, in part, enhance main transport corridors, employment areas and wildlife corridors. Whilst, policy CN18 of the UDP promotes the preservation and creation of habitat for protected species where possible. Policy CN22 goes on to state that:

"development which would adversely affect any animal or plant species afforded protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and, where appropriate, planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the city."

Policy CS7.7 of the emerging Core Strategy and Development Management Policies DPD sets out that the Council will:

- a) Protect, conserve, enhance and review designated ecological and geological sites of international, national and local importance ;
- b) Ensure that development does not adversely impact upon existing locally distinctive priority habitats and species and makes the fullest contributions to enhancing their biodiversity, both through on-site measures and by contribution to local biodiversity improvements; and
- c) Ensure that development does not adversely impact upon local geo-diversity assets.

The current proposal which seeks to locate to the south of the Hillthorne Farm site has been subject to both Phase 1 and Phase 2 Ecology Surveys produced in 2013 and 2014 respectively, covering the wider Hillthorne Farm area. The Management Plan and Design Principles : December 2013 (R3 April 2014) report by TNEI Services Ltd established a framework for comprehensive ecological mitigation and enhancement measures for development in the Hillthorne Farm area. These surveys and documents have provided a detailed assessment of ecological factors prevailing across the wider area and have informed the Ecological Impact Assessment (EclA) October 2014 that informs Chapter 8 of the ES.

The aforementioned EclA has considered a number of compartmental areas including and surrounding the wider Hillthorne Farm site, Severn Houses, northern agricultural land, Industrial Land Nissan, Barmston Pond Local Nature Reserve (LNR), Industrial land south of A1231 and Elm Tree Farm in order to fully assess potential impacts of the Vantec development and recommend if/where mitigation measures need to be implemented.

Phase 2 Surveys undertaken across the sites included the following species; badger, bats, breeding and wintering birds, great crested newts, otters, water vole and otters along with a Natural Vegetation Classification and Predictive System for Multimetrics of the surrounding ponds.

The following sites, habitats, species and species groups were scoped out of the ES due to the low predicted impact based on distance from the Vantec site and lack of hydrological connectivity:-

- Seven House Local Wildlife Site (LWS) - approximately 500 metres north of Vantec Site.
- Arable Land - now derelict and replaced by rank grassland.
- Semi-improved grassland - unlikely to be impacted due to location 150 metres west of Vantec site.
- Badgers - No active badger setts were found within the site.
- Roosting Bats - Following demolition of Hillthorne Farm no bat roosts have been confirmed from the site.
- Barn Owls - Following demolition of Hillthorne Farm no barn owl nest sites or roosts have been confirmed from the site.
- Great Crested Newts - The Vantec site is over 500 metres south of the nearest pond at Seven Houses (LWS).
- Otters and Water voles - distance between habitat and Vantec site is considered sufficient that their habitat will not be impacted upon.

The following habitats, species and species groups are assessed below as they are expected to be impacted upon by the proposed building:-

- Hedgerows loss during construction.
- Barmston Pond LNR during construction and operation.
- Commuting bats during operations.
- Nesting birds during construction.
- Breeding birds; reduction in nesting and feeding habitat following construction.
- Disturbance to nesting and wintering birds during construction and operation.
- Isolation and injury of brown hares during construction and operations.

The Hillthorne Farm site and with particular reference to the current proposal site was dominated by intensively managed agricultural land that has now fell into disuse and currently consists of tall weeds and rank vegetation. Field boundaries are delineated by a combination of post and wire fences, strips of semi-improved grasslands dominated by coarse grasses and tall ruderal vegetation and defunct hedgerows.

The defunct hedgerows are typically 1 -1.5 metres in height and although the majority are dominated by hawthorn, small sections support a moderately good range of plant species, including elder, ash, bramble, holly, hazel, blackthorn and black bryony. These hedgerows are identified for removal and consideration has been given to their importance via the Hedgerow Regulations 1997. Both the ES and Extended Phase 1 report clearly indicate that these hedgerows have been

assessed using the methods in the DEFRA Hedgerow Survey Handbook. It is considered that suitable mitigation can be implemented given the low ecological value of the habitat currently provided and should Members be minded to grant consent a condition requiring the replanting and associated hedge management should be imposed.

Following consultations with the Heritage Protection Team it is considered that the proposed Landscape Strategy D127.L.001/A and Outline Plan D127.P.002 includes details of measures that provide ecological mitigation for the loss of habitats such as hedgerows and grassland. The species mix and peripheral linking habitat features complement, buffer and link adjacent habitats, and are in-keeping with the overall ecological masterplan for Hillthorne Farm. The inclusion of wetland habitat such as wet grassland or ditch features, for example along the southern boundary, would be an appropriate and welcome addition. Should Members be minded to grant consent it is considered that these measures must be delivered in full and as such it is recommended that a condition is imposed requiring the submission of a robust long-term management strategy and maintenance schedule for the development.

With specific reference to species, a series of 100, 250 and 500 metres fence buffer zone are to be constructed around the ponds at Severn Houses as a form of great crested newt mitigation, the latter of these buffer zones falls within the north eastern most part of the development site. Subsequently a license is required from Natural England to undertake works in these areas.

The External Lighting Assessment January 2015 and External Lighting Layout E001/P1 are considered to provide a light scheme with minimal impact on biodiversity (bats and birds) within the confines of operating the sites post-construction; especially with no lighting to the east side of the building and site. Should Members be minded to grant consent, it is recommended that these documents are conditioned.

With reference to the external lighting to be used during the construction period of the development, it is considered that all temporary lighting should have a limited light spread and should be avoided as far as possible. This is because of the potential impacts to foraging bats, particularly between the hours of 11pm - 4am between the months of March and September. In light of the above, the proposal has been supported by a Construction Environmental Management Plan (CEMP) received 18.02.2015, which addresses, hours of work, dust suppression, wheel washing facilities and temporary drainage. Should Members be minded to grant consent it is recommended that a condition is imposed that ensures development is in accordance with the submitted CEMP.

In addition to the above CEMP document, a Construction Phase Plan has been submitted dated 16.01.2015, this plan identifies potential site contaminants, waste, emissions and general considerations and provides methods to address the potential environmental impacts to be implemented by the on site construction team. Should Members be minded to grant consent it is considered that a condition be imposed requiring compliance.

Following consultations with the Heritage Protection Team (ecologist) it is noted that the Council, as landowner, is currently formulating an overarching ecological and landscape masterplan, which will include a habitat, species and landscape management plan and adopted maintenance schedule in order to inform the



wider development of Hillthorne Farm for economic development. It is anticipated that the management plan will include details of off-site measures; including improvements to Barmston Pond LNR and Severn Houses LWS and that the monitoring of species, habitats and maintenance will be integral to it. In terms of considering the development proposal, it is noted that the Vantec development has submitted a Landscape Strategy and Outline Plan that has been informed by and developed from the recommendations of the various ecological reports, as detailed above. It is therefore considered that the current proposal has been designed in cognisance of and is integral to this masterplanned approach, thereby complementing the future development of the Hillthorne Farm site.

Chapter 8 of the ES acknowledges the site has several habitats including grassland, arable, hardstanding and water bodies.

A range of ecological effects arising from the proposal were evaluated and mitigation measures proposed. A summary of the mitigation measures is contained within Table 8.8 : Summary of Effects Table for Ecology contained within chapter 8 of the ES and should Members be minded to grant consent it is recommended that these measures are imposed by condition.

Following implementation of mitigation measures the ecological significance of all negative effects is minor.

In conclusion, it is considered that the submitted plans, ES and the accompanying survey reports has demonstrated an understanding of the ecological implications of the development proposal on the site, Hillthorne Farm and wider area. With this in mind, and subject to the conditions highlighted above, the development proposal, based on all of the environmental information available, is considered to be acceptable and in accordance with paragraphs 109 and 118 of the NPPF and policies CN16, CN18, CN21 and CN22 of the UDP.

## 6. Surface Water and Flood Risk.

Paragraph 103 of the NPPF states that when determining planning applications. local planning authorities should ensure flood risk is not increased elsewhere. Policies EN11 and EN12 of the UDP require appropriate protection measures to be incorporated in development proposals within areas at risk of flooding and require the LPA, in conjunction with the EA, to ensure that proposals would not impede the flow of flood water, increase the risk of flooding or adversely affect the quality or availability of ground or surface water.

It is noted that the site is located entirely within Flood Zone 1 so is of low sensitivity in respect of potential flooding. A Flood Risk Assessment has been provided which identifies that the site is considered to be at low risk of fluvial, tidal, pluvial (urban drainage) and groundwater flooding.

The development site is located approximately 1.5 km north of the River Wear which flows in an eastern direction and approximately 6 km south of the River Tyne which also flows in an eastern direction. No main rivers or ordinary watercourse have been identified on or within the immediate vicinity of the site. Barmston Water LNR is located in the south eastern corner of the site.

The proposal has been supported by detailed drawings that have been submitted and approved by NWL indicating:

1. A detailed foul/storm water drainage scheme for the site.
2. Confirmation of agreed discharge rates.
3. Details of oil interceptors.

Should Members be minded to grant consent it is considered these drawings should be attached to the approved drawings condition.

The ES has concluded that the proposed development has a low risk of the potential to adversely affecting the surface water environment during construction, where appropriate mitigation measures are not implemented and has recommended a series of mitigation measures to be imposed by condition should Members be minded to grant consent which would lead to there being no significant impacts on the surface water environment.

Similarly there are not considered to be any significant residual impacts on the surface water environment, through adherence to the aforementioned mitigation measures, during the operation of the site.

In light of the above, it is considered that the proposed development is compliant with both national and local policy and is considered acceptable.

## 7. Ground Conditions and Hydrogeology

Policy EN1 of the UDP seeks improvements to the environment by minimising all forms of pollution whilst policies EN11 and EN12 relates to flooding and water quality. In addition, policy EN14 dictates that, where development is proposed on land which there is reason to believe is either unstable or potentially unstable, contaminated or potentially at risk from migrating landfill gas or mine, adequate investigations should be undertaken to determine the nature of the ground conditions below and, if appropriate, adjoining the site. Where the degree of instability, contamination, or gas migration would allow development, subject to preventive, remedial, or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

The Vantec site has primarily been used for agriculture, however, industrial and landfilling operations have occurred surrounding the site. The underlying geology consists of Made Ground, underlain by Glaciolacustrine deposits, in turn underlain by Middle Coal Measures. No sensitive water receptors have been identified with the exception of Barmston Pond LNR to the east.

The site has been subject to an Unexploded Ordnance Report that has concluded that sufficient measures have been carried out to minimise the risk posed by UXO and consequently; as far as it can be reasonably certain to determine, the areas surveyed are free from Unexploded Ordnance.

The application has been supported by a Geoenvironmental Desk Study and a Ground Investigation Report and following consultations with the City Council's Environmental Services Section the following comments have been received.

The only development on the site appears to relate to services which include pylons and a sewer. Adjacent land has been associated with railways and Usworth Colliery. An Unexploded Ordnance report from MACC has been

commissioned for the site as appropriate for land adjacent to a former wartime airfield.

The site does not appear to be directly impacted by landfilling, and no sensitive groundwater or surface water resources have been identified.

The development is generally insensitive to ground contamination, in addition the desk study report for the site includes an assessment of shallow mining and concludes that the risk is low because no shallow seams are indicated to pass below the factory footprint.

With the above in mind, it is advised that should Members be minded to grant consent, conditions are imposed with the need to develop a Remediation Strategy (and Verification Report) if necessary, along with a further condition relating to unexpected ground conditions.

The ES has identified potential effects during the construction and operational phase of the site. It is considered that all of the construction impacts can be substantially reduced or removed by adherence to good site practice, namely the submitted CEMP and Construction Phase Plan resulting in neutral residual construction effects, whilst the operational effects have been reduced to neutral residual due to the selection of appropriate chemical resistant building materials.

It is considered that with the imposition of the conditions identified above in respect of the contaminated land issue the proposed development will be capable of successful implementation without any undue adverse impact upon groundwaters of human health or other receptors and therefore will be in accordance with policy EN14 of the UDP.

#### 8. Noise and Vibration.

NPPF paragraphs 109 and 123 provide specific guidance with relation to impacts on health and quality of life as a result of a variety of forms of pollution. Paragraph 109 states that:

"The planning system should contribute to and enhance the natural and local environment by: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability,"  
Furthermore paragraph 123 indicates that:

"Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;"

In addition to the above policy EN5 of the UDP requires that:

"Where development is likely to generate noise sufficient to increase significantly the existing ambient sound or vibration levels in residential or other noise sensitive areas, the council will require the applicant to carry out an assessment of the nature and extent of likely problems and to incorporate suitable mitigation measures in the design of the development."

The application has been supported by a Noise Impact Assessment and Chapter 11 : Noise and Vibration of the ES.

A baseline noise survey was undertaken in January 2015 to determine the existing noise climate around the development site in order that any changes in noise levels associated with the construction and subsequent operation of the proposed development may be assessed. The ES advises that the methodology adopted for data collection were sourced from nationally recognised guidance documents i.e. Calculation of Road Traffic Noise CRTN, BS 7445-1 and BS 4142.

Colleagues in Public Protection and Regulatory Services (PPRS) consider the monitoring locations to be representative of the nearest noise sensitive locations. The dominant noise sources were noted to traffic from the A1290 and A1231.

The magnitude and significance of effects that have been assessed are:

- Noise and vibration levels from construction works;
- Noise from building services, plant and site activities associated with the proposed scheme during operation; and
- Any increase to road traffic attributed to the proposed scheme.

In conclusion to the above assessments it is considered that without mitigation measures in place, that as a worst-case, the significance of construction noise effects may result in temporary, short term impacts of Minor Adverse significance at high-sensitivity noise sensitive receptors. With mitigation measures in place, it is considered that the residual effects of construction noise can be limited to an effect of Negligible to Minor Adverse significance.

Residual vibration effects at high-sensitivity noise sensitive receptors during construction works are considered to be of Negligible significance.

Operational noise effects from HGV site activities are considered to be of Negligible significance, whilst fixed plant and internal noise levels have yet to be determined and should Members be minded to grant consent then it is recommended that a condition is imposed that regulates noise levels produced from the development.

Operational vibration effects are considered to be of Neutral significance.

Operational road traffic noise effects are considered to be of Neutral to Negligible significance.

Further to consultations with colleagues in PPRS it is noted that the information on which the road traffic noise assessment has been undertaken is limited. Whilst the potential operator has provided written confirmation that the majority of inbound HGV's to the site will arrive from the west, there is no preventative method currently in place to restrict HGV's arriving from the east. With this in mind there does not appear to be an assessment of A1290 or the impact on receptors at Severn Houses or Glover Road where HGV traffic is most likely to pass. Whilst it is understood that this may be addressed in the long term by the implementation of Phase 1B which will permanently redirect traffic away from

Severn Houses, the immediate impact cannot be assessed due to lack of information.

With the above in mind PPRS recommends should Members be minded to grant consent that the applicant be required to demonstrate this quantitatively in a validation assessment once accurate and compelling traffic data has been obtained and operational matters have been finalised. The report shall incorporate if necessary a nuisance assessment, detail any necessary mitigation and be submitted to the Local Planning Authority for approval.

#### 9. Air Quality.

The NPPF concisely sets out national policies and principles on land use planning. It is supported by Planning Practice Guidance documents, one of which deals with specific reference to air quality. The planning practice guidance states that the planning system should consider the potential effect of new developments on air quality where relevant limits have been exceeded or are near the limit. Concerns also arise where the development is likely to adversely effect upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation (including that applicable to wildlife). In addition, dust can also be a planning concern, for example, because of the effect on local amenity.

The proposal has been supported by an Air Quality Assessment and Chapter 12 of the ES.

The potential for air quality effects have been considered for two distinct phases:

- The construction phase: during which the greatest effect is expected to be from dust; and
- The operational phase: when the effects will be primarily associated with vehicle emissions.

In conclusion to the aforementioned assessments it is considered that the impacts of the proposal during the construction phase will be of Negligible Significance, with appropriate mitigation on site outlined within the submitted CEMP and Construction Phase Plan.

Furthermore and following a qualitative assessment of vehicle movements on the nearest sensitive receptors, coupled with the introduction and implementation of mitigation in the form of the submitted Travel Plan, the impact of the proposed development on air quality is likely to be Negligible.

#### 10. Cultural Heritage - Archaeology

Paragraph 141 of the NPPF advises that:

"Local Planning Authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."

In keeping with the nature of this paragraph, UDP policy B10 promotes the protection of the character and siting of listed buildings, whilst policies B11, B13, B14, B15 and B16 of the UDP are concerned with safeguarding sites of known or potential archaeological significance. Where such sites are to be developed, applications should be accompanied by a desk based archaeological assessment.

The current proposal has been supported by a Geophysical Survey and assessed within Chapter 13 of the ES. A wider A19 Enterprise Zone Archaeological Desk-Based Assessment has also informed the proposal.

Upon consultation with the County Archaeologist it was recommended that as the aforementioned Geophysical Survey had identified ridge and furrow and two possible prehistoric enclosures within the site, archaeological evaluation would be required, a subsequent Written Scheme of Investigation has subsequently been prepared for this work.

In light of the above, the significance of the findings which potentially may be unearthed cannot be established at this moment in time, however, with the imposition of appropriate conditions should Members be minded to grant consent, the archaeology of the area will be sufficiently recorded to ensure that the scheme complies with both NPPF and relevant UDP policies.

#### 11. Cumulative Impacts and Interaction of Effects.

In order to assess the cumulative effects upon the environment, consideration has been given to development proposals within the study area, with this in mind, the current proposal has been assessed alongside the Phase 1A road proposal. The Phase 1A road is 1.4km in length and is located to the north of the Vantec Site. In terms of cumulative impacts the following is a concise summary:-

Transport - No significant cumulative impacts.

Socio-Economics - No significant adverse cumulative impacts.

Landscape and Visual - No cumulative landscape effects with other developments have been identified, similarly no in combination or sequential visual effects with other projects have been identified.

Ecology and Nature Conservation - Both proposals have been development and informed by a draft overarching ecological and landscape masterplan, currently being developed by the City Council, which will include a habitat, species and landscape management plan and adopted maintenance schedule for the wider Hillthorne Farm site. This document seeks to ensure that the future development of the Hillthorn Farm site is coordinated and contributes to the unified ecology strategy for each development site. With appropriate ecological mitigation measures the cumulative impact of the entire site could be reduced to negligible negative.

Water Environment - No significant cumulative impacts.

Ground Conditions and Hydrogeology - No significant cumulative impacts.

Noise and Vibration - The significance of noise and vibration effects was assessed for the site preparation and construction phases of the proposed scheme. With mitigation measures in place, it is considered that there will be no significant construction noise or vibration. The ES has concluded that the operational noise effects from the site activities and traffic are considered to be not significant, however recommendations and further validation reports are subject to previously mentioned conditions to ensure adherence to noise limits for building services, plant and site activities.

Air Quality - No significant cumulative impacts.

Cultural Heritage - No significant cumulative impacts.

To conclude, the cumulative effects between the two developments are predicted to be NOT SIGNIFICANT.

## **Conclusion**

Sunderland City Council (SCC) is currently developing a masterplan for the Hillthorne Farm site, in order to deliver much needed economic development in the local area and to satisfy occupier demand. The proposed development of the Hillthorne Farm site seeks development of 26 ha. of land formally categorised as moderate quality agricultural land to provide approximately 98,000 square metres of commercial development. The current application (40,500 square metres) is the first of the development proposals to come forward on the wider site and is being brought to Members alongside the Phase 1A road proposal for consideration.

The wider Hillthorne Farm land has long been allocated within the UDP for industrial/commercial use and as such the delivery of the land for B1, B2 and B8 uses is considered to be acceptable in principle, according with both national and local policies.

In order for the current proposal to be delivered, it is recognised that significant infrastructure such as roads and utilities will have to be provided to this greenfield site, subsequently a significant amount of public sector intervention is required to enable the site to be delivered.

The utility diversions, extinguishment of the public right of way and the introduction of new phase 1A road with associated footpaths is all necessary to feed the potential development plots within the site.

The current Vantec proposal which seeks to introduce a large warehouse unit to provide storage and distribution to the neighbouring Nissan production site, has been designed to fit within units 4 and 5 of the SCC masterplan. The siting of proposed development to the south the Hillthorne Farm site also requires the installation of a temporary haul road to facilitate the erection of the warehouse and provide access to compound space for the diversion of the utilities and the construction of the Phase 1A road. Should Members be minded to grant consent it is envisaged that both the Vantec development and the Phase 1A road development will both come on stream simultaneously, at such point the haul road shall be decommissioned and the land restored.

In assessing the proposal, due consideration has been given to National and Local Planning Policy in the form of the National Planning Policy Framework, saved adopted Unitary Development Plan, the emerging Draft Core Strategy and all other relevant Acts and Regulations, to which the application is in general accordance. Furthermore, due to the overall size of the development the proposal has been supported by an Environmental Statement which has looked at the significance of the development in terms of transport, socio-economics, landscape and visual, ecology, water environment, ground conditions and hydrogeology, noise and vibration, air quality, cultural heritage and cumulative impacts. The following briefly summarises the findings of the ES for each of the pertinent chapters.

#### Transport.

With reference to the HGV movements, it is considered that the proposed development will operate with approximately the same frequency of movements as the sister unit at Turbine Business Park. Vantec have 129 supplier delivery vehicles arriving and leaving the site and 107 delivery vehicles of their finished products entering and exiting the site over a 24 hour period.

In light of the above and using the traffic flows on the A1290 and A1231, it is considered that there will be a 2% increase in traffic along those two roads following the opening of the proposed development. Therefore the proposed development has NO DISCERNIBLE IMPACT. Furthermore, the proposed development will result in NO NEGATIVE IMPACTS to highway safety, amenity or conditions.

#### Socio-Economics.

The applicant has advised that the unit will provide approximately 300 jobs, with staff numbers split over a three shift pattern (107 on day shift, 90 on back shift, and 90 on night shift).

Having regard for the number of operational vehicles accessing/egressing the site on a daily basis, it is considered that when operational, the increase in traffic volumes associated with the proposed development generally result in minor impact with all junctions operating well within capacity. There will be significant positive economic benefits for the economy of Washington North Ward.

#### Landscape and Visual.

The proposed development (main unit) provides a footprint that measures 233 metres in length, 174 metres in width and reaches a maximum height of 13.2 metres. Located on an open green field site, the building has been designed using a similar pallet of materials in mind to that of the sister unit at Turbine Business Park. The main unit and associated buildings and hardstanding areas have all been enclosed within a 2.4 metres high boundary fence, with a soft landscaping/planting scheme informed by the ecological surveys for Hillthorne Farm.

In terms of the environmental impact, overall the scheme will result in very localised, short duration, significant visual effects for a public right of way location close to the site during construction. Visual effects on opening would remain of moderate significance at this location.



For all other locations at all stages of the development there would be NO SIGNIFICANT VISUAL EFFECTS.

At a site level there would be loss of existing agricultural land but the landscape mitigation proposals provide an acceptable replacement of some of this land. NO SIGNIFICANT LANDSCAPE CHARACTER EFFECTS have been identified.

Ecology.

The development proposal, has been supported by a number of surveys covering both species and habitats with due consideration being given to loss of hedgerows, impacts upon nesting and wintering birds, breeding birds, commuting bats, brown hares and the condition of Barmston Pond LNR both during construction and operational phases. The scheme proposal has been developed with adherence to mitigation measures outlined within the supporting survey and ES and as a consequence it is considered that there with the implementation of appropriate mitigation measure the ECOLOGICAL IMPACTS WILL BE MINOR.

Water Environment.

The design proposals have included a comprehensive surface water drainage scheme that has met with the approval of NWL. It is considered that with the appropriate long term maintenance there will be NO SIGNIFICANT IMPACTS on surface water environment.

Ground Conditions and Hydrogeology.

The Vantec site has primarily been used agriculture, however, industrial and landfilling operations have occurred surrounding the site. No sensitive water receptors have been identified with the exception of Barmston Pond LNR. Ground investigation has indicated that there are low levels of contamination with the soils and groundwater that pose a very low to moderate risk to construction workers and controlled water receptors.

All of the construction impacts can be substantially reduced or removed by adherence to good site practice, resulting in NEUTRAL RESIDUAL CONSTRUCTION EFFECTS. Whilst the selection of correct chemical resistant building materials can reduce the RESIDUAL OPERATIONAL EFFECTS TO NEUTRAL.

Noise and Vibration.

The significance of noise and vibration effects was assessed for the site preparation and construction phases of the proposed scheme. With mitigation measures in place, it is considered that there will be NO SIGNIFICANT CONSTRUCTION NOISE OR VIBRATION. Operational noise effects from site activities and traffic are considered to be NOT SIGNIFICANT, whilst should Members be minded to grant consent additional conditions shall be imposed to fully assess and verify operational noise on nearest noise sensitive receptors.

## Air Quality.

Should Members be minded to grant consent appropriate mitigation measures can be imposed to effectively control the effects during the construction phase, the impact therefore considered to be NOT SIGNIFICANT. Mitigation measures outlined in the Travel Plan also seek to address the impact upon air quality.

## Cultural Heritage.

An assessment was made of the potential impacts of the proposed development on archaeological and cultural heritage assets within a study area of 500 metres from the site.

Within the study area there are 41 previously recorded heritage assets. These assets range from prehistoric flint to a modern airfield. There are no known heritage assets within the Vantec site. However, there is a potential for previously unrecorded archaeological remains to be located within the site. As such, it is recommended that should Members be minded to Grant consent a suite of conditions relating to additional archaeological works be imposed.

## Cumulative Impacts.

It is considered that there are NO LIKELY SIGNIFICANT cumulative or interacting effects.

Overall therefore it is considered that the impacts of the scheme have been addressed either as part of the application or can be addressed by appropriate conditions. Consequently, it is considered that having taken all material considerations and environmental information into account the proposal is acceptable and will provide a suitable size unit for the operational requirements of the automotive supply chain. It is therefore recommended that in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 Members Grant Consent subject to the draft conditions set out below.

**RECOMMENDATION: GRANT Consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as Amended) subject to the draft conditions listed**

## Conditions:

- 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:

Drawing No. 1854 - 2/200, Location Plan received 12.01.2015.

Drawing No. 1854 - 2/201 Rev A, Site Set Up Plan received 18.02.2015.  
 Drawing No. 1854 - 02/201-2, Compound Cabin Layout received 17.03.2015.  
 Drawing No. 1854 - 2/202 Rev. A, Site Plan received 02.02.2015.  
 Drawing No. 1854 - 2/203 Rev. A, Proposed Building Plan received 02.02.2015.  
 Drawing No. 1854 - 2/204, Proposed Roof Plan received 12.01.2015.  
 Drawing No. 1854 - 2/205 Rev A,, Proposed Elevations received 02.02.2015.  
 Drawing No. 1854 - 2/206 Rev A, Proposed Site Sections received 02.02.2015.  
 Drawing No. 1854 - 2/207, Gate House Details received 12.01.2015.  
 Drawing No. 1854 - 2/208, Cycle and Smoking Shelter Details received 12.01.2015.  
 Drawing No. 1854 - 2/209, Fence and Gate Details received 12.01.2015.  
 Drawing No. 1854 - 2/216 Rev A, Power Line Details received 02.02.2015.  
 Drawing No. 1854 - 2/220, Sprinkler Tank, Pump House \_ LPG Tanks received 04.02.2015.  
 Drawing No. 1854 - 2/221, Waste Compactors received 04.03.2015.  
 Drawing No. 1854 - 2/222, Proposed Substation received 04.03.2015.  
 Drawing No. 1845 - 2/223, Barrier Detail received 17.03.2015.  
 Drawing No. D127.P.002, Outline Planting Plan received 12.01.2015.  
 Drawing No. D127.L.001Rev A, Proposed Landscape Plan received 12.01.2015.  
 Drawing No. 4582-D1 Rev A, Proposed Drainage Layout, North Service Yard received 11.02.2015.  
 Drawing No. 4582-D2, Proposed Drainage Layout, Car Park and Access Road received 11.02.2015.  
 Drawing No. 4582-D3, Proposed Drainage Layout, South Service Yard received 11.02.2015.  
 Drawing No. 4582-R1, Temporary Haul Road Construction Details received 18.02.2015.

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

- 3 Notwithstanding any indication of materials which may have been given in the application, the development hereby approved shall take place in full accordance with the submitted Vantec, Hillthorne Farm, Material Schedule dated 05.02.2015 unless otherwise first agreed in writing with the Local Planning Authority. In order to provide a satisfactory form of development and in the interest of visual amenity and to comply with policy B2 of the saved adopted Unitary Development Plan.
- 4 No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. For the reason that the site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the National

Planning Policy Framework and saved adopted Unitary Development Plan Policies B11, B13 and B14.

- 5 The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 4 has been submitted to and approved in writing by the Local Planning Authority. For the reason the site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the National Planning Policy Framework and saved adopted Unitary Development Plan Policies B11, B13 and B14.
- 6 The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal. For the reason, the site is located within an area identified in the Unitary Development Plan of potential archaeological interest and the publication of the results will enhance understanding of and allow public access to the work undertaken in accordance with paragraph 141 of the National Planning Policy Framework.
- 7 Prior to the operation of the development hereby approved, details of the Freight Routing of Supplier Delivery vehicles arriving and leaving the site shall be submitted to and approved in writing by the Local Planning Authority and implemented as such thereafter unless otherwise first agreed in writing by the Local Planning Authority in interest of residential amenity and highway safety and to comply with policies B2 and T14 of the saved adopted Unitary Development Plan.
- 8 Notwithstanding the submitted plans and prior to the erection/installation of the boundary enclosures, full details of the colour (including RAL No.) shall be submitted to and approved in writing by the Local Planning Authority in the interest of visual amenity and to comply with policy B2 of the saved adopted Unitary Development Plan.
- 9 Notwithstanding the submitted Drawing No. 4582-R1 Temporary Haul Road Construction Details received 18.02.2015 and prior to Section A-A of the road becoming operational, full drainage details of the ditches, including finishes and runoff areas shall be submitted to and approved in writing by the Local Planning Authority and the development shall not become operational until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policy B24 of the saved adopted Unitary Development Plan.
- 10 Notwithstanding the submitted plans, a scheme of works for the decommissioning of the temporary haul road, to include timescales and remediation strategies shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the completion of the hereby approved warehouse unit, unless otherwise first agreed in writing by the Local Planning Authority. The approved scheme shall then be implemented and land reinstated within 28 days in the interest of visual

- amenity and highway safety and to comply with policy B2 and T14 of the saved adopted Unitary Development Plan.
- 11 The development hereby approved shall be carried out in full accordance with the Routing of Construction Vehicles Drawing No. 20/NH030/PH1A/101 as contained with the supporting Hillthorne Farm - Vantec Site Environmental Statement Appendix 5.2 : SCC Routes and Signs dated 20.02.2015, unless otherwise first agreed in writing by the Local Planning Authority, in the interest of residential amenity and highway safety and to comply with policies B2 and T14 of the saved adopted Unitary Development Plan.
- 12 The development hereby approved, shall be carried out in complete accordance with the Hillthorne Farm, Vantec, Sunderland, Framework Travel Plan received 12.01.2015 and thereafter its effectiveness shall be monitored and reviewed every 2 years following first occupation of the development for a period not less than 6 years in the interests of traffic mitigation and environmental sustainability and to comply with policy T14 of the saved adopted Unitary Development Plan.
- 13 Prior to the occupation of the building hereby approved, a method statement shall be submitted to and approved by the Local Planning Authority, detailing measures to control and prevent short stay lorry parking taking place on the access road to the development by vehicles delivering or associated with the business. The statement shall include timescales and monitoring and review mechanisms. Such monitoring and review requirements will cease one year post occupation of that phase of development and all works shall be carried out in accordance with the agreed method statement unless otherwise agreed in writing with the Local Planning Authority in the interest of safe and free flow of traffic and to accord with policy T14 of the saved adopted Unitary Development Plan.
- 14 The off street parking provision including disabled parking provision and 4 electric charging bays as indicated on drawing no.1854-2 / 202 rev A received 02.02.2015 shall be completed prior to the first occupation of the building hereby approved. This parking area shall then be retained and permanently reserved for the parking of vehicles in connection with the development hereby approved to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policies T14 and T22 of the saved adopted Unitary Development Plan.
- 15 The bicycle shelters indicated on Drawing No. 1854 - 2 / 202 Rev A received 02.02.2015 shall be completed prior to the first occupation of the building hereby approved. These facilities shall then be retained and permanently reserved thereafter for bicycle parking/storage to ensure that adequate and satisfactory provision is made bicycle parking/storage and to comply with policy T14 of the saved adopted Unitary Development Plan.
- 16 The development hereby approved shall be carried out in full accordance with the submitted Construction Traffic Management Scheme received 18.02.2015 unless varied and otherwise first agreed in writing by the Local Planning Authority, in order to protect the amenities of the area and ensure highway safety and to comply with policies B2 and T14 of the saved adopted Unitary Development Plan.

- 17 Notwithstanding the submitted details, no removal of hedgerows, felling of trees and ground clearance operations shall be carried out on site between the 1st March and 31st August inclusive in any year, unless a checking survey by an appropriately qualified ornithologist has shown active nests to be absent within the 3 days prior to the commencement of works, unless otherwise approved in writing by the Local Planning Authority in the interest of nature conservation and to accord with policy CN18 of the saved adopted Unitary Development Plan.
- 18 Notwithstanding the details contained within the submitted Drawing No D127.P.002 - Outline Planting Plan received 12.01.2015 and Drawing No. D127.L.001 rev A - Proposed Landscape Strategy received 12.02.2015 and prior to the completion of the development hereby approved a Landscape Management Strategy and Maintenance Schedule shall be submitted to and agreed in writing by the Local Planning Authority unless otherwise first agreed in writing by the Local Planning Authority, in the interest of visual amenity and nature conservation and to comply with policies B2, T14 and CN18 of the saved adopted Unitary Development Plan.
- 19 The development hereby approved shall be carried out in full accordance with the submitted Construction Environmental Management Plan (CEMP), received 18.02.2015 and the Construction Phase Plan dated 16.01.2015 unless otherwise first agreed in writing by the Local Planning Authority, in the interest of amenity, highway safety and nature conservation and to comply with policies B2, T14 and CN18 of the saved adopted Unitary Development Plan.
- 20 The development hereby approved shall be carried out in full accordance with the submitted External Lighting Assessment dated January 2015 and External Lighting Layout E001/P1 received 12.01.2015 unless otherwise first agreed in writing by the Local Planning Authority, in the interest of visual amenity and nature conservation and to comply with policies B2 and CN18 of the saved adopted Unitary Development Plan.
- 21 The development hereby approved shall be carried out in complete accordance with the Table 8.8 Summary of Effects Table for Ecology (Hillthorne Farm - Vantec Site Environmental Statement : Volume 2 : Main Text and Appendices : February 2015) received 20.02.2015 submitted with the planning application unless otherwise first agreed in writing by the Local Planning Authority. Prior to the commencement of development, copies of the aforementioned report shall be issued to the developer and building contractor, in order to ensure a satisfactory form of development and to comply with policy CN18 of the saved adopted Unitary Development Plan.
- 22 Notwithstanding any details provided within the JPG Geoenvironmental Desk Study Report received 12.01.2015 and the AECOM Sunderland Enterprise Zone Ground Investigation Report received 19.02.2015 and unless otherwise first agreed in writing by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, has been submitted

to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with policy EN14 of the saved adopted Unitary Development Plan.

- 23 The remediation scheme approved under Condition number 22 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise first agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.
- 24 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 22 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 23 (Implementation of Approved Remediation Scheme). If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the Unitary Development Plan.
- 25 The development hereby approved shall be constructed and operated to ensure that the noise level emitted from the site shall not, throughout the

life of the development, exceed the background levels one metre in front of the nearest noise sensitive facade, in the interest of residential amenity and in order to comply with policy EN5 of the saved adopted Unitary Development Plan (UDP).

- 26 Prior to the development hereby approved becoming fully operational and in order to satisfy condition No.25 (Noise levels) a validation/ verification report that demonstrates the effectiveness of the noise attenuation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority in the interest of residential amenity and in order to comply with policy EN5 of the saved adopted Unitary Development Plan.
- 27 A further noise assessment shall be provided to demonstrate the likely impact of operational HGV's on nearby noise sensitive receptors such as Severn Houses prior to the development hereby approved becoming operational. The assessment should be carried out by a competent and suitably qualified person and be subject to the approval of the Local Planning Authority in the interest of residential amenity and in order to comply with policy EN5 of the saved adopted Unitary Development Plan (UDP).
- 28 The development hereby approved shall be carried out in complete accordance with the Table 9.7 Construction Residual Impacts and Table 9.8 Operational Residual Impacts for Water Environment (Hillthorne Farm - Vantec Site Environmental Statement : Volume 2 Main Text and Appendices : February 2015) received 20.02.2015 submitted with the planning application unless otherwise first agreed in writing by the Local Planning Authority. Prior to the commencement of development, copies of the aforementioned report shall be issued to the developer and building contractor, in order to ensure a satisfactory form of development and to comply with policy CN18 of the saved adopted Unitary Development Plan.
- 29 Before the use hereby approved is commenced, details of the ventilation/extraction/filtration system, including all external ducting and stacks shall be submitted to and approved in writing by the Local Planning Authority. All works shall be completed in accordance with the agreed details before the use commences, in order to protect the amenities of the area and to comply with policy S12 of the UDP.



3.

Washington

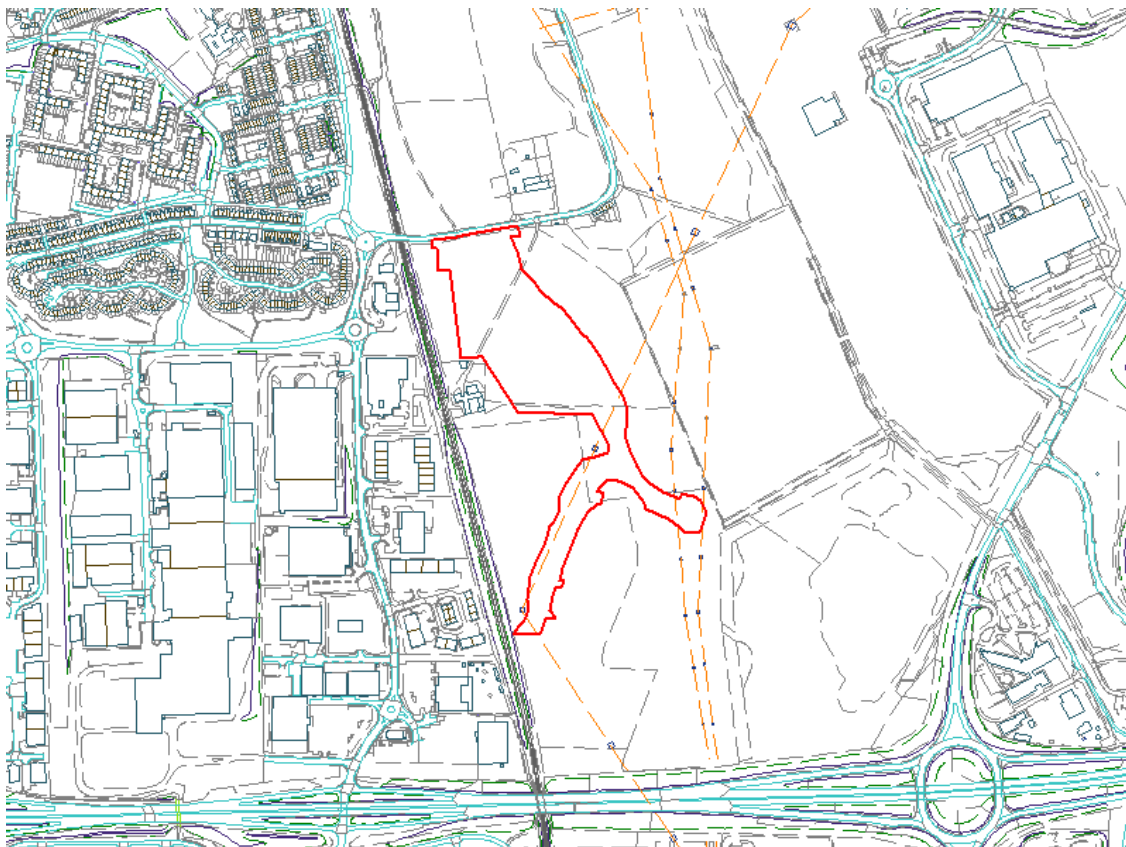
Reference No.: 15/00052/LAP Development by City(Regulation 3)

**Proposal:** Construction of a new spine road and formation of new access onto the A1290 Washington Road and associated infrastructure; the construction of temporary access onto the A1290, haul road and construction compound. (Amended Plans received 17.02.15 and Amended Environmental Statement received 20.02.15).

**Location:** Land At Hillthorne Farm Washington

**Ward:** Washington North  
**Applicant:** Office Of The Chief Executive  
**Date Valid:** 14 January 2015  
**Target Date:** 6 May 2015

### Location Plan



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### PROPOSAL:

Hillthorne Farm is a 26 hectare Council owned site last use for agricultural purposes. The site has a longstanding allocation for Economic Development

purposes in the Council's Unitary Development Plan (UDP). Moreover, 10 hectares of the site (northern half) has recently been designated and forms part of the A19 Enterprise Zone.

The decision by the Council to bring the site forward for economic development purposes has been driven by the current shortage of land capable of accommodating large floor-plate (10,000 square metres) units in the Washington area. Given the proximity to the Nissan Complex the Council's Cabinet agreed (12 February 2014) that the site should be brought forward, as quickly as possible, for key economic development purposes. However, as it currently stands the site of Hillthorne Farm is not prepared for private sector investment. Given the scale and cost of the enabling infrastructure required to make the site financially viable for development there needs to be significant public-sector intervention.

In light of this the Council has undertaken an extensive masterplanning exercise to enable two planning applications to come forward:-

- Phase 1a of highway infrastructure works to include a new priority junction to the existing A1290, in order to open Hillthorne Farm up for development (i.e. the development proposed by this application);
- Development of plots 4 & 5 at Hillthorne Farm. Vantec, a supplier to Nissan, wish to erect a 40,500 square metre (B8) warehouse facility and associated yards, parking areas and ancillary buildings (please see ref. 15/00039/FU4).

In addition to the above, design work has also progressed on the next phase of highway works i.e. Phase 1b. This phase of road building, which is a long standing Development Control line in the UDP, is being currently designed in order to provide a new realigned section of the A1290, located between the north-west corner of the Nissan site and the level crossing over the Leamside Line. The road would remove two existing tight bends in the A1290. However, as Phase 1b involves works on land outside the Council's control this development has not yet reached a planning application stage.

Phase 1a comprises a 10.5m wide carriageway that provides two full width running lanes and a central hatched area that provides space for turning pockets, thereby enabling turning vehicles to wait while allowing the main road to flow freely. There are also 6m verges on both sides of the road, which comprise 3m footway/ cycleways and 3m soft landscaping. The side road is a standard 7.3m carriageway suitable for large vehicles. The northern side of the side road has a 6m verge, which comprises 3m footway/ cycleways and 3m soft landscaping whilst its southern side consists of a 3.8m verge, which itself comprises 1.83m footway and 2m soft landscaping.

Phase 1a has been positioned to the east of Hillthorne Farm in order to provide a large development plot to the west while leaving the opportunity for smaller units to be positioned to the east. The road itself begins with a priority T-junction onto the A1290, in order to maximise visibility, while the design of this access point enables an offline junction to be formed in the future, should Phase 1b progress.

The submitted Landscape Plan (Drawing No. 20/ NH030/ PH1A/ 3001 Rev T03) details various ancillary ecology measures for Phase 1a. Some of these measures involve some form of operational development, such as the

introduction of 4 permeable clay ponds, a 2m wide ditch running parallel with the north south bridleway adjacent to the eastern boundary of Hillthorne Farm and the introduction of 26 amphibian hibernaculas, which largely run parallel to the aforementioned ditch.

Furthermore, as part of constructing Phase 1a and the Vantec's proposed warehouse, additional enabling infrastructure works are required in order to divert existing electrical and sewerage utilities that are presently on site. There are two existing 66kV overhead lines running through Hillthorne Farm and which intersect the two sites. The diversion works will involve excavating a trench in order to re-route the overhead line underground. It is proposed that a cable will be buried in a trench measuring approximately 1.2 metres in depth, 90 cm in width and 350 metres in length.

An existing sewer (1200mm in diameter) to the east of the site intersects the proposed route of Phase 1a. As a consequence, a total length of 810 metres will require diverting along the eastern boundary of the site, some of which is incorporated in the Vantec application site. These diversion works will require working areas that are approximately 20 - 25 metres in width, starting 6 metres from the eastern boundary of Hillthorne Farm. This is to allow space for a 1m ecological strip as well as a 5m easement for diversions. These working areas will extend into the site from east to west where existing manholes will need to be accessed in order to introduce grout into the existing sewer which is to be abandoned on completion of the sewer diversion. Excavation widths will be approximately 2.5m whilst the excavation depths vary between 5.5m in the north to 2m in the south of the site.

Furthermore, in order to facilitate the construction of Phase 1a, a temporary haul road is proposed in order to provide a new access onto the A1290. The main temporary haul road incorporates a side haul road providing access to a designated construction compound area located immediately to the west of the route of Phase 1a. The construction compound will include stores, offices and plant storage.

To conclude, the Council is proposing to construct Phase 1a in order to facilitate the wider development of Hillthorne Farm for economic purposes, whilst planning application 15/00093/FU4, which is on this Agenda as a separate item, is seeking permission to erect a new 45,500 square metre (B8) warehouse facility for Vantec.

### **Application site**

Hillthorne Farm and the site of Phase 1a is in full Council ownership. The application site is to the north of the Sunderland Highway (A1231). To the west is an existing industrial estate that runs along the former Leamside Line. To the east of the site is open hardstanding used by the nearby Nissan plant and to the south west, Barmston Nature Reserve. Vantec's recently built warehouse facility lies further to the east on Turbine Park. An existing bridleway runs along the eastern boundary of Hillthorne Farm, whilst to the north, on the opposite side of the A1290, is Elm Tree Farm, which is the proposed site of Phase 1b.

A public footpath (Washington Footpath 26), which ran across the northern section of Phase 1a and connected the A1290 to the former level crossing on the Leamside Line, has now been stopped up. A new alternative route is not required

as a suitable alternative route already exists via the existing footpath to the west of the Leamside Line.

## **Environmental Impact Assessment (EIA)**

In accordance with The Town & Country Planning (Environmental Impact Assessment) Regulations 2011 the planning application has been supported by an Environmental Statement (ES). The Local Planning Authority (LPA) has previously screened the development and considers it to be EIA development, please see ref. 14/02518/SCR. This screening process was instigated by the Council, as landowner of Hillthorne Farm and applicant for Phase 1a.

By way of a summary the LPA considered that given the facilitative aspect of the Phase 1a to the wider Hillthorne Farm and in view of the various protected species (e.g. Great Crested Newts, GCN) and habitats (e.g. Barmston Pond) present within the area there was the potential for significant effects on the environment.

The purpose of the ES is to inform statutory consultees, the public and interested parties about the likely effects of the proposed development on the environment. These likely effects are documented in the ES, which is then consulted on. The ES for this application has essentially been presented in three volumes:-

- Volume 1: Non-Technical Summary
- Volume 2: Main Text and Appendices; and
- Volume 3: ES figures

Volume 2, which is the main body of the ES and the section that considers the significance of the impact on the environment, has considered the following as chapters:-

- Chapter 1 Introduction
- Chapter 2 Need for Proposed Scheme
- Chapter 3 Scheme Description
- Chapter 4 Environmental Impact Assessment Methods
- Chapter 5 Transport
- Chapter 6 Socio-economic
- Chapter 7 Landscape and Visual
- Chapter 8 Ecology and Nature Conservation
- Chapter 9 Water Environment
- Chapter 10 Ground Conditions and Hydrogeology
- Chapter 11 Noise and Vibration
- Chapter 12 Air Quality
- Chapter 13 Cultural Heritage, and
- Chapter 14 Cumulative Impacts and Interactions of Effects

In summary, the consideration of the relative impact on the environment within the chapters has been based on the following EIA standard methodology:-

- **Baseline conditions:** an understanding of the existing environmental conditions against which the predicted environmental impacts have been assessed, including an assessment of environmental receptors

- **Predicted impacts:** identification of predicted impacts resulting from the proposed development and assessment of impact magnitude
- **Mitigation and enhancement measures:** recommendation for mitigation measures to avoid, offset or reduce the identified adverse impacts of the project, or for enhancement measure to maximise positive impacts
- **Residual impacts:** assessment of significance of effects after consideration of mitigation measures

In terms of assessing the planning considerations of the development proposal the above impacts and measures are considered under the various headings in the Consideration Section of this report.

Members should note that the ES has been amended during the course of considering the planning application. Following consultee responses additional work was required in respect of the assessment of the transport implications of Phase 1a. Furthermore, in light of the operational development nature of the ecological measures and drainage ponds that are needed to mitigate ecological impact and enhance biodiversity, please see the submitted Landscape Plan (Drawing No. 20/ NH030/ PH 1A/ 30001 Rev T03), it was considered necessary to amend and expand the application's red line plan to the eastern boundary of Hillthorne Farm.

This approach to amending the planning application is considered to be a valid, pragmatic and proportionate approach. The planning application fee remains unaltered by the enlargement of the red line boundary and as such, the amendment is not in contravention of the 2014 Fee Regulations. Furthermore, the change is not considered to be substantial, as it is encompassing development inherent and incidental to the Phase 1a scheme, when viewed as a whole and detailed in the already submitted landscape plan. Moreover, there are no land ownership issues given that the extension of the red line encompasses land entirely in Council ownership and, arguably most important of all given the additional round of statutory and public consultation, any interested party has been afforded the ability to consider and comment on the amendment.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
 Site Notice Posted  
 Neighbour Notifications

#### **CONSULTEES:**

Washington North - Ward Councillor Consultation  
 DEFRA - Rural Development Service  
 The Coal Authority  
 The Highways Agency  
 Environment Agency  
 Network Management  
 Natural England  
 Network Rail

Environmental Health  
Nexus  
SUSTRANS  
Tyne And Wear Archaeology Officer  
Northumbrian Water  
National Grid Transco  
Force Planning And Police Architectural Liaison Officer  
Business Investment  
Fire Prevention Officer  
Environment Agency  
National Planning Casework Team

Final Date for Receipt of Representations: **16.03.2015**

## **REPRESENTATIONS:**

### Representations

The application has benefitted from two rounds of consultation given the amendment to the ES. On both occasions the application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order (DMPO) 2010, the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the City Council's Statement of Community Involvement. The application has been advertised in the Sunderland Echo, whilst site notices have been erected adjacent to and within the vicinity of the site and all adjoining properties have been consulted.

Following this extensive consultation process there have been no letters of representations received.

- National Planning Casework Unit (NPCU)

The NPCU acknowledge that they had received the EIA consultation but provided no further comment.

- Natural England

Natural England's statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development. In accordance with the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations (2010), Natural England considers that based on the information provided the proposal is unlikely to affect any statutorily protected species or landscapes.

- Environment Agency

The Environment Agency has no objections to the proposed development and noted that the site was located within Flood Zone 1 and that surface water is to be ultimately discharged at a restricted rate to Northumbrian Water's sewer network.

The Agency also stated that their records indicate there could be GCNs in the area.

- The Coal Authority

The Coal Authority has confirmed that the application site falls within a defined Development High Risk Area. The Coal Authority records indicate that parts of the site may have been subject to historic unrecorded underground coal mining at shallow depth with coal that out-cropped the site. The Coal Authority considers that the applicant has obtained appropriate and up-to-date coal mining information for the site; including a Coal Mining Report, OS historical mapping, BGS geological mapping, BGS borehole data and information from previous ground investigations. This information was used to inform the Preliminary Sources Study Report (April 2014) that accompanied the application.

However, The Coal Authority, whilst noting that a Factual Report on Ground Investigation (January 2015, prepared by ESG Ltd) accompanied the submitted Preliminary Sources Study Report, initially responded by highlighting that there was no interpretation of the gathered data in relation to the risks posed by the coal mining legacy. The Coal Authority therefore objected and recommended that either a Coal Mining Risk Assessment Report be submitted or an interpretation of the ground investigation results provided. As a consequence, the applicant has since submitted a Mining Risk Assessment Report (February 2015, prepared by AECOM Ltd).

The Coal Authority considers the assessment Report to have been informed by appropriate and up-to-date coal mining information. Section 3.2 of the Report correctly identifies coal that outcropped across the site and via an assessment of borehole data confirms the presence of coal seams at 9m depth. Nevertheless, The Coal Authority still considers the risk to stability of the site from past unrecorded shallow underground coal has not been fully considered and that the watching brief approach that is being proposed would not be a sufficient means of identifying any risks posed by the site's coal mining legacy. Whilst the Report confirms that a ground investigation was undertaken no results or interpretation has been provided and as such The Coal Authority maintains its objection. The Coal Authority has therefore recommended that the applicant be made aware of their response.

The applicant has since been furnished with The Coal Authority's response and discussions are now taking place between the two parties. To summarise the applicant is expected to provide the results of the previous site investigation, including an interpretation of those results and the locations of the boreholes sunk. Nevertheless, The Coal Authority has also confirmed in the same response that their objection could be overcome, should Members be so minded, via the imposition a planning condition that requires the following prior to the commencement of development:-

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the

proposed development, this should also be conditioned to ensure that any remedial works identified are undertaken prior to commencement of the development.

- County Archaeologist (CA)

The County Archaeologist has noted that the development site has remained in agricultural use. The tithe map of 1840 shows a field called "Pit Field" which suggests the presence of coal mining activity. There are no known archaeological features within the development site; however the site has never been archaeologically investigated. With this in mind, it is recommended that in the event that Members are minded to grant consent the following conditions should be attached.

1. Archaeological Excavation and Recording.
2. Archaeological Post Excavation Report.
3. Archaeological Publication Report.

In light of the above, a Geophysical Survey (report 3671- February 2015) produced by Archaeological Services, Durham University has been undertaken to ascertain if any archaeological features are present. The survey shows ridge and furrow and two possible prehistoric enclosures. The CA has agreed an archaeological evaluation trench location plan with the applicant's archaeologist. If archaeological remains are found in those trenches, the excavation area will have to be enlarged and the remains will have to be fully archaeologically excavated before any groundworks can start in that particular part of the site.

- Northumbrian Water (NWL)

In making their response NWL assessed the impact of the proposed development on their assets and the capacity within their network to accommodate and treat the anticipated flows arising from the development. NWL's only comments related to the combined sewer and trunk main that crosses the site which may be affected by the proposed development. NWL confirmed that they do not permit a building over or close to their apparatus and will therefore be contacting the applicant directly to establish the exact location of their assets to ensure the necessary diversion.

- Nexus

Nexus confirmed they have no objection to the development proposal. Nexus welcomed the shared cycle/ pedestrian ways proposed. Given their understanding that buses would not frequent Phase 1a and will continue to service Spire Road and A1290, as is the current situation, they confirmed that Phase 1b will be of more interest to Nexus, as this is the stage at which bus infrastructure will change.

- Network Rail

Network Rail has no objection in principle to the development. However, given the adjacency of the Leamside Line they highlighted various requirements that would need to be met in respect of their infrastructure.



Network Rail referenced the Council's aspirations to reopen the currently mothballed Leamside Line and as such Network Rail considers that this line should be regarded as operational and safeguarded for future use. Network Rail made comment regarding the disused level crossing on the nearby A1290 by stating that the development proposal is likely to generate increased vehicular traffic through the crossing area. Regarding any future aspiration to reopen the Leamside line to rail traffic, Network Rail would not permit the reinstatement of the crossing in connection with any future use of the railway. Network Rail are aware of the longer term aspiration to create a through road link to the A1231, but if this is not successful consideration would need to be given to alternative access for vehicles and pedestrians over the railway in future (for example the installation of a new bridge) should the line be made operational again.

To summarise, Network Rail have asked for drainage, boundary fencing, method statements and lighting to be the subject of conditions. The conditions will, in part, ensure safety, operational needs and integrity of the railway.

- National Grid

The National Grid when responding to the EIA Screening Request confirmed they had no objection to Phase 1a.

- Council - Business Investment Team

The Business Investment Team support the development. The Team highlighted the critical importance of the automotive manufacturing industry to the local, regional and national economy. The Council's strategic approach to developing the City's economy is, in part, founded on the importance of the continued growth of the advanced engineering sector. However, this growth is now being constrained, especially as regards the availability of sites that can accommodate the type of large floorplate buildings required by companies operating in this sector. As a consequence there is now a real danger that the City will miss out on job creating investment.

The development of Hillthorne is being pursued by the Council in response to unprecedented demand from companies that want to locate to the City and given the significant amounts of public funding already allocated to facilitating the necessary infrastructure to quickly bring the site on stream i.e. A19 Enterprise Zone. Phase 1a will enable the first development project to take place, which will in turn facilitate the next round of Nissan's investment, bringing models on stream and safeguarding the plant's long-term future.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments  
B\_11\_Measures to protect the archaeological heritage of Sunderland (general)  
B\_13\_Sites and monuments of local importance affected by development  
B\_14\_Development in areas of potential archaeological importance  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

T\_16\_Protect routes of existing & former railways with potential use as communication corridors  
CN\_18\_Promotion of nature conservation (general)  
CN\_22\_Developments affecting protected wildlife species and habitats  
EN\_1\_Improvement of the environment  
EN\_12\_Conflicts between new development and flood risk / water resources  
EN\_14\_Development on unstable or contaminated land or land at risk from landfill/mine gas  
B\_24\_Appropriate provision for utility services in building development  
B\_25\_Diversion / undergrounding of overhead cables in sensitive areas

## **COMMENTS:**

The key planning issues to consider in relation to this application are:

1. Land-use and Policy considerations
  2. Highway considerations
  3. Agricultural, Landscape and Visual
  4. Ecology and Nature Conservation
  5. Flood Risk
  6. Land contamination, Noise, Vibration and Air Quality
  7. Socio-Economics
- 
1. Land-use and Policy considerations

The National Planning Policy Framework (NPPF) was published on 27 March 2012. Paragraphs 2, 11, 12, 13 and 196 of the NPPF emphasise that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. They confirm, also, that the NPPF is a material consideration in planning decisions.

Thus, the statutory starting point for consideration of planning applications is the development plan and development that accords with an up-to-date Local Plan should be permitted, unless material considerations indicate otherwise.

Paragraphs 7 and 8 of the NPPF explain that there are three dimensions to sustainable development - economic, social and environmental - and that these are mutually dependant, so that gains in each should be sought jointly and simultaneously.

Under the heading of 'the presumption in favour of sustainable development', Paragraph 12 confirms that the NPPF '...does not change the statutory status of the development plan as the starting point for decision making'. Paragraph 12 states that:

'...development that accords with an up-to-date local plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise'.

Paragraph 14 of the NPPF then sets out the presumption in favour of sustainable development in more detail and says that it '...should be seen as a golden thread running through both plan-making and decision-taking'.

For decision-taking this means, unless material considerations indicate otherwise:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - o specific policies in this Framework indicate development should be restricted.

The development plan for this part of Sunderland comprises the saved policies of the UDP, which was adopted in 1998.

Hillthorne Farm has a long-standing allocation for economic development purposes as an industrial/ business area for B1 (Business), B2 (General Industry) and B8 (Storage or Distribution) uses via Policy WA1.5. Given the key role Nissan has to the local economy Policy WA1.5 seeks to safeguard land (including the site) for the future expansion of advanced manufacturing activities.

This existing land use allocation has also been carried forward into the emerging Core Strategy and Development Management Policies Draft Revised Preferred Options (2013). The emerging Core Strategy recognises the importance of Nissan and the Enterprise Zones. The emerging Core Strategy considers that with the success of the Nissan Plant Washington has, and continues to play, a major role in the local and regional economy. The Enterprise Zones are seen as major locations for new and emerging low carbon businesses and are recognised as Primary Employment Areas. It is therefore clear that the emerging plan has identified the future land uses for the site to be of an industrial and business nature.

Given the facilitative nature of Phase 1a and its delivery of a critical and enabling infrastructure to Hillthorne Farm, it is considered that the development proposal is in accordance with and supported by the existing UDP and emerging Core Strategy. The development proposal is therefore considered to be acceptable in principle.

## 2. Highway considerations

Paragraph 32 of the NPPF requires that all developments that generate significant amounts of movement should be supported by a Transport Assessment and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

UDP policy T14 requires new development to be readily accessible by pedestrians and cyclists, whilst development proposals should not cause traffic congestion or highway safety problems and make appropriate safe provision for access and egress. Policy T13 identifies the need for highway improvements, whilst policies T8 and T9 seek to improve facilities for pedestrians and cyclists respectively.

## - Transport Assessment

Phase 1b has been included within the Transport Assessment to enable for testing of future year scenarios taking into account traffic growth and to assess potential changes in trip distribution.

Phase 1a includes the construction of a new priority junction with the existing A1290 alignment. The layout of this junction proposal is considered to be appropriate, based on the number of vehicle trips to be generated by Vantec's proposed 40,500sqm B8 warehouse facility and associated office space. Vehicle trips during peak hour periods will also be minimised by the proposed shift pattern arrangements for employees.

Reference is made within the Transport Assessment to traffic surveys scheduled for March 2015. The traffic surveys referred to are to assist with an evaluation of junctions improvements undertaken by Sunderland City Council, South Tyneside Council and the Highways Agency. These works have been funded by central government through the Regional Growth Fund and Pinch Point Schemes. The traffic surveys proposed for March are part of a wider study of the local and strategic road network, and the information from the surveys will be used to measure the recent improvements to network capacity.

The junction improvements recently completed along the A1290 corridor, comprise of new traffic signals at the Cherry Blossom Way junction, and renewal of the traffic signals at the main staff entrance to Nissan. The A1290/ Downhill Lane junction has also been upgraded within South Tyneside to replace the existing double roundabout with new signalised junctions. All the new traffic signals equipment includes enhanced signal operation technology to improve traffic flow and reduce congestion. Cameras are also being installed which will be linked to the Tyne and Wear Urban Traffic Management Control centre thereby enabling additional signal control in any unforeseen or exceptional circumstances. The Highways Agency is improving the A19/ A1231 junction including the upgrading of the traffic signals and constructing a new approach lane to add capacity for A19 northbound traffic.

The traffic survey data used within this Transport Assessment is considered to be appropriate based on the predicted levels of traffic generation arising from the development of the Hillthorne Farm site. Any traffic surveys undertaken during 2014 would have provided unreliable data given likelihood of displaced trips due to the various junction improvement works and other highway construction activity which has taken place along the A1290 corridor over the past year.

The submitted Transport Assessment has been reviewed by colleagues in Network Management (Street Scene). Key junctions in the vicinity of the proposal have been assessed which take into account peak traffic flows. The Transport Assessment concludes that the identified junctions all operate within capacity including committed development, and traffic flows associated with the proposed development. Therefore any likely traffic impact resulting from the developments proposed on the land at Hillthorne Farm will be minimal. The existing junctions have been tested to include future years traffic growth with both Phases 1a and Phase 1b added as potential options.

The distribution of trips and the numbers of vehicle trips to be generated from initial developments on the site will be low. Vehicle trips during peak hour periods will also be minimised by the proposed shift pattern arrangements for employees.

It is noted that the A1290/ Cherry Blossom Way junction has been tested with a high pedestrian/ cycle demand. This is likely to be a worst case scenario and considered to be an appropriate sensitivity test. It should also be noted that the signals have recently been installed at junctions along the A1290 with technology that will be demand responsive to traffic flows and will address any potential capacity or traffic congestion issues.

- Highway Layout and Design

Phase 1a includes the construction of a new priority junction with the existing A1290 alignment. The layout of this junction proposal is considered appropriate, based on the number of vehicle trips to be generated by Vantec's proposed 40,500sqm B8 warehouse facility and associated office space.

The junction layout has been designed to facilitate heavy goods vehicles turning left from the Hillthorne Farm site onto the A1290. Heavy goods vehicles are then directed towards the A1231, and then westbound onto the A1(M) or eastbound to the A19. Phase 1a will allow the continued use of the route to the A19 for cars via two tight-bends on the A1290 adjacent residential properties of Severn Houses.

It is noted that a section of public path named as Washington Footpath 26 has been extinguished using powers under Section 258 of the Town and Country Planning Act 1990, which allowed the path to be extinguished and the land appropriated for planning purposes.

The highway drainage gullies and chambers to be installed on the Phase 1a access road are suitably designed to meet adoptable standards for public highway.

- Road Safety, noise and air quality

The Transport Assessment contains a review of reported accident data over a 3 year period on the local road network. The information on accident data does not identify any specific patterns or causes directly relating to the road network. It should be noted that the speed limit has recently been reduced from 60mph to 40mph on the A1290 and new off road pedestrian/ cycle routes provided to improve accessibility and road safety.

Traffic flows from initial development on land at Hillthorne Farm, which will use the Phase 1a access road, are likely to be relatively low. However, in the short-term based on the proposed land use there is likely to be a minor increase in the number of cars and goods vehicles travelling along the A1290.

- Heavy Goods Vehicles

To ensure appropriate routes are used to serve the developments on Hillthorne Farm and manage traffic flow between the local and strategic road network the potential routing of heavy goods vehicles needs to be considered.

The Transport Assessment includes a proposed signing strategy identifying a preferred route which is considered appropriate for construction traffic. This is also Network Management's preferred route for operational deliveries, however it is recognised that the A1290 Washington Road is a classified road and a main distributor route, which is currently used by good vehicles, buses and cars.

An alternative suitable route for outbound logistic movements to serve Nissan is potentially available for westbound traffic which allows heavy goods vehicles to travel via Spine Road to the Nissan goods entrance on Nissan Way. This route is via industrial estate standard access roads and only involves left turns so visibility is unlikely to be an issue. Information contained with the submission for the adjacent planning application for Vantec's proposed warehouse facility, includes a heavy goods vehicle schedule for inbound/ outbound movements and identifies that the maximum number of HGV's entering and exiting the site will be 8 during peak hours for road traffic.

Based on Vantec's proposal, Network Management consider that all heavy goods vehicle parking can be accommodated within dedicated hard-standing and lorry parking areas located within the site of their proposal at Hillthorne Farm. Nevertheless, Network Management has noted that there is possibility of short-stay lorry parking taking place on the access road. The provision of restrictions to prohibit heavy goods vehicles parking along the proposed new access road is recommended. Similarly, the introduction of a weight limit to prohibit heavy goods vehicles travelling along Sulgrave Road should be considered. It is unlikely that any heavy goods vehicles associated with the Vantec development will use this route, and it is therefore recommended that the situation be monitored. However, if considered necessary these restrictions would be introduced through the relevant Traffic Order and via the controls afforded to the Council, as the Local Highway Authority.

- Construction Phase

The Transport Assessment includes a proposed signing strategy identifying a preferred route which is considered appropriate for construction traffic. This route will allow minimal disruption to other road users and residential properties, directing construction vehicles westbound from the site via the A1290, onto Northumberland Way and then southbound towards the A1231.

A temporary haul road is proposed to the land at Hillthorne Farm to enable construction of the access road and the building works. Temporary traffic management may be required to facilitate safe access/ egress with the A1290.

The temporary haul road is to include a macadam construction and should remove the need for wheel washing facilities, however the works should be monitored and cleaned as necessary to ensure no dirt or debris is deposited on public highway.

- Leamside Line

Network Management have noted the response from Network Rail. The response does not raise any objections to the proposal. However, it is noted that conditions are requested to ensure any surface water drainage systems do not impact on the Leamside Line, suitable boundary measures with Network Rail land are

provided, and safety requirements are adhered to during construction/ building works.

- Public Transport

The Transport Assessment provides details of the current levels of bus services. Bus services 50 and 56 operate along the A1290. The nearest bus stops are located on the A1290 Washington Road to the north and A1231 slip road to the south.

The location of bus stops and infrastructure will remain unchanged at this stage. The new access road provides a network of footways and crossing points, with a traffic island located at the new junction to facilitate a pedestrian crossing point to assist access to the bus services 50 and 56. It is expected that bus infrastructure improvements will be planned as part of any future alterations to the highway network.

The proposal is well-sited with an established network of pedestrian/ cycle routes available in proximity to the proposal, and National Cycle Network route 7 located to the south of the A1231.

In conclusion, it is considered that the Transport Assessment has satisfactorily demonstrated, subject to the imposition of appropriate planning conditions that the surrounding and wider area highway network will be able to cope with the increase in traffic associated with the development proposal. The proposed development will provide the delivery of important new highway infrastructure that will assist in facilitating Hillthorne for economic development. The proposal is considered to be on balance acceptable and in accordance with Paragraph 32 of the NPPF and UDP policies T8, T9 and T14 of the UDP.

3. Agricultural, Landscape and Visual

- Agricultural

Paragraph 112 of the NPPF requires LPAs to take into account the economic and other benefits of the best and most versatile agricultural land and states that 'where significant development of agricultural land is demonstrated to be necessary, LPAs should seek to use areas of poorer quality land in preference to that of a higher quality'.

Policy CN8 of the adopted UDP states that development which results in the irreversible loss of the best and most versatile agricultural land (grades 1, 2 and 3a) will not be permitted unless it can be demonstrated that no other site exists upon which the development could reasonably be located.

Policy DM7.17 of the draft Core Strategy and Development Management Policies DPD reflects the provisions of the NPPF by stating that, when considering development proposals or change of use which would result in the irreversible loss of agricultural land, consideration will be given to:

- a) the quality of the agricultural land being considered, preference being for the use of poorer quality land (grades 3b-5);

- b) positive sustainability factors (including any reduction in the need to travel);
- c) the effect on farm size, structure and viability;
- d) the recommendations of The Department of the Environment and Rural Affairs and other relevant bodies; and
- e) the feasibility of restoration to an equivalent grade of agricultural land. Where the above cannot be adequately satisfied, planning permission will not normally be granted.

Turning to the consideration of the development proposal it is noted that Natural England's Agricultural Land Classification map for the North East Region (ALC001) identifies the site as constituting Grade 3 (Good to Moderate) land, although it does not specify whether it falls within Subgrade 3a (good quality) or Subgrade 3b (moderate quality). However, on review of the MAGIC website, which is the authoritative geographic information database about the natural environment from across government, it is noted that although the site has been surveyed it has no agricultural land classification in any of the grades (1 -5). Furthermore, it is also noteworthy that the land to the north of Nissan and the A1290, which has been categorised as agricultural land on the same MAGIC database, predominantly constitutes Grade 3b land, with only pockets of Grade 3a and 2 areas located approximately 1km to the north of the application site.

The National Vegetation Classification (NVC) survey, which assessed the types of vegetation and their extent at Hillthorne Farm and is one of the evidential reports that support the ES, confirms that at the time of the survey (summer 2013) there was 13.95 hectares of land under arable crop. Natural England in their response to the application offered no observations in respect of the development proposal being situated on land that was previously farmed, although it is noted that the development proposal is in accordance with the land use allocation of the development plan and as such Natural England is not a statutory consultee via Schedule 5 of the DMPO.

Given the longstanding land use allocation for economic development in the UDP it is clear that the site has always been earmarked and intended for economic development purposes. It is therefore considered that as the land surrounding the site is categorised as 3b, with the higher Grades 2 and 3a located approximately a kilometre further north towards the boundary with South Tyneside, translates into a development proposal that is on balance acceptable and in accordance with UDP policy CN8, emerging Core Strategy policy DM7.17 and Paragraph 112 of the NPPF.

#### - Landscape and Visual

Paragraph 17 of the NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraphs 56 and 57 highlight the importance Central Government place on the design of the built environment, including individual buildings, public and private spaces and wider area development schemes. Paragraph 64 goes on to state 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".



Chapter 7 of the ES assesses the likely significant effects of the proposed scheme on landscape character and visual amenity. This Chapter is also supported by Volume 3, which comprises a series of figures that illustrate and convey the character of the land within 4km of the site and contains various viewpoints of the site within the wider landscape setting.

The site lies wholly within Usworth Lowland Landscape Character Area (LCA). The LCA is bounded by urban areas to the east and west; the River Wear West LCA to the south, and the City boundary with South Tyneside to the north. The Usworth LCA is characterised by a flat, open and fragmented landscape and is in part defined by major road and rail routes, pylons and other urban features. The study area is predominantly an urban and industrial landscape interspersed with areas of farmland. This farmland is characterised by a field pattern of large sized fields enclosed predominantly by gappy hedges. There is little natural woodland in the area, with trees forming parts of field boundaries or small groups running alongside the disused railway line that forms the edge of Sulgrave.

Overall, Chapter 7 considers the site to be of medium landscape value within a wider study area, which itself is categorised as being of low value given the predominance of industrial uses and the limited conservation interests and opportunities for recreation that exist in the area. It is noted that there will be loss of some of the existing landscape elements (hedges on the A1290 and agricultural land) but the existing screening and landscape mitigation proposals being proposed are considered to strengthen and extend characteristic landscape elements present within the wider landscape.

The main potential visual effects likely to arise from the scheme are:-

- Temporary impacts arising from construction, including machinery and vehicles required to clear vegetation, strip and store soils and construct Phase 1a (given a maximum duration of 12 months in the ES);
- Impacts during year 1 arising from views of completed Phase 1a; and,
- Long term/ permanent impacts arising from Phase 1a, assessed at year 15.

Following the assessment of the proposal and in light of the mitigation being proposed the ES considers there to be no significant effects on landscape character or visual amenity. The mitigation has been designed to create and strengthen hedgerow boundaries via the planting of native trees and shrubs. This landscaping approach is considered to not only help screen Phase 1a but also soften the road corridor and integrate it within the wider landscape of surrounding highway and industrial development. Furthermore, the road lighting will be dimmed at night, outside normal working hours, in order to mitigate landscape and visual effects.

Overall, Chapter 7 concludes that the scheme will only result in very localised, short duration, significant visual effects for a Public Right of Way, which is close to the site during construction i.e. the footpath running parallel to the disused railway. It is also noted that from an on-site perspective there would be loss of existing landscape elements, however these are and will remain present within the wider landscape, thereby mitigating the loss from Hillthorne Farm.

To summarise, there are considered to be no significant effects on landscape character at any stage (i.e. construction or completion) and as such the ES has concluded that there is no over-riding landscape or visual reason to suggest that Phase 1a would cause anything other than localised effects to landscape or visual amenity.

In conclusion, given the positive economic benefit Phase 1a will bring to the City via its facilitation of Hillthorne Farm as an area for economic development and in light of the immediate environment being dominated by industrial development, in conjunction with the implementation of the landscape mitigation that is proposed, the development proposal is considered to be acceptable in terms of its landscape and visual impacts and in accordance with Paragraphs 17, 56 & 57 of the NPPF.

#### 4. Ecology and Nature Conservation

Paragraphs 109 and 118 of the NPPF state that local authorities should minimise impacts on biodiversity and provide net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient, and that new development should aim to provide opportunities to incorporate biodiversity in and around developments.

UDP policy CN16 encourages the retention and enhancement of field hedgerows as well as new planting in order to, in part, enhance main transport corridors, employment areas and wildlife corridors. Policy CN18 requires the Council to seek opportunities for new habitat creation in development proposals. Policy CN21 requires the Council to avoid adverse impacts on Local Nature Reserves, whilst Policy CN22 highlights development that would adversely affect any animal or plant species afforded special protection will not be permitted.

An extended Phase 1 Habitat Survey was undertaken in 2013 (Hillthorne Farm) and 2014 (Elm Tree Farm). Elm Tree Farm is the site of the potential Phase 1b road and an area where key water habit is located. Further to the Extended Phase 1 Habitat surveys a series of comprehensive Phase 2 surveys were undertaken, consisting of:-

- National Vegetation Classification
- Predictive System for Multimetrics (PSYM) - waterbodies
- Badger Survey
- Bat Survey
- Breeding Bird Survey
- Wintering Bird Survey
- Otter Survey
- Great crested newt survey
- Otter survey
- Water vole survey
- Brown Hare survey

Based on the above Chapter 8 'Ecology and Nature Conservation' and the supporting Ecological Impact Assessment (EclA) of the ES explains that the following habitats, species and species groups were scoped out of the assessment due to low predicted impact:-

- Barmston Ponds LNR - as this is ground water fed with little overland flow it was considered unlikely that Phase 1a would have any significant impact on flows to the pond.
- Arable Habitat - this has been lost from Hillthorne Farm since the 2013 survey.
- Roosting bats - following the demolition of Hillthorne Farm (please see ref. 14/01178/DEM) no bat roosts have been confirmed from the site.
- Badgers - no active badger setts were found within the site with only limited evidence suggesting that they may occasionally use the wider survey area for foraging
- Otters - the distance between the areas where otter signs have been found and the location of Phase 1a indicates that they will not be impacted by the development proposal.

The LPA's Ecologist considers the ecological surveys and reports to provide for a detailed assessment of ecological factors. The Management Plan and Design Principles December 2013 (R3 April 2014) report by TNEI Services Ltd established a framework for comprehensive ecological mitigation and enhancement measures for development in the Hillthorne Farm area. The EclA is considered to summarise the likely impacts on biodiversity from the construction of the road south (Phase 1a) and north (Phase 1b) of the A1290 and recommends the necessary mitigation measures. However, it is noted that ES' EclA was written in the context of assessing construction impacts and operation of the road and therefore the detail of any subsequent development on Hillthorne Farm will need to be considered on its own merits.

Chapter 8 considers the loss of set aside land to have a negligible residual effect as Phase 1a will incorporate native species rich embankments consisting of a high percentage of fruit bearing species to the benefit of local wildlife. In terms of hedgerow loss, the residual effect after mitigation was also considered to be negligible, although it was noted that Hedgerow 7 was species rich it was not considered to be significant within the context of the Hedgerow Regulations (1997). Moreover, Chapter 8 and Phase 1a's landscape proposals confirm that new hedgerows will be planted and actively managed as part of the development proposal's extensive green infrastructure measures.

Turning to the detail of the landscaping proposals the LPA's Ecologist has considered the details of ecological mitigation and enhancement measures, including hedgerows either side of the main spine road, wetland habitats and hibernacula. These should be delivered in full and a protection and long-term management strategy agreed and adopted which, in the event that Members are minded to approve, would be conditioned as part of the approval.

The provision of standard hedgerow trees is welcome and the LPA's Ecologist has advised that where possible these should be planted opposite rather than alternate on either side of the road. Furthermore, vegetation, area and profile specifications for the two ponds to the south-west must follow those proposed for the two ponds to the north-east. In addition, the cross profile and treatment from the eastern bridlepath through the ditch and grassland should include an element

of verge on the eastern side of the ditch, as specified in the submitted Landscape Plan.

In terms of impacts on bat commuting routes the residual impact after mitigation was considered to be negligible. This is due to the new proposed hedgerow planting that will replenish and provide foraging and commuting routes, whilst a series of taller trees to be planted on both sides of the road will persuade bats to gain height and fly over the path of the road. The illumination of the road will also be significantly reduced using a variety of options e.g. use of dimmable light sources and sources that reduce light spill, thereby further limiting the impact on this species.

In terms of impact on breeding birds, again following the implementation of the proposed mitigation measures, the residual impact is considered to be negligible. Working methods statements will ensure a sensitive approach to nesting birds whilst areas of hedgerow and scrub will be retained throughout the construction period in order to ensure suitable habitat is retained on site. In terms of the operational impacts the submitted landscape proposals will limit the impact of the development when complete.

Turning to Great Crested Newts (GCN), a series of mitigation measures are proposed in order to limit impacts on this species and its habitat. In terms of construction impacts the range of mitigation measures will be confirmed and specified by a Natural England licence. Measures will include hand searches prior to the removal of vegetation; installation of GCN fencing; trapping and translocation; and installation of runoff controls. In terms of the operational impacts the planting of hedges, establishment of grassland and installation of sunken stone hibernacula will satisfactorily mitigate the impact of the road on the GCN's terrestrial habitat.

The LPA's Ecologist has highlighted that the Council, as landowner, is currently formulating an overarching ecological and landscape masterplan, which will include a habitat, species and landscape management plan and adopted maintenance schedule in order to inform the wider development of Hillthorne Farm for economic purposes. It is anticipated that the management plan will include details of off-site measures; including improvements to Barmston Pond Local Nature Reserve and Severn Houses Local Wildlife Site and that the monitoring of species, habitats and maintenance will be integral to it. In terms of considering the development proposal, it is noted that Phase 1a's submitted Landscape Plan has been informed by and developed from the recommendations of the various ecological reports, as detailed above. It is therefore considered that Phase 1a has been designed in cognisance of and is integral to this masterplanned approach, thereby complementing the future development of the Hillthorne Farm site.

In conclusion it is considered that the submitted plans, ES and the accompanying survey reports have demonstrated an understanding of the ecological implications of the development proposal on the site, Hillthorne Farm and wider area. In light of the above and subject to conditions the development proposal is considered to be acceptable and in accordance with Paragraphs 109 and 118 of the NPPF and policies CN16, CN18, CN21 and CN22 of the UDP.

## 5. Flood Risk

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. UDP policy EN12 stipulates that in assessing proposals for development, the Council, in conjunction with the Environment Agency and other interested parties, will seek to ensure the proposal would not likely impede materially the flow of flood water, or increase flooding elsewhere, or increase the number of people or properties at risk from flooding and not adversely affect the quality or availability of ground or surface water, including rivers and other waters.

### - Flood Risk

Chapter 9 'Water Environment' of the ES has assessed the development proposal's potential for impact on the water environment (including surface water and flood risk), which has involved consultation with the Environment Agency, NWL and Sunderland City Council. Furthermore this Chapter is also underpinned by the Hillthorne Farm Infrastructure Enabling Works - Flood Risk Assessment and Drainage Strategy, hereby referred to as FRA.

The submitted FRA states that Hillthorne Farm is located within Flood Zone 1, which is land having less than 1 in 1,000 annual probability of river or sea flooding i.e. Low Probability. The FRA also confirms that the EA has no historical flood incidents on their record. Table 3 of the Planning Practice Guidance confirms that all development is appropriate in Flood Zone 1. Chapter 9 of the ES also states that according to the EA's Risk of Flooding from Surface Water (RFfSW) map the risk from pluvial (overland) flooding along the proposed highway is Low (1% Annual Exceedance Probability AEP). Furthermore, the FRA also confirms that the site is not at risk of groundwater emergence, as detailed in the Council's Preliminary Flood Risk Assessment's Area Susceptible to Ground Water Flooding map (Figure 5.2).

Moreover the ES explains that an assessment of flood risk from Barmston Pond Local Nature Reserve (LNR) and its associated pond has been undertaken. The relationship between the ponds within the LNR, aerial imagery and the topographic survey show that the ground level at Hillthorne Farm's boundary is approximately 2m higher than the water levels within the LNR. The ES considers this to be a sufficient difference to ensure that any increase in water levels during extreme events will be contained with the LNR and should therefore not flood the application site.

In terms of flooding arising from the existing sewer network the ES explains that as Hillthorne Farm is largely undeveloped land used primarily for agriculture the existing sewer network across the site is limited. The utilities layout provided by NWL identifies one combined sewer that crosses the proposed route of the Phase 1a. Furthermore, NWL record's identifies a low risk of flooding in the vicinity of the site while the Council's PFRA, which considers flooding from surface water, groundwater and ordinary watercourses, indicates that none of the adjacent properties have been shown to flood. As such the site is considered to be at low risk of flooding from the existing sewer network.

- Construction impact

In terms of constructing Phase 1a the temporary increase in impermeable area during construction has the potential to increase flooding both on and off site. Temporary hard standing or compacted areas could result in rapid surface water runoff to local watercourses or cause an increase in overland flow. Consequently any increased risk of surface water flooding, as a result of temporarily increasing the proportion of impermeable area within the site, will be mitigated by installing temporary drainage systems utilising SuDS components where practicable.

Furthermore, the use of detention basins or other temporary attenuation may be required during the construction period to limit the flow to the existing green-field runoff rate and ensure that surface water runoff is not increased as a result of the construction process. In addition, during the construction phases of the road building there are a number of activities that have the potential to impact on the surrounding water environment.

In light of the above it is considered that should Members be minded to approve a condition should be incorporated in order to agree the mitigation measures, as detailed in Chapter 9 and Table 9.7 of the ES via the agreement of a Construction Environmental Management Plan (CEMP).

- Operational impacts

In terms of operational impacts arising from Phase 1a, the ES has noted that in light of the increase in the permanent impermeable area on site that additional surface water runoff will be generated. The submitted FRA has detailed flow attenuation measures that will be incorporated into the scheme to limit its effect on flood risk by reducing surface water runoff rates from the site. Chapter 9 of the ES also confirms that discharge rates have been agreed in principal with NWL, as per the drainage strategy in the FRA. This should ensure there is sufficient capacity within the sewer network to accommodate additional flows from the scheme.

The ES also notes there is the potential for drainage networks to become blocked from runoff during the operation of the scheme, thus increasing pluvial (overland) flood risk. The ES confirms that the drainage system will be designed to good practice standards and that a robust maintenance plan will be implemented to ensure the risk of blockages is reduced, as detailed in Table 9.8. Given that Phase 1a will be adopted highway these measures will be agreed and managed by the Local Highway Authority.

In conclusion, it is considered that the FRA and Chapter 9 of the ES has demonstrated an appropriate understanding of the impact of the proposed development on the water environment and that with the imposition of a CEMP condition the development proposal is considered to be acceptable, in accordance with Paragraph 103 of the NPPF and policy EN12 of the UDP.

6. Land contamination, Noise, Vibration and Air Quality

Paragraph 109 of the NPPF requires the planning system to prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or

land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

UDP policies EN5 and EN6 aim to ensure that likely noise and vibration problems are investigated, including any necessary mitigation measures, before development is undertaken. Furthermore, policy EN9 considers potential implications of air pollution, dust etc. arising from development proposals, whilst policy EN14 requires the consideration of ground conditions and to ensure that contamination issues are taken into account.

#### Land Contamination

The Council's Public Protection & Regulatory Services (PPRS) has considered the submitted A19 Sunderland Enterprise Zone Preliminary Sources Study (AECOM), Ground Investigation Factual Report (ESG) dated January 2015 and the Ground Investigation Report (Phase II) (AECOM) dated February 2015. In terms of the ES Chapter 10 considers ground conditions and hydrogeology of the development proposal on the site.

#### - Ground Stability

The ES and supporting ground investigation report indicates that shallow coal seams are present below sections of the proposed Phase 1a spine road, located to the northern section of Hillthorne Farm. No evidence of shallow mine working has been found and it is surmised in the ES that the risk is Low. A watching brief has been advised during ground works to mitigate any residual risk. However, The Coal Authority, in their response dated 27 February, concludes that a watching brief is not sufficient mitigation for the risk of shallow unrecorded mine workings.

The Coal Authority recommends that further assessment be completed prior to commencement of the road's construction. This may entail a detailed mining risk assessment based on the ESG data (i.e. the consultants who undertook and completed the Ground Investigation Factual Report), which may result in additional investigation and if required associated remedial works, as follows;

The submission of a scheme of intrusive site investigation for approval;

- o The undertaking of that scheme of intrusive site investigation;
- o The submission of a report of findings arising from the intrusive site investigations;
- o The submission of a scheme of remedial works for approval; and
- o Implementation of those remedial works.

#### - Ground Contamination

In terms of ground contamination PPRS has noted that chemical testing has been conducted on 37 soil samples including prepared leachates. Testing included a comprehensive set of metals, petroleum hydrocarbons and other organic and inorganic contaminants of concern, including asbestos and other indicators of contamination. Reviewing the test results PPRS considers that there does not appear to be any significant contamination on the application site. Furthermore, given the nature of Phase 1a i.e. a road, it is considered to be relatively insensitive to ground contamination.

In terms of the assessment of gas risk of the site, the main risk is considered to be the potential risk of the presence of shallow unrecorded mine workings. PPRS has noted that some of the boreholes flowed with water and as such could not be monitored for ground gas. Since the risk for shallow unrecorded coal mining and risk of mine gas are linked, PPRS recommend that mine gas should be considered as part of a revised Mining Risk Assessment. PPRS would expect this to include a conceptual model of pathways for movement of mine gas and a consideration of potential data gaps and uncertainty. The gas risk assessment should consider risk to construction and maintenance of the road and associated services, with possible mitigation.

## Noise

Chapter 11 of the ES considers the noise and vibrations impacts anticipated in association with the proposed development. A baseline noise survey was undertaken in January 2015 to determine the existing noise climate around the development site in order that any changes in noise levels associated with the construction and subsequent operation of the proposed development could be assessed. The ES advises that the methodology adopted for data collection were sourced from nationally recognised guidance documents i.e. Calculation of Road Traffic Noise CRTN, BS 7445-1 and BS 4142.

Colleagues in PPRS consider the monitoring locations to be representative of the nearest noise sensitive locations. The dominant noise sources were noted to traffic from the A1290 and A1231.

### - Construction Noise and vibration:

In the absence of the availability of detailed construction methodologies a qualitative assessment has been undertaken which identifies the need for careful programming of works and selection of machinery to ensure that noise and vibration during the construction of Phase 1a does not adversely impact on noise sensitive receptors. In the event that members are minded to approve, PPRS advise that a condition be included that requires the submission and agreement of a detailed Construction Environmental Management Plan (CEMP), paying particular reference to noise and vibration and any required mitigation measures.

### - Operational Noise:

Chapter 11 of this development's ES explains that operational impacts from road traffic have not been assessed as traffic would result from the built development, in the present case the Vantec site, and not the actual road itself. Operational effects (including road traffic noise) will be assessed separately as part of the planning applications for each of the individual schemes being introduced to the A19 Sunderland Enterprise Zone. The ES for the Vantec application (ref. 15/00039/FU4) has considered the implications of operational noise from this development proposal, please see planning application 15/00039/FU4.

## Air Quality

The assessment of Air Quality has been categorised into two distinct phases: construction and operation. During the construction phase the impact of dust is expected to have the greatest effect. In terms of the operational impact it is considered that the effects from Phase 1a would be from road vehicle emissions.



Using Environmental Protection UK Guidance (2010) the ES has concluded that a quantitative assessment of the construction phase is not required as the recommended criterion were not exceeded. However, a qualitative construction phase assessment was carried out, which concluded that the effects of dust from construction would be low to negligible and as such, did not require mitigation beyond that which is required by current legislation. Nevertheless, good practice would apply mitigation steps and accordingly PPRS have advised that these should be implemented through the aforementioned CEMP condition.

An operational phase assessment has not been carried out as part of the ES as the applicant considers that as Phase 1a is a road it will not in itself generate any additional vehicles i.e. it is the developments that would follow that will generate traffic. The ES expands further by noting that the spine road development i.e. in this context Phases 1a and 1b, will introduce new sections of road that will carry vehicles into areas where they previously had not been. As yet only one planning application has been received for Hillthorne Farm i.e. Vantec's proposed 40,500 square metre warehouse facility. The potential usage of the rest is currently unknown. However, PPRS has also noted that should Phase 1b be developed then this will carry traffic further away from existing residential receptors on the existing A1290, thereby improving air quality, particularly in regards to the residential properties of Severn Houses.

In conclusion, in light of the submitted assessments pertaining to land contamination, air quality and noise issues and subject to the imposition of conditions as detailed above the proposed development is on balance acceptable and in accordance with Paragraph 109 of the NPPF and policies EN5, EN6, EN9 and EN14 of the UDP.

## 7. Socio-Economics

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF outlines 12 core planning principles that should underpin plan making and decision taking. Seven of these are particularly relevant to the assessment of the socio-economic impacts of the proposed development of the larger Hillthorne Farm site.

They are summarised below:

- to enhance and improve places in which people live their lives;
- to promote sustainable economic development to deliver homes, businesses, infrastructure and local places that are needed, based on the assessment of local need;
- to provide high quality design and amenity;
- to take account of the different roles and character of different areas including promoting the vitality of main urban areas and recognising the intrinsic character and beauty of the countryside;
- to promote mixed use developments;
- to maintain growth to make the fullest use of sustainable modes of transport and focusing development in sustainable locations; and
- to improve health, social and cultural wellbeing and delivering community facilities to serve local need.

In addition to the above UDP policies EC1, EC2, EC3 and EC8 are all of particular relevance.

The site is agricultural land located to the west of the Nissan complex. The residential area of Washington is located to the west of the application site. The proposed works are partly located within the Sunderland Enterprise Zone and it is noted that there will be direct construction job creation, along with indirect effects through the supply of materials from local businesses and the expenditure of wages on the wider locality.

It is also noted that a group of six dwelling houses (Severn Houses) are located nearby and potential construction impacts include: temporary higher traffic volumes; longer journey times and delays during construction phase; temporary disturbance to access tracks; damage to soil, disturbance to land drains, soil and water contamination; and, trees and hedge cutting. However, the ES advises that subject to mitigation, these impacts will be short term and minor adverse.

In terms of the operational impact the ES notes that there will be positive economic benefits for the economy of City. Furthermore, and although not the subject of this application, should Phase 1b be pursued then this would result in a new section of A1290 and will remove two tight bends whilst taking existing traffic away from Severn Houses. Access to Severn Houses will be provided by a new alternative route.

It is also noted that the ES for Vantec's development proposal (ref. 15/00039/FU4) has examined the potential effects that the proposed scheme is likely to have on existing population and visitors and assessed the significance of these effects both during and after construction identifying potential mitigation and the residual impacts. In conclusion Vantec's ES has concluded that based upon the residual effects of the proposed works there are no significant adverse effects. There are beneficial effects of the proposed works considered to be significant. These include temporary construction employment generated during the construction phase and the permanent employment (250 -300 jobs) at the Vantec site."

The proposal is considered to accord with both national and local planning policy and is considered to be acceptable in terms of its socio-economic impact.

## **CONCLUSION**

As explained in the report above, the planning application needs to be considered in light of the presumption in favour of sustainable development and the up to date development management tests set out in paragraph 14 of the NPPF and the document when taken as a whole.

The ESs for Phase 1a and Vantec's 40,500 square metre warehouse have included an assessment of the projects in their own right whilst providing an understanding of likely significant effects on the environment in combination. It should also be noted, in the event that Members be minded to approve the facilitative Phase 1a, that any subsequent development at Hillthorne Farm will need to be considered on their own merits. Nevertheless, it is noteworthy that the submitted Landscape Plan has been informed by and developed from the recommendations of the various ecological reports, as detailed in the report

above. It is therefore considered that Phase 1a has been designed in cognisance of and is integral to the masterplanned approach being adopted by the Council, as landowner and in order to inform and guide the future development of the site.

In terms of transport considerations the planning submission has satisfactorily demonstrated that Phase 1a will not result in any detriment to highway safety, amenity or condition. Subject to the imposition of the proposed conditions it is considered that there are no highway reasons for withholding planning permission. In terms of landscape and visual impacts, the planning submission has demonstrated that there will only be a very-localised, short duration, moderate effect on the Public Right of Way that runs parallel to the adjacent Leamside Line. However, as early as Year 1 the visual impacts will be negligible following the implementation of the proposed landscaping scheme. The ES has also demonstrated that there are no significant effects on the landscape character of the wider area, accordingly there are considered to be no overriding landscape or visual reasons for withholding planning permission.

In terms of the water environment it is noted that the development proposal has the potential to adversely affect the surface water environment during construction. However, should Members be minded to approve and when the construction company tasked to complete the development is known, by adhering to the mitigation, as detailed in the ES and to be agreed via the submission of a Construction Environmental Management Plan (CEMP), it is considered that the predicted impacts to the surface water environment can be minimised to being of negligible significance. The CEMP will also ensure that noise and air quality impacts arising from the construction of the development are acceptable in terms of the nearest residential receptors i.e. at Sulgrave and Severn Houses.

Finally, in terms of ground conditions the representation from The Coal Authority is noted. If Members are minded to approve it is recommended that the condition proposed by The Coal Authority is included. Following the imposition of the condition, and the conditions to mitigate the potential effects during construction, again via the CEMP, it is considered that there are no construction or operation effects for withholding planning permission.

The development proposed has been designed and instigated in order to help realise a key aim of the Council's 15 year Economic Masterplan. Aim 2 of this economic strategy seeks to establish Sunderland as a leading city for low carbon technology and production. Given the importance of Nissan to Sunderland the A19 Enterprise Zone has been located in close proximity to it. The key objective of the Enterprise Zone is to create over 3,000 jobs and generate around 140,000 square metres of new development between 2012 and 2037. Currently there is a shortage of sites capable of accommodating the large floorplate (10,000 square metres) units in the area. Indeed Hillthorne Farm is the only allocated employment site in the A19 Enterprise Zone capable of accommodating this type of development.

Accordingly, it is recommended that Members grant consent as the environmental impacts referred to above are not considered to be significant to outweigh the strong positive economic benefits of the development proposal, particularly in terms of facilitating a key economic development site, which, given the proximity of the Nissan Complex, is likely to have positive impacts for the City and wider regional economy.

**RECOMMENDATION:** Grant consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) and subject to the draft conditions outlined below.

1 Three Years

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 In accordance with plans

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:

Phase 1a, Location Plan, Drawing No. 20/NH030/PH1A/PL/001 Revision T02 received 17 February 2015;  
Phase 1a Existing Site Plan, Drawing No. 20/NH030/PH1A/PL/002 Revisions T02 received 17 February 2015;  
Phase 1a Proposed Site Plan, Drawing No. 20/NH030/PH1A/PL/003 Revision T02 received 17 February 2015;  
Phase 1a Proposed Layout, Drawing No. 20/NH030/PH1A/PL/004 Revision T02 received 17 February 2015;  
Phase 1a Landscape Plan, Drawing No. 20/NH030/PH1A/3001 Revisions T02;  
Phase 1a Street Lighting Sheet 1 of 2, Drawing No. 20/NH030/1300 Revision P01 received 12 January 2015;  
Phase 1A Street Lighting Sheet 2 of 2, Drawing No. 20/NH030/1301 Revision P01 received 12 January 2015;  
Topographical - Drawing Number: 2539IS/1;  
Topographical - Drawing Number: 2539IS/2;  
Topographical - Drawing Number: 2539IS/3;  
Topographical - Drawing Number: 2539IS/4;  
Topographical - Drawing Number: 2539IS/5.

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

3. Archaeological Excavation and Recording

No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the NPPF and saved Unitary Development Plan Policies B11, B13 and B14.

#### 4. Archaeological Post Excavation Report

The development hereby approved shall not be brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 4 has been submitted to and approved in writing by the Local Planning Authority. For the reason the site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the National Planning Policy Framework and saved adopted Unitary Development Plan Policies B11, B13 and B14.

#### 5. Archaeological Publication Report

The development shall not be brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal. For the reason, the site is located within an area identified in the Unitary Development Plan of potential archaeological interest and the publication of the results will enhance understanding of and allow public access to the work undertaken in accordance with paragraph 141 of the National Planning Policy Framework.

#### 6. Temporary Haul Road

Notwithstanding the submitted plans, no development shall take place until precise details of the temporary haul road have been submitted to and been approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include sectional drawings, full drainage details of the ditches, including finishes and runoff. Thereafter the development shall be carried out in complete accordance with the agreed details, unless otherwise first agreed in writing by the Local Planning Authority. In order to ensure a satisfactory form of development and to safeguard the adjacent railway infrastructure and to comply with policies B2, T14, T16 and CN18 of the saved adopted Unitary Development Plan.

#### 7. Decommissioning of Temp Haul Road

Unless otherwise first agreed in writing, within 3 months of the completion of the development hereby approved a scheme of works for the decommissioning of the temporary haul road and re-instatement of the land, to include timescales and remediation strategies, shall be submitted to and be approved in writing by the Local Planning Authority. In order to ensure a satisfactory form of development and to safeguard the adjacent railway infrastructure and to comply with policies B2, T14, T16 and CN18 of the saved adopted Unitary Development Plan.

#### 8. Construction Traffic

Unless otherwise first agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in full accordance with the Routing of Vehicles Drawing No. 20/NH030/PH1A/101 Rev T01, as contained with the supporting Environmental Statement Appendix 5.3: SCC Routes and Signs dated 20.02.2015. In the interest of residential amenity and highway safety

and to comply with policies B2 and T14 of the saved adopted Unitary Development Plan.

9. Landscaping scheme

Unless otherwise first agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in full accordance with submitted Phase 1A Landscape Plan Drawing No. 20 / NH030 / PH 1A / 3001 Revision T02. In the interests of visual amenity and nature conservation and to comply with policies B2, T14, CN18 and CN22 of the saved adopted Unitary Development Plan.

10. Landscape scheme 5 years

The planting proposal hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is brought into use or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years thereafter and any trees or plants which are removed, dying, or become severely damaged or becoming seriously diseased within 5 years of planting shall be replaced in the next available planting season with others of similar size and species to those originally required to be planted. To ensure that the appearance of the development is satisfactory and in the interests of nature conservation and to comply with policies B2, T14, CN18 and CN22 of the saved Unitary Development Plan.

11. Ecology Mitigation Measures

No development shall take place until details of the Ecology Mitigation and Enhancement measures including where appropriate long term management strategies, as detailed in Table 8.8 of the supporting Environmental Statement, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details, unless otherwise first agreed in writing, in the interests of nature conservation and to comply with policies CN18 and CN22 of the saved adopted Unitary Development Plan.

12. Road illumination scheme

The development hereby approved shall not be brought into use until precise written details of the method of illuminating the road have been submitted to and approved in writing by the Local Planning authority. For the avoidance of doubt the submitted details shall include the positioning of the illumination and the hours of illumination. Thereafter the development shall be built in accordance with the agreed details unless otherwise first agreed in writing by the Local Planning Authority. In order to ensure that the roadway is adequately lit and to avoid undue light pollution of the area and in the interests of nature conservation and to comply with policies T14, T16, EN1, CN18 and CN22 of the saved adopted Unitary Development Plan.

13. CEMP Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local

Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Pollution Control Team;
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Hours of construction, including deliveries;
- Control measures for dust and other air-borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Erection and maintenance of security hoarding;
- Operation, loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development.

In order to ensure a satisfactory form of development and safeguard the adjacent railway infrastructure and to comply with policies EN1, B2, B24, CN18, T14 and T16 of the saved Unitary Development Plan.

#### 14. Construction - Flood Risk

No development shall take place until the details of the Construction Mitigation Measures, as highlighted in Table 9.7 of the supporting Environmental Statement, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details, unless otherwise first agreed in writing. In the interests of satisfactory water management on the site and nature conservation and to comply with policies EN12 and CN18 of the saved adopted Unitary Development Plan.

#### 15. Coal Mining - contamination

Unless otherwise first agreed in writing by the Local Planning Authority, development within The Coal Authority's defined Development High Risk Area, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions numbered 16 to number 18 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 20 has been complied with in relation to that contamination.

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

## 16. Coal Mining - Investigation and Assessment

Unless otherwise first agreed in writing by the Local Planning Authority, development within The Coal Authority's defined Development High Risk Area must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any risks posed by the site's coal mining legacy. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11.'

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

## 17. Remediation scheme

Unless otherwise agreed by the Local Planning Authority, development must not commence within The Coal Authority's defined Development High Risk Area until a detailed remediation scheme to bring the relevant part of the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

To ensure that the risks from land contaminated to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.



## 18. Verification

The remediation scheme approved under Condition number 5 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report for that phase that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

## 19. Unidentified contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 16, and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 18, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 19. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the Unitary Development Plan.

## 20. Utility Works

Notwithstanding the submitted plans, no development shall take place until precise details of the utility works have been submitted to and been approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include sectional drawings, full drainage details of the ditches, including finishes and runoff. Thereafter the development shall be carried out in complete accordance with the agreed details, unless otherwise first agreed in writing by the Local Planning Authority. In order ensure a satisfactory form of development and

in the interests of nature conservation and to comply with policies B24, B25 and CN18 of the saved adopted Unitary Development Plan.

#### 21. Road Levels

Prior to the commencement of the construction of the road hereby approved details of the finished road levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be built in accordance with the agreed details unless otherwise first agreed in writing the Local Planning Authority. In order to achieve a satisfactory form of development and to comply with T14 of the saved adopted Unitary Development Plan.

#### 22. Surface Water Drainage

Prior to the commencement of the construction of the road hereby approved details of the surface water drainage scheme, which includes details of the disposal of surface water and how the scheme shall be maintained and managed after completion, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be built in accordance with the agreed details unless otherwise first agreed in writing by the Local Planning Authority. To prevent the increased risk of flooding from any sources in accordance with National Planning Policy Framework paragraph 103 and policy EN12 of the saved adopted Unitary Development Plan.

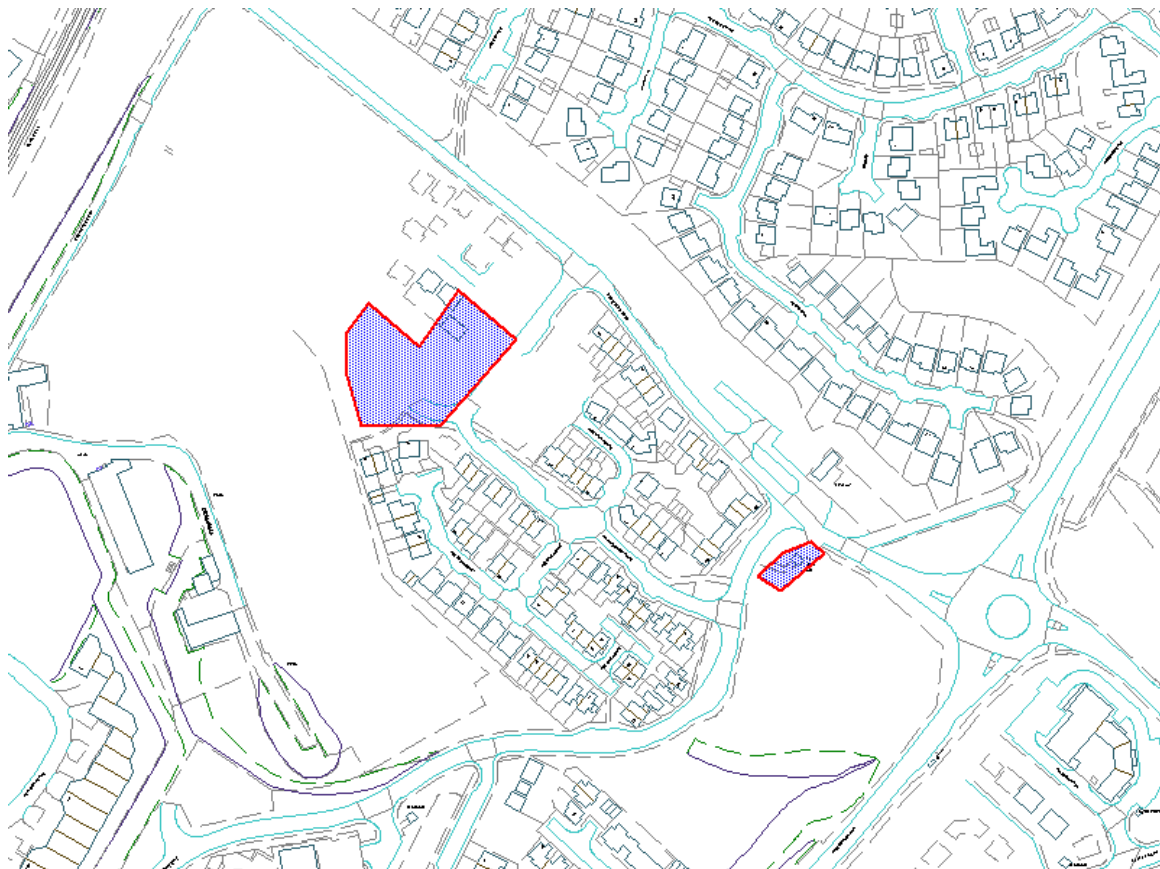
Reference No.: 15/00053/FUL Full Application

**Proposal:**                    **Substitution of house types within approved residential development at Teal Park Farm Phase 1 (ref. 08/03987/REM) and Phase 4 [Area D] (ref. 12/00333/FUL): Removal of approved plots 94-101 ('I-Pad' apartments) of planning permission ref. 08/03987/REM and Plots 6 and 7 (renumbered 108 and 109) (2no dwellings) of area D of planning permission ref. 12/00333/FUL and erection of 10no dwellings**

**Location:**                    Land North Of Station Road/North West Of Pattinson Road And Adjacent To Barmston Road Washington

**Ward:**                            Washington East  
**Applicant:**                    Barratt Homes  
**Date Valid:**                    22 January 2015  
**Target Date:**                   23 April 2015

#### Location Plan



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## **PROPOSAL:**

Full planning permission is sought to erect 10no. dwellings comprising a substitution of house types within approved residential development at Teal Park Farm Phase 1 (ref. 08/03987/REM) and Phase 4 [Area D] (ref. 12/00333/FUL).

The application proposal the replacement of 8no. approved 'I-Pad' 1-bedroom apartments (plots 94-101) of planning permission ref. 08/03987/REM with 6no. two-storey dwellings and 2no. approved dwellings (Plots 6 and 7 (renumbered 108 and 109)) of area D of planning permission ref. 12/00333/FUL with 4no. dwellings, so the net number of units would remain unchanged within this particular part of the wider Teal Farm development.

The 10no. currently proposed dwellings each have two storeys and comprise a 4-bedroom detached dwelling, a terrace of 4no. 2-bedroom properties, a pair of 3-bedroom semis and a terrace of 3no. units (2no. with 3 bedrooms and 1no. with 2 bedrooms). Three of the proposed house types exist within the wider approved estate and the remaining two house types are similar in design, scale and appearance with those of the remainder of the estate.

Outline planning permission (ref. 06/02303/OUT) was granted in November 2006 and reserved matters (ref. 08/03987/REM) were approved in February 2009 for the erection of 150no. dwellings comprising 78no. apartments and 72no. detached, townhouse and semi-detached properties, comprising Phase 1. Subsequently, application ref. 11/02275/FUL was approved in October 2011 to substitute house types wherein 67no. one- and two-bedroom apartments were replaced with 54no. two- and three-bedroom dwellings, resulting in a reduction in the total number of units within the development to 137. A further planning permission (ref. 13/00361/FUL) resulted in a further reduction to the total number of units within Phase 1 to 131 and a further application (ref. 13/03744/FUL) approved the substitution of house types of Plots 1-10.

Planning application ref. 12/00333/FUL granted permission for a residential development of 170no. units with associated access, parking and landscaping, including public open space, and the stopping up of highways in 2013. An application under section 73 of the Town and Country Planning Act 1990 (as amended) was subsequently approved (ref. 13/03037/VAR) for a minor material amendment to this scheme comprising the substitution of house types at plots 8 and 9, the reconfiguration of highway, dwellings (reduction of 1no. unit) and garages at plots 24-26, 31-32 and 33-38 and the replacement of 2no. semi-detached dwellings with 3no. terraced dwellings at plots 126 and 127, all within Area D as identified by the former planning permission. A further minor revision through application ref. 14/01328/FUL was made to plot 24 of the approved scheme, which has been renumbered plot 228.

The application site is situated within an area currently known as Teal Park Farm, located approximately 2km to the southeast of Washington centre, to the east of the currently unused Leamside railway line and to the northwest of Pattinson Road. The site is cleared of development, having previously accommodated industry, and comprises a variation in levels with a generally incline from northeast to southwest, although the affected area is relatively flat. The site is overgrown with grass planting and low-grade shrubbery, which is currently in the process of being cleared. To the northeast of the site beyond the mound of spoil lies Teal Farm, a modern residential estate, which is directly linked to the current

application site by a public footway and emergency access. Residential development is also currently taking place to the south (Teal Farm Gardens, being developed by Bellway Homes) and on the opposite side of Pattinson Road (Teal Farm Village, being developed by Barratt-David Wilson Homes). Demolition House abuts the western extent of the site, which is currently occupied by Allied Security, a car repairs garage exists to the west and industrial units are situated further to the southwest of the site.

The application site is allocated for industrial development on the adopted Unitary Development Plan (UDP) proposals map and, as such, the proposal constitutes a departure from the adopted development plan and has been publicised accordingly. The Town and Country Planning (Consultation) (England) Direction 2009 sets out the power of the Secretary of State to issue directions to local planning authorities requiring consultation with specified persons before granting planning permission. The areas covered by this direction include development within greenbelt, within the vicinity of world heritage sites and on playing fields as well as retail, leisure or office development outside town centres. To this regard, it is not considered that the proposal meets the criteria for referral to the Secretary of State as set out in the Town and Country Planning (Consultation) (England) Direction 2009 and, as such, can be determined by the Local Planning Authority.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Network Management  
Environmental Health  
Northumbrian Water  
Northern Electric  
Force Planning And Police Architectural Liaison Officer  
Natural England  
Washington East - Ward Councillor Consultation

Final Date for Receipt of Representations: **03.03.2015**

#### **REPRESENTATIONS:**

No representations have been received from neighbouring occupants.

Natural England confirmed that it offers no objection, advising that, whilst the site is within close proximity to Dawson's Plantation Quarry Site of Specific Scientific Interest (SSSI), it does not consider that the proposed development would damage or destroy the interest features for which this site has been notified and, as such, the SSSI does not represent a constraint in determining this application.

Northumbrian Water confirmed that it has no comments to make in this instance.

The Council's Network Management section confirmed that no observations or recommendations are offered in this instance.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments  
B\_11\_Measures to protect the archaeological heritage of Sunderland (general)  
B\_13\_Sites and monuments of local importance affected by development  
B\_14\_Development in areas of potential archaeological importance  
B\_15\_Developments causing large scale ground disturbance (currently undeveloped areas)  
B\_16\_Assessing, recording and preserving historic sites discovered during development  
B\_24\_Appropriate provision for utility services in building development  
CN\_15\_Creation of the Great North Forest  
CN\_17\_Tree Preservation Orders and replacement of trees  
CN\_18\_Promotion of nature conservation (general)  
CN\_22\_Developments affecting protected wildlife species and habitats  
EC\_2\_Supply of land and premises for economic development purposes  
EC\_4\_Retention and improvement of existing business and industrial land  
EN\_1\_Improvement of the environment  
EN\_6\_Limit exposure of new noise/vibration sensitive developments to existing sources  
EN\_7\_Proposals for residential development in the vicinity of railway tracks  
EN\_9\_Conflicts between proposed sensitive developments and existing non compatible uses  
EN\_12\_Conflicts between new development and flood risk / water resources  
EN\_14\_Development on unstable or contaminated land or land at risk from landfill/mine gas  
H\_16\_Negotiation for affordable housing in major developments  
R\_1\_Working towards environmentally sustainable development  
R\_3\_Infrastructure provision, etc. in association with developments  
R\_4\_Incorporation of energy saving measures  
T\_8\_The needs of pedestrians will be given a high priority throughout the city.  
T\_9\_Specific provision will be made for cyclists on existing/new roads and off road  
T\_10\_Protect footpaths; identify new ones & adapt some as multi-user routes  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
WA\_1\_Retention and improvement of established industrial / business area

## **COMMENTS:**

Given that the principle of residential development has already been established through the grant of the planning permissions detailed earlier in this report, the main issues to consider in the assessment of this application are as follows:

Design, scale, massing and layout;  
Highway implications; and  
Contributions / affordable housing

## Design, Scale, Massing and Layout

One of the core principles of the National Planning Policy Framework (NPPF), as set out by paragraph 17, is that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Paragraphs 56 and 57 expand upon this principle, highlighting the importance Central Government place on the design of the built environment, including individual buildings, public and private spaces and wider area development schemes. Paragraph 64 of the NPPF goes on to state 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'.

UDP policy B2 reflects the above, stating that the scale, massing, layout and/or setting of new developments should respect and enhance the best qualities of nearby properties and the locality whilst large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'. Expanding upon Policy B2, the Council also has additional guidance in the form of the Development Control Supplementary Planning Guidance (SPG) and Residential Design Guide Supplementary Planning Document (SPD) which set out standards and examples of good design practice.

Typically, the LPA seeks to ensure that a minimum distance of 21m is provided between main facing windows and 14m between main windows facing onto gable or other elevations which contain no primary windows. A reduction in the above standard may be acceptable where it is demonstrated through imaginative design solutions that the proposal will (a) not adversely impact on existing levels of residential amenity, notably outlook, light and privacy, whilst (b) ensuring that satisfactory levels of the above matters are achieved.

The proposal largely adheres to the above minimum requirements, however it is acknowledged that there are instances where a lesser distance is proposed, in particular between Plots 95 and 96 as well as Plots 211 and 330 where respective distances of only 9.5m and 11m would be provided between main facing windows and a gable end. In addition, a distance of only 5.5m would be provided between the rear of Plot 94 and a detached garage block. However, such substandard spacing is a typical feature of the estate and, given the level of outlook which would be afforded to the front of these properties, it is not considered that any proposed dwelling would be afforded an unsatisfactory level of amenity.

In design terms, the current proposal utilises the same house types within the wider development whilst House Types 20 and 22 incorporate features such as a gabled roof, flat-roofed entrance canopy and mix of render and facing brickwork which are prevalent within the wider development. The proposed replacement of a previously approved apartment block with dwellings is considered to be more in-keeping with the density, scale and composition of the wider development and the layout and means of car parking is reflective of the wider development.

Concerns were raised by the LPA over the lack of detail on the gable ends of Plots 96 and 99, which would appear particularly prominent when approaching from the west and east. In order to address such concerns, amended plans have been submitted indicating the provision of false 'tax' windows to Plot 99 and a band of contrasting brick to Plot 96. These amendments are considered to afford an acceptable level of interest to the respective gable ends of these properties.

### Highway Implications

Paragraph 75 of the NPPF states that, 'planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.

Policies T8, T9 and T10 of the UDP promote the facilitation of mobility for pedestrians and cyclists whilst upgrading and identifying new paths and multi-user routes. Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met whilst policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

The current proposal does not alter the total number of units previously approved, so it is not considered that the impact on the surrounding road network would be altered as a result of the proposed amendment.

The number and form of parking spaces are considered to be acceptable and in-keeping with the wider approved development and, in accordance with the original consents, it is considered that details of traffic calming measures, visitor parking and footway/cycleway provision can be resolved through the imposition of suitably worded conditions.

### Contributions / Affordable Housing

The original planning permission for Phase 1 requires a financial contribution of £80 920 toward local children's play space provision, based on an originally approved development of 150no. units, of which 119no. had two or more bedrooms, and applying the former standard of £680 per dwelling.

The planning consent for Phase 4 was also accompanied by an agreement under 106 of the Town and Country Planning Act 1990 for contributions to local education, play space and affordable housing, subject to the carrying out of additional site investigations to accurately ascertain the actual abnormal costs of the development.

Therefore, deeds of variations are required to ensure that the Section 106 requirements are applied to the current application to amend the wider planning permissions.

It is noted that the current proposal comprises the replacement of approved one-bedroom apartments with dwellings of two or more bedrooms, which may affect the previously agreed figures for financial contributions. It is anticipated that this matter will be reported subsequently in more detail to the Sub-Committee following further consideration and discussions with the applicant.



## Other Issues

The original approved planning applications for the residential development which the current application essentially seeks to amend included issues relating to archaeology, contamination/remediation and drainage which are also relevant to the current application. However, these issues were addressed during the course of the previous applications and the current proposal does not significantly affect their substance. Therefore, it is not considered necessary to re-address such issues within the current report; however it is recommended that the relevant conditions pertaining to these issues which have not already been discharged be included in this instance. It is noted that there are no significant variation in levels between the currently proposed plots and, as such, it is not considered necessary to impose a condition requiring details of proposed site levels to be provided in this instance.

## Conclusion

For the reasons set out above, the design, scale, massing and layout of the amended scheme is considered to be acceptable and it is not considered that the proposal would be detrimental to highway safety or the free passage of traffic.

As set out above, the previously approved planning applications were accompanied by an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. Therefore, deeds of variation in connection with these agreements are required and currently being negotiated to ensure that the currently proposed development is also subject to the terms of these agreements and the agreements are amended where deemed necessary.

In addition, the statutory period for the receipt of representations has yet to expire following the publication of the application by means of site and press notices and letters to neighbouring occupants.

Accordingly, it is requested that Members delegate the final determination of this planning application to the Deputy Chief Executive, who is minded to approve the application subject to conditions relating to the items set out below and the signing of a deed of variation to the Section 106 agreement as described above. Should any further third party representations be received which raise a matter which has not been addressed by this report, the application will be referred to a subsequent meeting of the Sub-Committee.

**RECOMMENDATION:** Delegate to the Deputy Chief Executive to either:

Approve subject to signing of Deeds of Variation

or

Refuse if the Deed of Variation is not completed by 23 April 2015 or an alternative date agreed with the applicant

## Conditions:

- 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:

Drawing no. P-47: Location plan and site plan as proposed received 18.03.2015

Drawing no. P-100 rev. C: House Type A (Newton) received 16.01.2015

Drawing no. P-101 rev. B: House Type B (Barwick) received 16.01.2015

Drawing no. P-111 rev. B: House Type L (Guisborough) received 16.01.2015

Drawing no. P-126: House Type 20 received 11.03.2015

Drawing no. P-127: House Type 22 received 11.03.2015

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 construction works required for the development hereby approved shall be carried out outside the hours of 08.00 and 18.00 on Mondays to Fridays (excluding bank/public holidays) and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise first agreed in writing by the Local Planning Authority, in order to protect the amenities of the area and to comply with policies B2 and EN5 of the adopted Unitary Development Plan.
- 4 No dwelling hereby approved shall be occupied until a final report of the results of the archaeological fieldwork has been submitted to and approved in writing by the Local Planning Authority, given that the site is located within an area identified as being of potential archaeological interest and in order to ensure that any archaeological remains which may remain on the site can be preserved wherever possible and, in accordance with policies B11, B13 and B14 of the adopted Unitary Development Plan.
- 5 No dwelling hereby approved shall be occupied until a report detailing the results of the archaeological fieldwork undertaken has been produced in the form of the publication of a suitable journal which shall be submitted to and approved in writing by the Local Planning Authority, given that the site is located within an area identified as being of potential archaeological interest and in order to enhance understanding of, and allow public access to, the work, in accordance with paragraph 141 of the National Planning Policy Framework.
- 6 Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), regardless of whether the contaminants originate from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the

Local Planning Authority prior to the commencement of development. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - (a) human health;
  - (b) property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes;
  - (c) adjoining land;
  - (d) groundwaters and surface waters;
  - (e) ecological systems;
  - (f) archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11', to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with policy EN14 of the adopted Unitary Development Plan.

- 7 Unless otherwise agreed by the Local Planning Authority, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been undertaken. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation and must be approved, in writing, by the Local Planning Authority, to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with policy EN14 of the adopted Unitary Development Plan.
- 8 Written notification shall be provided to the Local Planning Authority at least two weeks prior to the commencement of the remediation scheme works and no development, other than that required to carry out remediation works, shall take place until the remediation scheme approved through the discharge of Condition 7 has been fully implemented, unless otherwise agreed in writing by the Local Planning Authority. Following the full completion of all measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved, in writing, by the Local Planning Authority prior to the commencement of any development, other than that required to carry out remediation works, to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with

those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with policy EN14 of the adopted Unitary Development Plan.

- 9 In the event that contamination is found at any time that was not previously identified, all development must be immediately halted on the part of the site affected by the unexpected contamination to the extent to be specified by the Local Planning Authority and shall not recommence until the written consent of the Local Planning Authority has been provided. The additional contamination must be immediately reported in writing to the Local Planning Authority and an investigation and risk assessment shall be undertaken by the developer in accordance with the requirements of condition 6 and, if deemed necessary by the Local Planning Authority, a remediation scheme shall be prepared by the developer in accordance with the requirements of condition 7 and shall be submitted to and approved in writing of the Local Planning Authority. Following the completion of measures identified in the approved revised remediation scheme, a verification report shall be prepared by the developer in accordance with the requirements of condition 8 and submitted to and approved in writing by the Local Planning Authority, to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with policy EN14 of the adopted Unitary Development Plan.
- 10 Notwithstanding any specifications on the submitted plans, no development shall commence until full details of all walls, fences or other means of boundary enclosure have been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be fully installed prior to the occupation of any dwelling hereby approved or in accordance with a timetable to be agreed, in writing, by the Local Planning Authority, in the interests of visual and residential amenity and to comply with policy B2 of the adopted Unitary Development Plan.
- 11 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 adopted Unitary Development Plan.
- 12 No development shall take place until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and no dwelling hereby approved shall be occupied until the facilities have been fully provided and installed in accordance with the approved details, to ensure that satisfactory drainage is provided for the development to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future

maintenance of the surface water drainage system, in accordance with policy B24 of the adopted Unitary Development Plan.

- 13 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces for the entire site (Areas D, E and G), which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.
- 14 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 B2 of the adopted Unitary Development Plan.
- 15 No dwelling shall be occupied until the parking provision which serves that dwelling has been constructed, surfaced, sealed and made available for use in accordance with the approved plans. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policies B2, T14 and T22 of the adopted UDP.
- 16 No dwelling shall be occupied until the estate road which serves that dwelling is surfaced to base course in order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policies T14 and T22 of the adopted Unitary Development Plan.
- 17 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. 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 adopted Unitary Development Plan.
- 18 No development shall commence until precise details, illustrated by appropriate plans/drawings and an associated schedule, of the specification, locations and management of bat and bird roost and nest features, lighting and landscaping together with a long-term management plan has been submitted to and approved, in writing, by the Local Planning Authority, and the development shall thereafter be carried out in accordance with the approved details and maintained as such thereafter, unless first agreed, in writing, by the Local Planning Authority, in order to

ensure the retention and enhancement of the recognised biodiversity of the site and to comply with policies CN18 and CN22 of the adopted Unitary Development Plan.

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>15/00144/SUB</b>  <b>Copt Hill</b>	<b>Mr Peter Ruddick</b>  Barn/Garage To Rear 1-3Doxford AvenueHetton-le-HoleHoughton-le-Spring	Change of use of barn/garage to residential property with erection of single storey extension to western elevation, erection of a first floor extension above existing building and associated access and hard and soft landscaping (Resubmission).	03/02/2015	31/03/2015
<b>14/02592/LP4</b>  <b>Copt Hill</b>	<b>Gleeson Developments Ltd.</b>  Land At Henry StreetHetton DownsHetton-le-HoleHoughton-le-Spring	Erection of 27no. two-storey 2 and 3 bedroom dwellings with associated works.	05/01/2015	06/04/2015

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>14/01371/OUT</b>	<b>Mr Colin Ford</b>	Outline application for erection of 82 dwellings (all matters reserved).	17/11/2014	16/02/2015
<b>Hetton</b>	Coal Bank Farm Hetton-le-Hole Houghton-le-Spring DH5 0DX			
<b>14/01100/LO4</b>	<b>Springboard North East</b>	Demolition of existing community training facility and construction of new single storey community training facility, incorporating classrooms, office, cafe, changing rooms, bicycle repair shop, equipment stores, minibus garage, and ancillary accommodation, with associated landscape works.	14/05/2014	09/07/2014
<b>Hetton</b>	Hetton Lyons Park Downs Pit Lane Hetton-le-Hole Houghton-le-Spring DH5 9NL			



<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>14/02833/FUL</b>	<b>Gentoo Homes</b>	78 dwellings with associated garages and landscaping, construction of new estate roads and site access from Coaley Lane and demolition of 2 existing dwellings, and associated stopping up of highway.	21/01/2015	22/04/2015
<b>Houghton</b>	Land At Former Homelands Estate - Incorporating Chestnut Crescent, Coronation Crescent And Part Of Beechwood Terrace.			
<b>14/01647/FUL</b>	<b>Persimmon Homes</b>	Erection of 70no. residential dwellings with associated infrastructure and landscaping.	16/07/2014	15/10/2014
<b>Houghton</b>	Land North Of Redburn Row Houghton-le-Spring			
<b>14/01804/OUT</b>	<b>Mr John Bailey</b>	Outline application for residential development of Sites A & B consisting of 27 no. dwellings - approval sought for layout, scale & access.	06/08/2014	05/11/2014
<b>Houghton</b>	Land South Of Redburn Road And Black Boy Road Chilton Moor Houghton-le-Spring			

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>15/00079/LAP</b>	<b>Childrens Services</b>	Erection of a single storey extension to south and east elevations	27/01/2015	24/03/2015
<b>Washington Central</b>	Columbia Grange School Oxclose Road Washington NE38 7NY			
<b>13/03215/FUL</b>	<b>John Flowers Ltd</b>	Change of use of amenity grassed land to storage/distribution (Class B8), to create open air storage compound for construction materials, erection of 2.4m perimeter palisade security fencing and erection of a staff smoking shelter. (Retrospective)	05/01/2015	06/04/2015
<b>Washington East</b>	Land Adjacent To 2 Monument Park Pattinson Industrial Estate Washington NE3 8 8QU			

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>09/02091/FUL</b>	<b>Peel Investments (UK) LTD</b>	Demolition of Unit 2 (Allied Carpets) and erection of new retail unit attached to existing Unit 1 (Homebase)	03/06/2009	02/09/2009
<b>Washington North</b>	Allied Carpets Unit 2 The Peel Centre District 10 Peel Retail Park Washington NE37 2PA			
<b>14/02687/VAR</b>	<b>B&amp;Q Properties PLC</b>	Variation of conditions 3 (Class A1 sales restriction) to allow the sale of convenience goods (food) and toys, sporting goods and camping equipment and variation of condition 19 (Floor space) of planning permission 01/02086/OUT to reduce the minimum acceptable floor space of each unit from 1000 sq metres to 500 sq metres. (01/02086/OUT approved the erection of non food retail warehouses with customer car parking and service yards).	27/11/2014	26/02/2015
<b>Washington West</b>	B And Q Plc Armstrong Road Armstrong Industrial Estate Washington NE3 7 1QW			

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>14/02701/FUL</b>	<b>Jomast Developments</b>	Demolition of existing building and erection of foodstore, with associated access, parking, servicing and landscaping.	17/12/2014	18/03/2015
<b>Washington West</b>	Armstrong HouseArmstrong RoadArmstrong Industrial EstateWashington			