

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

SUPPLEMENT

Number:	S1
Application No.	09/02508/FUL
Proposal:	Erection of a two storey primary care centre comprising: urgent care accommodation, diagnostics, planned care, community teaching, 24 bed rehabilitation unit, physiotherapy suite, staff facilities and cafe together with car parking, landscaping and a new entrance to existing leisure centre, erection of new wellness centre and relocation of skate park to the northwest (adjacent to Leybourne Grove).
Location:	Houghton Sports Complex, Brinkburn Crescent, Houghton-Le-Spring, DH4 5HF

Further to the report on the main agenda additional consideration has been given to design, highway, ecological and wildlife considerations as detailed below, whilst a consultation response has been received from the Director of Community and Cultural Services.

The wind turbine element of the scheme has now been removed by the applicant following further discussions with officers regarding noise implications. However, it is the applicant's intention to resubmit this element of the scheme separately in the very near future. One implication of this is that the BREEAM rating which will now be sought has been reduced to excellent rather than outstanding.

Consultation response from Director of Community and Cultural Services

It is noted that the applicant has submitted an assessment in respect of ground contamination. This is currently under review and until it has been fully assessed it is considered that no works other than investigation works should be carried

out on the site prior to the receipt of written approval of the desktop study and any necessary remediation strategy in respect of this matter. These requirements can be incorporated through planning conditions should Members be minded to approve the application.

The Applicant has submitted a noise assessment in support of the application (REF: PC-09-0163-RP1-RevA) which considers the likely noise impact should the development proceed.

Plant design has not yet been specified and the impact of potential noise on existing residents and those within the residential element of the proposed building has not been assessed. It is therefore recommended that should Members be minded to approve, a condition should be added to any consent granted that noise of plant required for the development should not exceed the background noise level by more than 5dBA or, if the noise is tonal, should not exceed the background noise at all at any noise sensitive property.

Furthermore with respect to the relocation of the Skate Park, without any form of mitigation, noise from the operation of the Skate Park is predicted to exceed existing ambient noise levels at nearby residential premises, in particular Leyburn Grove. In order to minimise the likelihood of disturbance, it is recommended that the Applicant erect a 1.8 m high, close boarded fence along the boundary with residential premises, or alternatively remove the line of site from these dwellings to the skateboard park by creating it within a sunken bowl with reduced ground height. Therefore, should Members be minded to approve the application, this element can be adequately controlled by condition.

Furthermore, it should be noted that the noise assessment assumes that the skate park will not be used at night and it is therefore again recommended that this be included as a condition of any granted consent.

Regard should be had to the potential for odorous emissions from the proposed café to give rise to complaints of nuisance or disturbance from nearby residential properties. It is therefore recommended that a suitable and effective extraction / ventilation system, be required via the imposition of a condition should Members be minded to approve. The extraction system should terminate in a suitable position above eaves level and not be fitted with any restriction at the final opening, such as a plate, cap or cowl.

It is considered, therefore, that with the inclusion of appropriate conditions, as detailed above, the proposal would meet the concerns expressed by the Director of Community and Cultural Services.

Design

As reported on the main agenda further information was requested in respect to the detail of the western section of the south east façade. As a consequence an

amended plan (dwg. 1766-P-008 Rev P2) has been received (24 September 2009) illustrating that the proposed materials will consist of facing stonework at ground level with a through coloured render system along the upper level. It is considered that this arrangement of materials provides for a more varied elevation and as such is considered acceptable.

Furthermore, the agent has explained via email (1 October 2009) that following the submission of the original application, further consultation was carried out with the Trust Fire Officer and Building Control. Part of this consultation involved the requirement of the staircases on the scheme to be lobbied and it was felt that the lobbies as indicated on the original plans submitted for planning did not comply fully with the necessary Firecode requirements. It was agreed that a suitable solution would be to rotate the staircases by 90 degrees which would allow the lobbies to become fully compliant.

This has obvious implications in respect to the building layout, as the stair cases project southwards, perpendicular to the main body of the proposed PCC, rather than parallel, as originally envisaged. Nevertheless, it is considered that this alteration is acceptable in view of the necessity to comply with the Firecode requirements and as a minimum distance of 73m will be provided between the staircase and the nearest residential property.

It is considered that the proposal is an appropriate response to the site and demonstrates good urban design principles. The revised articulation of the western section of the south east façade in conjunction with an appropriate materials condition is acceptable and in accordance with policy B2 of the UDP.

Highway considerations

Unitary Development Plan (UDP) policy T14 requires new development to be readily accessible by pedestrians and cyclists, whilst also not causing traffic congestion or highway safety problems; and make appropriate access for vehicles and provide adequate parking spaces.

It is considered that further details of improvements to the footpath link entrance with Brinkburn Crescent are required, including surface treatment and lighting arrangements, as detailed in the submitted Transport Assessment, page 17. This pedestrian route is considered important in maintaining links with local public transport and bus services on Newbottle Street / Station Road / Brinkburn Crescent. However, due to the relatively minor nature of this element of the scheme it is considered that it can be resolved via the imposition of a suitable condition should Members be minded to approve the application, in order for the proposal to accord with policy T8 of the UDP.

Supporting documents submitted with the application also state that visitors to the Sports Centre and adjacent community centre mainly use the public car

parks located to the north. Both the car parks at Station Road and Brunswick Crescent are Council controlled and not subject to parking charges. The existing Sports Centre car park provides for 104 spaces, and will partly be removed by the proposed development. It is noted that the car park is under used, and will be replaced by a new scheme providing a total of 163 spaces to serve both the Primary Care Centre and the Sports Centre.

Furthermore, Houghton Sports Centre is managed by the Director of Community and Cultural Services, who has confirmed that this number of spaces will be sufficient to cater for the needs of staff and visitors arriving by car. The Sports Centre is a well established local facility, and the majority of people visiting the premises arrive on foot or via bus. It is noted that the proposed bays are not allocated specifically to the Primary Care Centre or Sports Centre, and are to be made available for general use by staff and public.

The bus and patient drop off facility has now been relocated away from the boundary with residential properties in Brinkburn Crescent, to a position 35m away from the rear boundary of the nearest residential property. This is considered to be acceptable in respect to highway safety, whilst also providing adequate separation distance mitigating the impact on the nearest residential properties. Therefore it is considered that the amended car park layout, pedestrian facilities, and revised taxi / bus drop off bays are now acceptable.

The Travel Plan submitted in support of the application will need to be implemented on first occupation of the building to establish travel patterns for staff, visitors and patients. An iTRACE travel survey is proposed to be undertaken within six months of the facility opening, which will be used to review the Travel Plan and achievement of targets. The proposed modal shift is intended to reduce car driver alone trips by 10% by means of promoting car sharing, bus, cycle and pedestrian access. Further reviews are intended on an annual basis, with future annual reductions of 1% targeted and of note future surveys should be centred on staff arrangements, but should also cover patients and visitors. Again this element of the proposed scheme is considered acceptable and should Members be minded to approve the application, a condition requiring the implementation of the Travel Plan should be incorporated.

In conclusion it is considered that from a highway perspective the scheme, through the amended layout and imposition of relevant conditions, is acceptable and in accordance with policies T8, T9, T14 and T22.

Ecology and Wildlife considerations

The main agenda report raised the issue that if the proposed works affected the Sports Centre then further assessment would be required in respect to bats. As a consequence a further Bat Survey and Mitigation report (September 2009) has been prepared on behalf of the applicant.

The element of the development which has potential implications for bats and for which the application seeks permission is the link corridor attaching the proposed atrium to the existing Sports Centre. These works involve the removal of cladding on the north-west elevations of the Sports Centre (identified as buildings BB1 and BB3). During the initial Phase 1 Habitat Survey as detailed in the Ecology Report (June 2009) buildings BB1 and BB3 were assessed for their potential to support roosting bats and were considered to have a low potential. Nevertheless, as indicated in the Ecology Report (June 2009) a dusk emergence survey was advised followed by a dawn re-entry, these subsequent surveys were undertaken on the 28 & 29 September 2009.

Although late in the season, the September 2009 report states that the survey conditions were favourable for bat surveys, and pipistrelle, noctule and myotis bats were observed travelling across open ground on the site from roosts thought to be near but not on the site. The September 2009 reports also state that no bats were seen or heard emerging or re-entering the buildings, and additional inspection of all gaps and holes previously identified in the June 2009 report showed no signs of bat use of the buildings. Therefore, it is not considered that the works require European Protected Species Mitigation (EPSM) Licensing from Natural England to proceed.

The September 2009 report also states that the limited amount of insulation underneath the cladding indicates a relatively exposed and poorly regulated temperature behind the cladding for roosting bats. As such, it is considered highly unlikely that noctule bats or myotis bats will roost in the cladding, and consequently there is a negligible risk to noctule bats from removal of cladding and a very low risk for myotis bats. However, it is noted in the report that there is a very small risk that pipistrelle bats could roost behind the cladding. Therefore the following mitigation is recommended:

- Removal of cladding on the buildings must be done by hand and supervised by a licensed bat worker who is also licensed to handle bats and can move them to a place of safety if needed
- Cladding should be removed between late April and October
- All contractors should be made aware of risks to bats before they start work on site
- Bat boxes to replace any lost roost habitat should be placed on existing buildings before cladding is removed; a suitably qualified ecologist should advise on placement of these.

In addition, the report also raises the fact that the proposed landscaping provided by Southern Green Ltd offers additional hedgerow and trees which any bats in general could make use of. The report concludes that this, combined with bat boxes included in its mitigation statement, would therefore result in no net loss of bat roost habitats, and no adverse effects on the conservation status of bats.

Consequently, should Members be minded to approve, it is recommended that all elements of the Mitigation and Working Methods section of the September 2009 report should be conditioned and implemented accordingly and as such the proposal is considered acceptable from a nature conservation value and in accordance with policies CN18 and CN22 of the UDP.

CONCLUSION

On balance of the above considerations and those set out in the main agenda report it is considered the scheme is acceptable. The scheme offers a key healthcare facility for the Houghton-Le-Spring area, in line with strategic Primary Care Trust requirements. It makes good use of a brownfield site and provides health facilities adjacent to an existing sport and well being facility. The proposed development is considered acceptable in respect to design, highways and ecological issues and is recommended for approval with the imposition of the following conditions.

Recommendation: APPROVE, subject to the conditions set out below:

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. Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor and a BRE Final Code Certificate shall be submitted to and approved in writing by the LPA. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to at least the BREEAM 'Excellent' standard, unless otherwise agreed in writing with the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the UDP.
3. Unless otherwise agreed in writing with the LPA, details of the renewable energy measures should be submitted to and agreed in writing with the LPA for consideration prior to the completion of the building. For the avoidance of doubt, such details shall include a justification for the type of measures chosen, including estimations of energy created by such measures. Following the approval of such details, the agreed measures shall be implemented prior to the occupation of the building, in the

interests of sustainable development and in order to comply with policy R1 of the UDP.

4. Prior to commencement of the development, details of the design and layout of the Multi Use Games Area which shall comply with Sport England Design Guidance Notes to include 'Access for Disabled People 2002' and A Guide to the Design, Specification and Construction of Multi Use Games Areas (MUGAs) including Multi-Sport Synthetic Turf Pitches (STPs) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The MUGA shall be constructed in accordance with the approved design and layout details. To ensure the development is fit for purpose, subject to high quality design standards and sustainability and to accord with policy L7 of the UDP.
5. Prior to commencement of the development, a scheme setting out the type, design, lux levels and measures to control glare and overspill light from the multi use games area floodlighting and measures to ensure lights are switched off when not in use shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Thereafter the floodlighting shall be operated in accordance with the approved scheme and maintained in accordance with manufacturer instructions. To minimise light pollution in the interests of amenity and to maximise opportunity for community use and secure the viability of the multi use games area and to accord with policies B2 and L7 of the UDP.
6. Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details. To ensure the discharge of Surface Water from the site does not increase the risk of flooding from sewers in accordance with the requirements of Planning Policy Statement 25: Development and Flood Risk and complies with Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000 and is accordance with policy EN12 of the UDP.
7. No development shall take place until a scheme of working has been submitted to the satisfaction of the LPA; such scheme to include siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
8. Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt

and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.

9. 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 glazing, cladding, render, window and door surrounds, windows, roofing materials and all other building elements and architectural components has been submitted to and approved in writing by the LPA. 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 UDP.
10. Before the trees which are the subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the LPA along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.
11. No development or re-positioning of the Skate Park shall take place until full details of both hard and soft landscape works and measures for their protection during the course of development has been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing the relationship of proposed mounding to surrounding landform and/or means of enclosure to Skate Park, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials; minor artefacts and structures. Thereafter, the development shall only be carried out in accordance with the approved scheme, in the interests of residential and visual amenity and to comply with policies B2, EN5 and CN17 of the UDP.
12. All planting, seeding or turfing comprised in the approved details of the agreed replacement tree planting and landscaping scheme 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 LPA gives written consent

to any variation, in the interests of visual amenity and to comply with policy B2 and CN17 of the UDP.

13. No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for any proposed works within an area designated as a tree root protection zone has been submitted to and approved in writing by the LPA. This shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification/Method Statement. In the interests of visual amenity and to comply with policy CN17 of the approved UDP.
14. No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:
 - Implementation, supervision and monitoring of the approved Tree Protection Scheme.
 - Implementation, supervision and monitoring of the approved Tree work Specification.
 - Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
 - Timing and phasing of Arboricultural works in relation to the approved development.
 - In the interests of visual amenity and to comply with policy CN17 of the approved UDP.
15. Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure for each phase of the development shall be submitted to and approved by the Local Planning Authority before the works on that phase of the development is

commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

16. No floodlighting or other form of external lighting shall be installed unless it is in accordance with details to be submitted to and approved in writing with the Local Planning Authority. Such detail shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing by the Local Planning Authority other than the routine maintenance which does not change its details. To ensure the residential amenities of the adjacent residents are protected and to comply with policy B2 of the UDP.
17. Before the CCTV cameras, hereby approved, are operational their direction and field of view, which shall be restricted so as to avoid any undue loss of privacy for the occupiers of nearby residential properties, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the CCTV cameras shall only be operated in accordance with the approved details, in order to protect the privacy amenity of the occupants of nearby residential properties and to comply with policy B2 of the UDP.
18. Before development, hereby approved, commences a scaled plan showing bat and bird box locations shall be submitted to and approved in writing by the LPA and thereafter the agreed scheme shall be implemented in accordance with the scheme as agreed, in the interest of nature conservation and to achieve a satisfactory form of development on site and to comply with requirements of policies CN18 and CN22 of the UDP.
19. The felling of any trees, shrubs or other tree works as a consequence of the development, hereby approved, shall be undertaken outside the bird nesting season, (i.e. not during the period April - July inclusive), unless otherwise agreed in writing with the LPA, so as to avoid the risk of disturbance to nesting birds and in order to comply with the Breeding Bird Survey Report (August 2009) and to comply with Policies CN18 and CN22 of the adopted UDP.
20. The development hereby approved shall implement the measures and monitoring strategy as set out in the Travel Plan, dated 30 June 2009 (prepared by JMP Consultants Ltd) on first occupation of the Primary Care Centre to ensure that the Travel Plan targets are being met and subsequently reviewed. In the interests of reducing the impact of the development on the highway network and to accord with policy T14 of the approved UDP.

21. Notwithstanding the submitted plans, the development shall not begin until improvements to the footpath link with Brinkburn Crescent, including surface treatment and lighting arrangements (Transport Assessment Measures P17) have been submitted to and agreed in writing by the Local Planning Authority. The agreed improvements shall be completed before occupation or in accordance with an agreed timetable, in the interests of highway safety and to comply with policy T14 of the UDP.
22. Before the development hereby approved is commenced a timetable for the implementation of the Mitigation and Working Methods section of the Bat Survey and Mitigation Report (Willmot Dixon Construction Ltd) (September 2009), shall be submitted to and approved in writing by the Local Planning Authority. Where the approved documentation specifies that further works are required these works shall be completed to the written satisfaction of the LPA, in the interest of nature conservation and to achieve a satisfactory form of development on site and to comply with requirements of policies CN18 and CN22 of the UDP.
23. The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays without the written approval of the Local Planning Authority, in order to protect the amenities of the area and to comply with policy B2 of the UDP.
24. The level of noise emitted from the proposed plant within the development shall not exceed 5db(A) above the existing background noise level as measured from the nearest residential property to the application site or, if the noise is tonal, should not exceed the background noise at all at any noise sensitive property, in order to protect the residential amenity of the nearest residential properties and to accord with policy EN5 of the UDP.
25. No development shall take place until details of the height, position, design and materials of the means of ventilation/extraction/filtration system to be provided in connection with the café facilities within the development, hereby approved, have been submitted to and approved in writing by the LPA. Thereafter the development shall not be carried out other than in accordance with the approved details, in order to safeguard the amenities of the adjoining properties and to comply with policy EN9 of the UDP.
26. Before the Skate Park, hereby approved, is relocated details of the hours of its opening shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the Skate Park shall only be in use during the agreed specified time periods, unless otherwise agreed in writing with

the Local Planning Authority, in order to safeguard the amenities of the adjoining properties and to comply with policy EN9 of the UDP.

27. No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy EN14 of the UDP.
28. No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the LPA, in the interests of residential amenity and to comply with policy EN14 of the UDP.
29. Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the LPA for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.

Number:	S3
Application No.	09/02803/VAR
Proposal:	Variation of condition 5 of planning permission 07/01286/FUL to allow operating of warehousing and logistics Monday to Friday to operate 0600-2200 with vehicle loading restricted to 0745- 2000 Monday to Friday with no change required for Saturday, Sunday, and Bank Holidays as per the original planning permission (Amended Description)
Location:	Smithers Oasis Uk Ltd, Crowther Road, Crowther, Washington, NE38 0AQ

The recommendation was deferred on the main agenda as a representative had been appointed by some residents and it was understood a further representation would be submitted. Whilst no further representation as such has been submitted copy correspondence from December 2008 and July 2009 between neighbours and the Council Enforcement Team has been forwarded relating to the operation of the warehouse beyond 1800 hours as stipulated on

the consent relating to the warehouse. The appointed representative has however requested to speak at the meeting in accordance with the current policy.

Representations from neighbours received on the application can be summarised into the following categories-

- Visual amenity in terms of the siting of the warehouse,
- Noise generated by the operation of the site,
- Traffic in terms of intensification of the use of the site.

An enforcement investigation was instigated in December 2008 over an alleged breach of planning control. The alleged breach related to working hours extending to 2300 on weekdays as well as day time on Sundays in breach of condition 5 for which this variation is sought. The matter is now pending the outcome of this application.

As stated in the main report the main issues to consider are:-

- _ the use of the site and
- _ the impact upon residential amenity.

The Use of the Site

The application site is located within the Crowther industrial Estate and has such is subject to policies WA1 and EC4 which seek to retain and enhance the area for employment purposes. The original designation of the industrial estate being made by the former Washington New Town Development Corporation.

The original factory unit is not subject to any restriction on the hours of operation in common with the other industrial units on the Crowther Industrial Estate.

In terms of the use of the site the proposal is thus considered to be acceptable and in line with other operations on the Crowther Industrial Estate and thereby is in accordance with policies WA1 and EC4 of the adopted Unitary Development Plan.

The impact upon residential amenity.

The impact on residential amenity can only be considered in terms of the potential noise and disturbance from the external workings of the warehouse.

The proposal raises no issues of visual amenity as the extension has already been constructed and the application is only in respect of an extension of the hours of operation of the approved extension.

Noise.

Officers have visited the site at various times between 0800 and 1700 it was observed that the overall operation of the site did not generate excessive noise particularly against the background noise emanating from the A1(M) which is approximately 170 metres distant.

A noise assessment has been carried out by the applicant and results agreed by the Director of Community and Cultural Services. The principal impact on residential amenity is in respect of the potential noise and disturbance from the external working at the warehouse.

The purpose of the assessment was to establish background noise levels whilst also monitoring noise associated with the warehouse operation (loading/unloading HGV delivery vehicles external to the warehouse building and activity within the warehouse itself).

The assessment found that noise at the monitoring position was dominated by a relatively constant drone of distant road traffic on the A1 (M), with the sporadic effects of local traffic on Crowther Road. Noise from warehouse activities was thus super-imposed on this background.

Noise Levels can were found to be of the order of 57-59dB, 55-57dB, 59-62dB and 57-59dB depending on the time and weather conditions.

After 21:00, there is a general reduction of noise levels until around 02:00 when a background noise level of some 48dB prevails. After 02:00, noise levels gradually increase once again due to road traffic flow.

Assessment of Noise at Closest Residential Premises

Inspection of the trends in the noise data obtained and comparison with the activity log at the warehouse do not indicate any significant components due to warehouse activities. Indeed, anomalous increases in noise at around 20:00hrs and 03: 00 hrs that may have been significant were when there was no activity external to the warehouse (1900 to 21:45 and overnight,). Similarly, skip activity, HGV access and unload between 0100 and 0200 does not give rise to any measurable increase in noise levels monitored.

The assessment identified significant noise is present from road traffic on the A1M (170 metres west,) and sporadically from traffic on Crowther Road. This was clearly evident when members visited the site.

24 hour noise monitoring has been carried out at a worst case site boundary position most likely to be affected by warehouse noise that may affect closest residential property (North West corner of Mallard Close). No evidence of any

significant noise from normal warehouse activity (07:00-23:00, inclusive of a twilight shift) can be seen from the data collected.

It is accepted that the noise from the reversing indicator signals on vehicles is intrusive although only intermittent. It is also one which could occur within the residential street from reversing delivery vehicles mini-buses and the like,

The noise assessment in accordance with British Standard 4142:1997 concluded that no evidence was obtained of warehouse noise (internal or external) being sufficiently in excess of background levels to give rise to complaints.

The Director of Community and Cultural Services has informed there were complaints in March 2008 regarding construction site noise but none regarding general factory noise since.

The applicant has submitted details with regards the operation of the site stating that 80% of the extended working will occur within the warehouse with minimal movement from electric forklift trucks loading standing trailers which will then be collected by the tractor units the following day. It is anticipated that all external activity will cease by 20.00 hours but may be later depending on circumstances beyond the control of the operators.

Notwithstanding the above the assessment recommends, as an extra safeguard measure, that the provision of a close boarded fence on top of the retaining wall adjacent to the loading area would screen the properties at the North West extreme of Mallard Close further, this could be controlled by condition should planning permission be forthcoming.

Traffic.

The Highway Engineer has no objections in highway terms to the proposal. It is considered that the issues relating to traffic raised by objectors do not directly relate to the application and are not supported by evidence. Particularly noise from traffic along Crowther Road may arise from vehicles travelling to and from other factories on the Crowther Industrial Estate and beyond rather than the application site.

CONCLUSION.

The site is allocated for industrial use and there is no evidence that the operation of the premises causes excessive noise. Notwithstanding the operator has offered to erect an acoustic barrier in the form of a close boarded fence immediately to the south of the warehouse.

The proposal to vary the condition is thus considered acceptable subject to a condition relating to provision of the above fence. In line with the requirements of s73 of the town and country Planning Act 1990 a new consent has to be issued with the revised condition, the remaining conditions from the original consent and any other conditions considered appropriate as a result of the amended condition.

RECOMMENDATION: Approve subject to the following conditions

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, to ensure that the development is carried out within a reasonable period of time.
2. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, including additional screen planting, and treatment of hard surfaces 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 Unitary Development Plan.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the building being brought into use 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 Unitary Development Plan.

5. The warehouse extension shall not be operated for the purposes hereby approved between the hours of 22.00 and 06.00hrs on weekdays and 18.00 and 07.45 hrs on Saturdays nor at any time on Sundays or Bank Holidays, in the interests of residential amenity and to comply with policy B2 of the Unitary Development Plan.
6. The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in the interests of residential amenity and to comply with policy B2 of the Unitary Development Plan.
7. Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the Unitary Development Plan.
8. Notwithstanding the submitted plans the tree plantation along the southern boundary of the application site shall be maintained as a permanent screen between the development hereby approved and the adjacent houses in Mallard Close and any trees which die shall be replaced, in the following planting season, with a size and type of species to be agreed, in writing, with the Local Planning Authority, in the interests of visual and residential amenity and to comply with policies B2 and CN17 of the Unitary Development Plan.
9. within one month of the date of this consent details of a 1.8m high acoustic fence to be erected on top of the yard retaining wall shall be submitted together with a programme for its implementation shall be submitted to and approved in writing by the Local Planning Authority in the interests of residential amenity and to comply with policies B2 and EN5 of the adopted UDP.

Number:	S4
Application No.	09/03047/LAP
Proposal:	Erection of a single storey extension to the front of the training centre to provide new entrance/reception area, single storey extension to workshop, located to the west of the site and additional doorway in south facing elevation.
Location:	Harraton Training Centre, Firtree Avenue, Harraton, Washington, NE38 9BA

Subsequent to the preparation of the main report to the Sub-Committee further consideration has been given to the highway/parking implications of the proposal. No representations have been received since the preparation of the main agenda report.

Additional information has also been provided by the applicant, upon request from officers, via an e-mail received on 30.09.2009 wherein it is stated that 2no. additional members of staff may be employed and the Centre could accommodate up to 300 pupils as a result of the proposed development. A previous e-mail provided by the applicant confirmed that approximately 200 pupils currently attend the Centre, who are aged between 14 and 16 years, and the Centre employs approximately 20 members of staff.

Highway/Parking Implications

Policies T14 and T22 of the UDP essentially require developments to have no undue detrimental impact on highway/pedestrian safety or the free passage of traffic whilst providing an acceptable level of car parking.

Topic 13 of the adopted Development Control Supplementary Planning Guidance (SPG) expands upon policy T22 of the adopted UDP and sets out the Council's parking standards, which recommends a minimum provision of 1 space per member of staff in addition to a suitable picking up / setting down area within the curtilage of the site as well as any necessary student parking for schools and other educational establishments.

Given that a total of 22no. staff would be employed by the Centre as a result of the proposed development, a total of 22no. parking spaces would be required in order to meet the aforementioned parking standards. The application form and Proposed Site Plan indicate that there are 12no. existing parking spaces within the curtilage of the site and an additional 5no. spaces are proposed to the south

of the site near to its entrance, which would result in a shortfall of 5no. spaces overall. However, despite this shortfall, the proposal would only result in the employment of 2no. additional staff, so the proposed 5no. additional spaces exceeds the requirement for the proposed extensions to the centre. Whilst this does not make up the overall shortfall, such a provision cannot be reasonably insisted upon given that it would not relate solely to the proposed development.

In addition, due regard must be given to PPG13: Transport in this respect, in particular Paragraph 51 which states, 'In developing and implementing policies on parking, local authorities should not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include, for example, where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls'.

Whilst the applicant has stated that the Centre could accommodate approximately 300 students as a result of the proposed development, given the age range which the Centre caters for (14 to 18 year olds), it is anticipated that the proportion of students driving to the site would be minimal. School busses operate and drop children off directly on the site and the Design and Access Statement indicates that 'a new access road and drop off is proposed to compliment the proposed extensions'. Details of these provisions have been requested, but not yet received. As such, it is recommended that a condition be imposed on any consent issued requiring details of such provisions to be submitted to the satisfaction of the LPA prior to the commencement of any development.

For such reasons, whilst it is considered that the proposal would result in an intensification of the use of the centre, the proposed extensions would be sited clear of any vehicular access or car parking area, so would not compromise any existing parking spaces or the manoeuvrability of vehicles within the site. As such, it is not considered that the proposal would compromise highway/pedestrian safety or the free passage of traffic and an acceptable level of parking would be provided, in accordance with the requirements of policies T14 and T22 of the adopted UDP.

Conclusion

For the reasons given in this supplement and the main report to the Sub-Committee it is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members grant permission for the proposal subject to the conditions listed below.

RECOMMENDATION: GRANT CONSENT in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the following conditions:

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. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details, in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
3. Notwithstanding the submitted plans, no development shall commence on site until details of the new access road and drop-off point, as referred to in the Design and Access Statement, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly indicate the parking layout for vehicles using this drop-off point and the means of access to and from this area. The agreed scheme shall be clearly marked out on site prior to the extensions hereby approved being brought into use and shall be maintained as such thereafter, in the interest of highway safety and to accord with policies T14 and T22 of the adopted Unitary Development Plan.
4. 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 and receipt of deliveries, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the adopted Unitary Development Plan.