

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 2015.

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 Economy and Place Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Peter McIntyre

Executive Director Economy and Place

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Washington

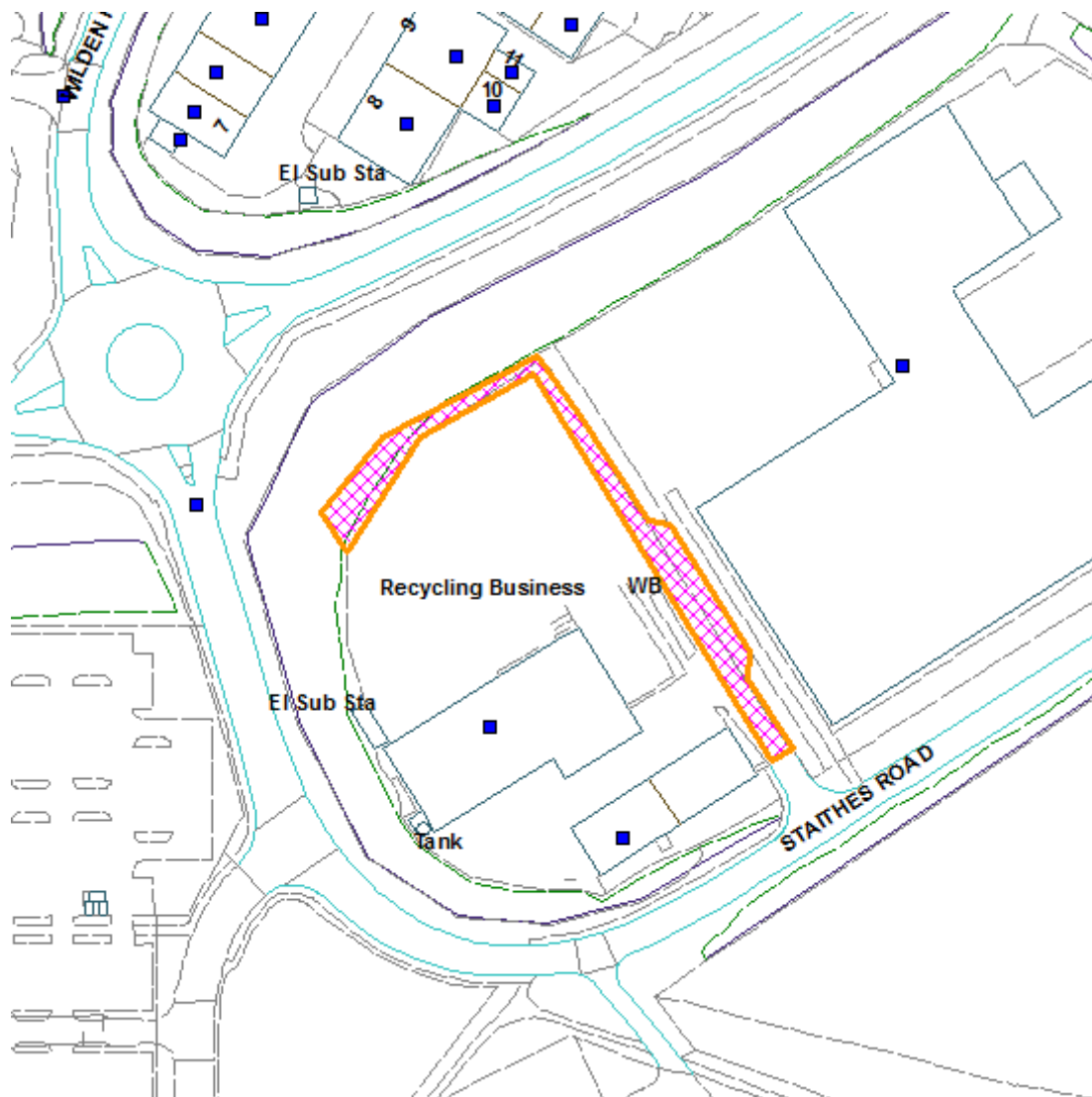
Reference No.: 18/00705/MAW Minerals- Waste (County Matters)

Proposal: **Relocation of pre-cast concrete wall, extension of concrete hardstanding area and installation of picking station with associated conveyors and weigh bridge.**

Location: Timberpack Waste Recycling Centre Staithes Road Washington NE38 8NW

Ward: Washington East
Applicant: Timberpack
Date Valid: 8 June 2018
Target Date: 7 September 2018

Location Plan



PROPOSAL:

Planning permission is sought to extend an existing concrete hardstanding area by 568 Sq m at the Timberpak Limited Waste Recycling Centre on Staithes Road, Washington. The site is located within Pattinson South Industrial Estate and is largely screened from the surrounding roads and footpaths by a tree belt which runs around the northern and western perimeter. The company specialise in the processing and recycling of wood. Currently there are two large industrial-shed type buildings on site; one of which is utilised in connection with the processing of materials with the other utilised for training and office based accommodation.

Currently the existing 2.8m high free-standing pre-cast concrete retaining wall, is set 5 metres behind a 1.8 metre high palisade fence. The provision of additional hardstanding will enable the relocation of this wall up to the line of the palisade fencing (which will be removed) which in turn will provide space for a new picking station and weighbridge for the facility. These improvements will provide a safe and secure area for the operatives to sort the various timber materials into skips prior to them being processed at another facility.

The agent has qualified that the facility is licensed by the Environment Agency and under the terms of the licence the facility is restricted to the amount (tonnage) of materials that can be processed. Consequently, the amount of materials arriving and leaving the site is strictly monitored and the permitted facility tonnage cannot be exceeded. The agent has therefore confirmed that the extension to the facility would not result in additional vehicle movements to and from the site.

The application has been advertised accordingly by way of press and site notices and neighbour notifications.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Washington East - Ward Councillor Consultation
Network Management
Flood And Coastal Group Engineer
Environmental Health
Environment Agency
Northumbrian Water

Final Date for Receipt of Representations: **09.07.2018**

REPRESENTATIONS:

Northumbrian Water

Have observed that the application does not provide sufficient detail with regards surface water management in order to enable Northumbrian Water to assess their capacity to treat the flows from the development and as such have recommended that a condition be imposed requiring

such details to be provided and approved by the LPA in consultation with themselves prior to development commencing

Environment Agency:
No objections to the proposal.

Third Party Representations -
No letters of objection have been received.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
EC_2_Supply of land and premises for economic development purposes
EC_4_Retention and improvement of existing business and industrial land
EC_15_Development or extension of bad neighbour uses
WA_1_Retention and improvement of established industrial / business area
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments
EN_11_Restrictions upon new development or intensified use of land liable to flooding
EN_12_Conflicts between new development and flood risk / water resources
CN_23_Measures to conserve/ improve wildlife corridors

COMMENTS:

The main issues to consider in the assessment of this application are:

- Principle of Development
- Visual and Residential Amenity;
- Highways Matters;
- Drainage and Flooding
- Ecology.

Principle of Development

On a national level, the NPPF sets out the Governments planning policies for England and how these should be applied. Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development; i.e meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 38 then advises that Local Planning Authorities should approach decision making in a positive and creative way and should seek to approve applications for sustainable development where possible.

Chapter 6 of the NPPF is also particularly relevant in the consideration of the merits of the proposals, as this relates to building a strong, competitive economy, wherein Paragraph 80 states that "decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs"

The site lies within an area allocated for economic development and as such UDP policies EC2, EC4 and site specific policy WA1.8 are applicable.

Policy EC2 seeks to ensure that an adequate supply of land and premises are available to meet the city's economic needs whilst EC4 and WA1.8 seek to ensure that such areas are retained and improved to meet the requirements of the designated uses.

In line with the policy provisions outlined above, the development seeks to re-organise the layout of the existing yard in order to facilitate the improvement of the operational functioning of the processing plant. Consequently, in line with local policy and in considering the sentiments of paragraph 80 of the NPPF which in part states that 'planning decisions should support economic growth and productivity, taking into account local business needs' it is considered that the proposal represents an acceptable form of development from a land use perspective.

Visual / Residential Amenity

UDP policy EC15 requires that the development or extension of uses including scrap yards and the sorting and storage of waste materials will only be permitted where;

- There will be no significant nuisance to adjacent premises or highway users by virtue of dust, smell, vibration, noise, or pollution.
- The site is adequately screened or is not visually prominent.
- Appropriate facilities are provided for storage and treatment of by-products.
- The site is of sufficient size for the operations and has adequate car parking and servicing.

In addition, UDP policy B2 seeks to ensure that the scale, massing, setting and layout of new developments respects and enhances the best qualities of nearby properties and the locality and retains acceptable levels of privacy for neighbouring properties.

As per the existing site set-up, the new development would be screened by a densely planted tree belt. Furthermore, the pre-cast concrete retaining wall will be repositioned on the site boundary, creating a further element of screening, although this will not be readily visible from the other side of the tree belt. As such, it is not considered that the proposed development would be of the detriment to the visual amenities of the area.

From a residential amenity (disturbance) perspective, the site is located within a largely commercial setting with the nearest residential properties located some distance away. A noise assessment has duly been submitted in support of the application, in order to demonstrate that noise levels will be no greater than at present, which the City Council's Public Protection and Regulatory Services (Environmental Health) Section have reviewed this and have advised that the use of the picking station and associated conveyors should be restricted to between the hours of 07.00-17.00 Mon -Fri & 07.00-12.00 Sat/Sun. If this activity is to be operational during night time hours (23.00-07.00) then further assessment of the potential impact of the picking machine during the night time period will need to be undertaken.

Notwithstanding this and as per previous applications on the site, it is recommended that a Construction Environmental Management Plan is conditioned as part of any approval given to ensure that the construction phase is adequately managed and mitigated and that the amenities of nearby residents / occupiers are appropriately considered.

To conclude general amenity matters, it is not considered that the proposals would give rise to the creation of any additional noise, disturbance or other by-products beyond those which may currently be experienced by the existing processes carried out from the site. It is therefore considered that the proposal accords with UDP policies EC15 and B2.

Highways Matters

Policies T14 and T22 of the UDP require proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport and indicate that development should not

cause traffic congestion or highways safety problems on existing roads whilst adequate provision should be made for parking and the loading and unloading of commercial vehicles.

The agent has explained that the proposals would not intensify the existing operations carried out from the site and consequently there would be no additional vehicular movements resulting from the development.

In this respect the Councils Network Management Section has raised no observations or recommendations to the proposal and as such, it is not considered that the proposal would unacceptably compromise highway safety or the free passage of traffic in and around the site.

Drainage and Flooding

Paragraph 163 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied.

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.

In considering the above against the context of this application it is acknowledged that any waste application, no matter how small in scale, will fall under the umbrella of a major planning application and accordingly SuDS should be incorporated into all waste schemes on this basis. However in this instance, it is not considered unreasonable to assess SuDS requirements against the individual merit and nature of the development proposed. As explained earlier in the report, the proposals are not of any significant scale and whilst it does result in a further area of hard-standing being formed, it does not propose any increase in the intensity of the activities currently undertaken on the site. It is also noted that no additional drainage is proposed and the new area of hardstanding is to be laid on a slight fall to ensure any surface water is fed into this existing system. At the time of writing, the applicant has nonetheless been asked to provide further information for the Lead Local Flood Authority to assess, which is anticipated to have been received and reviewed in time for the Committee meeting when a verbal update will be given in this regard.

Ecology

Whilst located within an industrial locality, the site is also positioned within a wildlife corridor and is therefore subject to the provisions of policy CN23 which encourages measures to conserve and improve the environment and seeks to refuse development which adversely affects the continuity of the corridor. As per the previous proposals on the site, no adverse impacts are anticipated, and as such, the scheme is considered to be acceptable from this perspective.

Conclusion

For the reasons outlined above, the principle of the proposed development is considered to be acceptable without unduly impacting on the amenity of the area and it is not considered that the development would compromise highway safety, or be of detriment to wildlife within the vicinity. Further information is awaited in respect of matters associated with drainage and flood risk and it is understood that these matters should be satisfactorily resolved prior to the meeting, at which a verbal update will be made in this regard. Subject to the satisfactory resolution of these matters it is therefore considered that the development will accord with all the aforementioned policies and members will be recommended to approve the application subject to the imposition of the draft conditions as set out at the foot of this report.

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

The LPA is committed to

- (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves

- (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

RECOMMENDATION: Minded to APPROVE subject to the draft 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 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:
 - 3332/00A Site Location Plan
 - 3332/01 Existing Site Layout Plan
 - 3332/02 Proposed Site Layout Plan
 - 6160DThird Angle Projection Plans sheets 1-4

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; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing buildings on site, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 The use of the picking station and associated conveyors shall not be operated for the purposes hereby approved outside the following hours:
 - Monday to Friday (except Bank Holidays) 07:00 to 17:00;
 - Saturday to Sunday (except Bank Holidays) 07:00 to 12:00;

In the event that it is necessary to operate the picking station and associated conveyors to during night time hours (23.00-07.00) then a further noise assessment of the potential impacts of this activity during the night time period should be undertaken and approved in writing by the Local Planning Authority prior to the commencement of such activities in order to protect the amenities of the area in accordance with policies S12 and B2 of the Unitary Development Plan.

- 5 The development hereby approved cannot 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 and the Lead Local Flood Authority. Thereafter the development shall be undertaken in complete accordance with these details, in order to prevent any increased risk of flooding from any sources in accordance with the NPPF and Policies EN11 and EN12 of the Unitary Development Plan.

- 6 No development shall take place until a scheme of construction working has been submitted to the satisfaction of the Local Planning Authority. Such a scheme shall include hours of working, hours of deliveries to and from the site, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, measures to ameliorate noise, dust, vibration and containing construction dirt and debris within the site and construction methods. Once approved, the development shall proceed in accordance with the agreed scheme, 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.
- 7 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the City Council as Local Planning Authority:
- i) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved, in order to comply with the requirements of paragraph 109 of the NPPF and policy EN14 of the UDP.

Reference No.: 18/01023/FUL Full Application

Proposal: **Construction of a 14,585 sq.m (c. 157,000 sq.ft) B2 Manufacturing/B8 Logistics Warehouse, with associated earthworks, landscaping, parking and access proposals.**

Location: Site of Former B And Q Warehouse Armstrong Road Armstrong Industrial Estate Washington

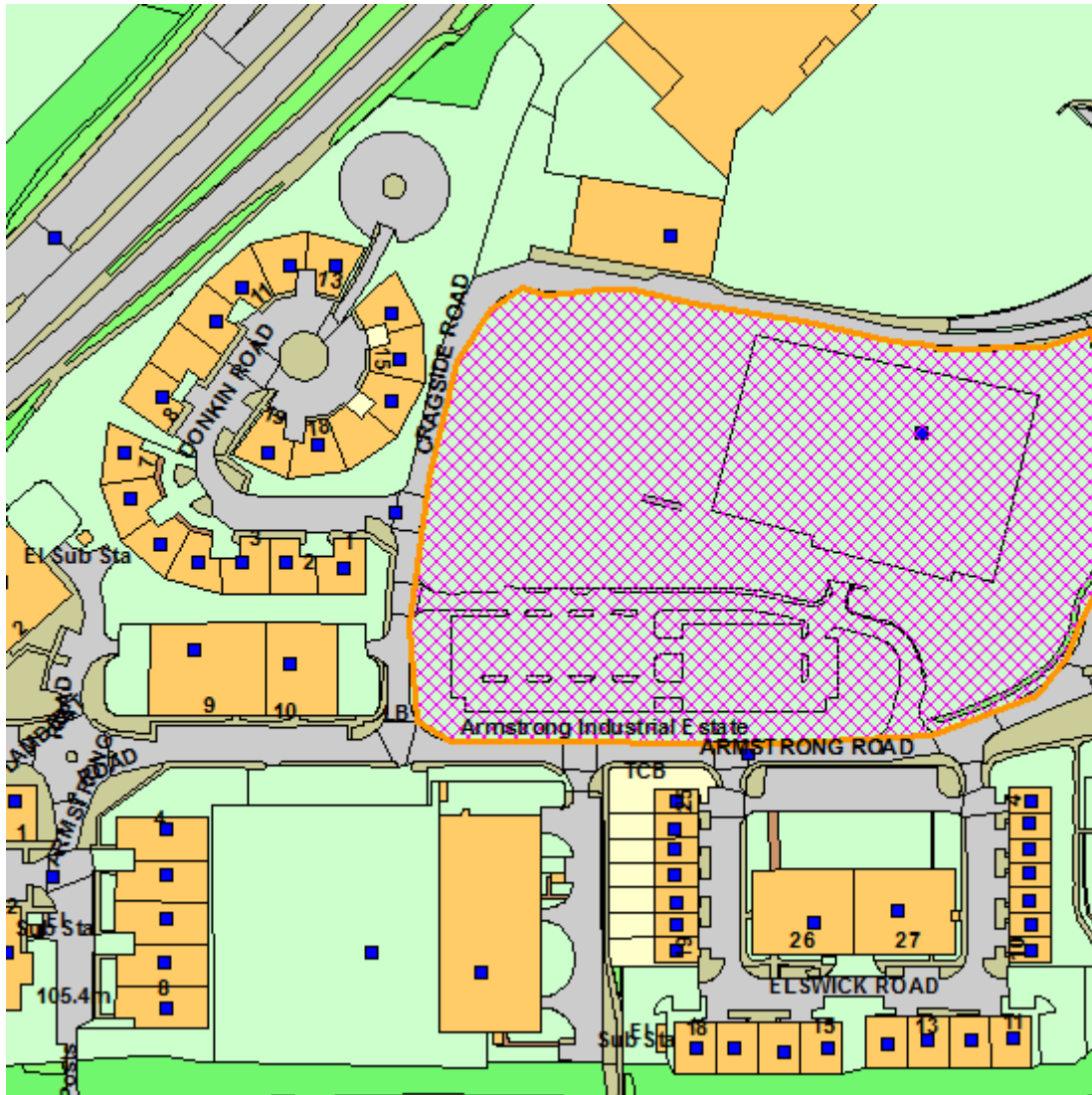
Ward: Washington West

Applicant: Buccleuch Property & Argon Properties

Date Valid: 13 June 2018

Target Date: 12 September 2018

Location Plan



PROPOSAL:

Permission is sought for a manufacturing or logistics warehouse on land to the north and west of Armstrong Road, to provide the following accommodation;

- 13 655 sqm ground floor industrial/warehouse area;
- 465 sqm ancillary offices at ground floor level; and
- 465 sqm ancillary offices at first floor level.

A total of 14 585 sqm total gross internal floor area will be provided for B2 and/or B8 accommodation. The majority of this is industrial/warehouse with 13655sqm allocated to the main area of the building at ground floor level and 930sqm of ancillary office accommodation also provided, split over two storeys at ground and first floor level.

SITE:

The site, which extends to an area of approximately 4.01ha, is located to the north and west of Armstrong Road, in a central location within Armstrong Industrial Estate. The site formally accommodated a retail warehouse which has since been demolished. The site is bounded on the north by a small Carpetright store and a large B&Q warehouse, both with associated customer parking and servicing, to the south by a mix of smaller, start up units and a furniture warehouse, to the west by similar low rise, brick built, commercial units in a spiral configuration, with associated servicing and parking, and to the east by open land/landscaping and the A182 beyond. The A194(M) is also located close to the site, further to the west.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network management
No objection subject to conditions

Coal authority
No objection

Public protection and regulatory services
No objection subject to conditions

Lead local flood authority
No objection subject to conditions.

Natural heritage
No comments received.

Final Date for Receipt of Representations:

REPRESENTATIONS:

Third Party Representations - none received.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

Final Date for Receipt of Representations: **14.08.2018**

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
EN_10_Proposals for unallocated sites to be compatible with the neighbourhood
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
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
T_22_Parking standards in new developments

COMMENTS:

The main issues to consider in the assessment of this application are:

- Principle of Development
- Visual and Residential Amenity;
- Highways Matters;
- Drainage and Flooding
- Ground Conditions

Principle of Development

On a national level, the NPPF sets out the Governments planning policies for England and how these should be applied. Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development; i.e. meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 38 then advises that Local Planning Authorities should approach decision making in a positive and creative way and should seek to approve applications for sustainable development where possible.

Chapter 6 of the NPPF is also particularly relevant in the consideration of the merits of the proposals, as this relates to building a strong, competitive economy, wherein Paragraph 80 states that "decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs"

The application site is located on an area of land shown as "white land" on the proposals map that accompanies the Unitary Development Plan. As such, the site is not allocated for any particular purpose and is subject to the requirements of Policy EN10 which states that:

All proposals for new development will be judged in accordance with the policies and proposals of the plan. Where the plan does not indicate any proposals for change, the existing pattern of land

use is intended to remain; proposals for development in such areas will need to be compatible with the principle use of the neighbourhood.

The application site is located in what is considered to be an industrial/commercial setting and is considered to comply with the requirements of EN10 and is therefore acceptable in principle.

Visual and Residential Amenity

Policy B2 of the Unitary Development Plan seeks to ensure that the scale, massing, setting and layout of new developments respects and enhances the best qualities of nearby properties and the locality and retains acceptable levels of privacy for neighbouring properties.

Regarding visual amenity: the proposed building is of a typical industrial design which is considered to be acceptable in its setting. The building is considered to be of an appropriate scale in this location and for its proposed end use.

In terms of its specific design features: The principle facade of the building is where the main entrance and ancillary office accommodation is located, thereby providing an active and inclusive frontage. A stepped arrangement, colour and glazing has been used to emphasise the office area, providing interest and legibility when viewed closer up and providing a clear identity and hierarchy to the unit, this makes the entrance legible and easily identifiable as you enter the site. In this area the building will be finished in micro-rib panel cladding, with powder coated aluminium ribbon windows and curtain walling to the main entrance.

The secondary facade to the building will be finished in a mix of horizontally laid, profile cladding and micro-rib panel cladding, with banding and panelling introduced for visual interest.

A traditional pitched roof with a 6 degree fall is proposed.

Residential Amenity

It is considered unlikely that the proposed development will have any detrimental impact upon any near neighbouring residential properties. The application site is set within the Armstrong Industrial Estate and is not directly adjacent to existing residential properties. Furthermore, a landscape buffer and the adjacent A-roads that bound the industrial estate provide a buffer between the site and the nearby residential areas in Armstrong and also in Springwell and Usworth

In order to ensure that the proposed development does not result in any unacceptable levels of noise the application is supported by a Noise Assessment. The Council's Public Protection and Regulatory Services (PPRS) Team has considered the submitted noise assessment and has found it to be acceptable and are satisfied that the proposed facility will not create a noise nuisance. However, the PPRS Team has requested that if Members are minded to approve this application, the following condition should be applied to any approval granted:

"Noise from the development shall not exceed a rating level as determined in accordance with the procedures described in BS4142:2014 "Methods for rating and assessing industrial and commercial sound" of 48dB LAr (1-hr) during the night time (23:00 - 07:00) when assessed at the nearest noise sensitive property".

On this basis the implications for noise associated with the development are considered to be acceptable and compliant with the requirements of UDP Policy EN 5 which requires a noise assessment to be undertaken and appropriate noise mitigation measure to be implemented where necessary.

Highways Matters

Policies T14 and T22 of the UDP require proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport and indicate that development should not cause traffic congestion or highways safety problems on existing roads whilst adequate provision should be made for parking and the loading and unloading of commercial vehicles.

The application site is effectively an island site and as such is bounded by Armstrong Road and Cragside Road which wrap around along its edges. These roads provide one existing access point which will be amended slightly and an opportunity to provide a further two new access points from established estate roads.

Armstrong Road and Cragside Road both have large sections of road in excess of 7.3m in width. The two new access points into the site have been positioned to make use of the wider width of roads and the existing roundabout stub in these locations, to ensure traffic flow into and out of the site is safe and controlled. A level area of 3 m in width is retained and increased along the length of both estate roads to ensure safe access for pedestrians into and around the site.

The access points will offer vehicle, cycle and pedestrian access from Armstrong and Cragside Roads and both entrances will have car park barriers.

There are a number of bus services which run close to Armstrong Industrial Estate including the No.4, 56 and 84 services. These provide a good level of service and public transport links to the site, with two bus stops located on Armstrong Road.

Access to the building from the carpark will be level where possible. The existing site topography is undulating and therefore some re-grading of the levels will be required to achieve better access and an unobstructed route to the main entrance. Dropped kerbs and tactile paving will be provided at locations where required to ensure safe movement around the car park.

The parking areas and pedestrian routes are separate from the main service yards which is accessed via a separate vehicle route. Parking areas will be provided with good quality lighting to ensure safe access to the building for the visually impaired.

There are 6no. proposed accessible parking bays located adjacent to the primary frontages and office area. These spaces are clearly marked and are complete with safe transition zones. In addition there are 4no. Electric vehicle charging points located close to the main entrance.

The proposals will provide a total of 188no. parking spaces, the majority of which will be located in the main car park area. A small number of parking spaces will be located on the entrance into the service yard to provide localised parking for staff where required.

The main car park will have a tarmac finish with white lines to demarcate the parking areas and yellow hatching to demarcate accessible spaces and transition zones. Paving from the estate road footpaths to the front entrance and to the perimeter of the building, will offer pedestrians safe access and egress throughout the site and into or out of the building. Safe, pedestrian crossing points will be located with dropped kerbs and tactile paving.

A covered cycle shelter will be provided, located near to the buildings main entrance. This will accommodate up to 8 cycles, providing fixed hoops to enable the cycles to be securely stored. The cycle shelter and routes to and from it will be lit to allow safe access to the building. Motorcycle parking is also provided.

The proposed building has been positioned on the site so that separate servicing and car parking areas can be provided in the interest of pedestrian safety. From the two estate roads that surround the site there are three access/egress points, one for service access and two for parking/pedestrian access. There are gates at the entrance to the service yard and these will control all large vehicles entering and leaving the site. Car parking is located along the primary frontage and adjacent facade of the unit to minimise the distance cars will need to travel within the site and enable natural surveillance from the office areas.

The servicing areas have been located away from the primary unit frontage to minimise noise and disturbance. This enables the movement of larger vehicles to be separated away from visitor and staff parking areas, to avoid potential conflict. The main refuse storage area is located off the main service yard.

The service yard proposed provides both level and dock level servicing facilities.

The Council's Network Management team has been consulted regarding the proposal and has confirmed no objection to the proposed development. However, Network Management has requested that if Members are minded to approve the application a condition is attached to the approval granted that prevents the access control barriers to the site being closed during the operating hours of the premises. This is to minimise the risk of obstruction on the highway. The applicant has confirmed that the barriers will only be used in a closed position during non operational hours when the building is closed.

Drainage and Flooding

Paragraph 163 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied.

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.

The application site is located within flood zone 1 and as such is identified as being of low risk of flooding and a flood risk assessment and a surface water and drainage strategy report has been submitted to support this application.

In terms of foul drainage: The site will be served with a close pipe gravity system which will be designed in accordance with BSEN 752 Drainage and Sewer Systems Outside Buildings and BS EN 12056 Gravity Drainage Systems Inside Buildings.

The proposed network will route through the site picking up foul discharge from the respective facilities within the proposed building. There will be a foul gully located to the west of the proposed building at the plant compound.

The foul network will run parallel with the proposed surface water network before discharging from the site to the south east corner in close proximity to the Armstrong Road Roundabout, where it's proposed to discharge to Northumbrian Water's existing foul network.

As per the foul drainage network, the surface water system will be served by a closed pipe gravity system with appropriate SUDS measures and associated facilities required for a development of this nature. The system will be designed in accordance with BS EN 752 Drainage and Sewer

Systems Outside Buildings and BS EN 12056 Gravity Drainage Systems Inside Buildings. In addition, SUDS measures will be designed in consideration of the SUDS Manual Ciria C753.

The proposed network is strategically located to drain all hard surfaces on the site routing these through various SUDS facilities to provide the requisite level of SUDS treatment prior to discharge.

It is proposed to restrict the site to green field run off for the 1 in 1 year event and 1 in 100 year event, up to and including 40% climate change up to and including the 6 hour storm duration. The performance of the surface water system will have been tested for these storm events.

The Lead Local Flood Authority (LLFA) has considered the submitted flood risk assessment and surface water and drainage strategy report and has confirmed that the proposed drainage strategy for the site is acceptable subject to the inclusion of two conditions in the event of an approval of permission.

The suggested conditions are:

- No part of the development shall be occupied until a detailed management plan for the entire drainage system of the site is submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the management plan shall be based upon section 5 "Suds maintenance requirements" of the "Velocity 194 Surface water and drainage strategy report, September 2018". In the interest of water management and to minimise the risk of flooding and to comply with the requirements of Policy EN12 of the adopted Unitary Development Plan.
- No development, other than site remediation works, shall commence until a written construction management plan identifying how the issues identified in section 6 of the "Velocity 194 Surface water and drainage strategy report, September 2018" will be managed. To minimise the risk of uncontrolled surface water runoff and minimise the risk of pollution and to comply with the requirements of Policy EN12 of the adopted Unitary Development Plan.
- On this basis the proposed development is considered to be acceptable in terms of drainage and flood risk.

Ground Conditions

The submitted application is supported by Phase 1 and 2 site investigation reports. PPRS has been consulted regarding the submitted reports and has confirmed that the phase 1 investigation is acceptable. The phase 2 investigation remains under consideration by PPRS who has suggested that in the event that Members are minded to approve that application, the standard suite of ground contamination conditions, requiring site remediation and a verification report are included on any approval granted,

On this basis the proposed development is considered to be acceptable in terms of ground conditions and compliant with the requirements of Policy 14 of the adopted UDP which requires applicants to carry out site investigation works and any remedial works required to render the site suitable for development.

Summary

For the reasons outlined above, the proposed manufacturing/logistics unit is considered to be acceptable subject to the inclusion of planning conditions on any approval granted. Accordingly it is recommended that Members approve the application subject to the draft planning conditions listed below

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

The LPA is committed to

- (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves

- (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

RECOMMENDATION: Minded to APPROVE subject to the draft 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 The development hereby granted permission shall be carried out in full accordance with the following approved plans:
 - Proposed site plan drawing number A10-00-001 rev C received 2 August 2018;
 - Site Block Plan drawing number A10-00-006 received 13 June 2018;
 - Swept path analysis max legal artic, drawing number 4425 C.ATR.01 Rev 0
 - External lighting overspill layout drawing number WSH-RYB-XX-XX-DR-E-9004 Revision 1 received 13 June 2018;
 - External lighting layout drawing number WSH-RYB-XX-XX-DR-E-9003 Revision 1 received 13 June 2018;
 - Warehouse elevations coloured, drawing number A30-00-003 received 13 June 2018;
 - Warehouse elevations drawing number A30-00-001 revision A received 13 June 2018;
 - Site sections drawing number A30-00-002 Revision A received 13 June 2018;
 - Warehouse roof plan drawing number A20-00-002 revision A received 13 June 2018;
 - Warehouse Ground and First Floor Plans drawing number A20-00-001 Revision A received 13 June 2018;
 - Topographical survey of existing site (Sheet 1 of 2) drawing number A10-00-004 received 13 June 2018;
 - Topographical survey of existing site (Sheet 2 of 2) drawing number A10-00-005 received 13 June 2018;
 - Proposed drainage strategy layout drawing number 4425 C3.01 revision B received 3 August 2018;
 - Finished ground levels drawing number 4425 C2.01 received 13 June 2018;
 - Earthworks, EGL v PFL (FGL-500mm) isopachyte contours (Major = 500mm Minor = 100mm);
 - Cycle Storage and boundary treatment details drawing number A10 00 003 revision A received 13 June 2018.
 - Air Quality Assessment Armstrong industrial Estate, Washington, 2nd July 2018 Revision A received 17 July 2018.
 - Buccleuch Property (Washington) Ltd. Velocity 194 Transport Assessment May 2018, received 13 July 2018.
 - CON29M Non-Residential Mining Report vacant Plot Armstrong Road Washington Tyne and Wear received 13 July 2018.
 - Phase 1 Desk Top Study and Coal Mining Risk Assessment Report Project No 17-819 15 December 2017, received 13 July 2018.
 - Preliminary Ecological Appraisal Armstrong Road, Washington June 2018, received 13 July 2018
 - Buccleuch Property (Washington) Ltd, Site at Armstrong Industrial Estate, Washington, Flood Risk Assessment, received 13 July 2018.
 - Buccleuch Properties (Washington) Limited, Surface Water and Drainage Strategy Report, September 2018, received 13 September 2018.

- Armstrong Industrial Estate, Washington, Noise Survey, 6793.1, 6 June 2018, Revision A, received 13 July 2018.

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, 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 prior to the commencement of any works to construct the approved building. 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.
- 4 Notwithstanding any indication of materials which may have been given in the application, 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 prior to the commencement of any works to construct the approved building. 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.
- 5 Noise from the development shall not exceed a rating level as determined in accordance with the procedures described in BS4142:2014 "Methods for rating and assessing industrial and commercial sound" of 48 dB LAr(1-hr) during daytime (07:00 - 23:00) and 41dB LAr (1-hr) during the night-time (23:00 - 07:00) when assessed at the nearest noise sensitive property. In the in interest of noise attenuation and to comply with the requirements of Policy EN5 of the adopted Unitary Development Plan.
- 6 No development shall commence until the submitted Phase II: Site Investigation report which ascertains whether the land is contaminated has been approved, in writing, by the Local Planning Authority.

The Phase II investigation is required to ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised 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 and paragraph 178 and 179 of the National Planning Policy Framework.

- 7 No development shall take place until a gas risk assessment for the site has been undertaken and any mitigation or gas protection measures required have been identified. A written report detailing the gas risk assessment and the mitigation/gas protection measures required shall submitted for the written approval of the Local Planning Authority. The development shall then proceed in strict accordance with the approved mitigation/gas protection measures in the interest of the safe development of the site and to comply with the requirements of Policy EN14 of the adopted unitary Development Plan.
- 8 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 Unitary Development Plan.

- 9 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 Unitary Development Plan.
- 10 No part of the development shall be occupied until a detailed management plan for the entire drainage system of the site is submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the management plan shall be based upon section 5 "Suds maintenance requirements" of the "Velocity 194 Surface water and drainage strategy report, September 2018". In the interest of water management and to minimise the risk of flooding and to comply with the requirements of Policy EN12 of the adopted Unitary Development Plan.
- 11 No development, other than site remediation works, shall commence until a written construction management plan identifying how the issues identified in section 6 of the "Velocity 194 Surface water and drainage strategy report, September 2018" will be managed. To minimise the risk of uncontrolled surface water runoff and minimise the risk of pollution and to comply with the requirements of Policy EN12 of the adopted Unitary Development Plan.
- 12 The barriers positioned at the car park entrances shall remain open at all times during the opening hours of the facility hereby approved. To prevent obstruction of the highway and to comply with the requirements of Policy T14 of the adopted Unitary Development Plan.