

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

29th October 2014

REPORTS FOR CIRCULATION

REPORT BY DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

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

LIST OF CIRCULATED ITEMS

Applications for the following sites are included in this report.

Hetton, Houghton &
Washington

S5	BM Stafford And Son, Hetton Lyons Industrial Estate, Hetton-le-Hole, Houghton-le-Spring, DH5 0RH
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Number:	S5
Application Number:	14/01623/FUL
Proposal:	Erection of an extension to the side (east elevation) of the existing unit.
Location:	BM Stafford and Son, Hetton Lyons Industrial Estate, Hetton-le-Hole, Houghton-le-Spring, DH5 0RH

As stated in the main report, the proposed development is considered to be acceptable in principle and does not raise any significant concerns in respect of visual and residential amenity or environmental issues.

However, at the time of writing the main report, the access and highway issues and the wildlife considerations associated with the proposed development remained outstanding.

Access and Highway Issues

UDP Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met.

As set out in the main agenda report, the Network Management Team requested that the applicant provide additional information in respect of car parking arrangements associated with the site. At the time of preparation of the main agenda report, this information had been requested from the agent, but had not been received. The required clarification has now been received from the agent, who has advised as follows:

No car parking spaces will be lost as a result of the proposed development. The applicant has recently constructed a new car park to the south of the proposed development site and this has capacity for around 20 vehicles. It is further advised that following completion of the development for which planning permission is sought by this application, an existing office block will be demolished which would allow for hardstanding to be laid and the new car park to be further extended. In addition, there is a large concrete hardstanding to the rear of the building which has capacity for in excess of 100 vehicles and this area could act as an overflow car park on a temporary basis should the need arise whilst works are on-going to complete the development.

The agent has further advised that the applicant has no issues with car parking on site and have more than enough provision for off street parking to meet the requirements generated by the business at present and also the anticipated future requirements. The new development is for storage space and is not going to generate a requirement for new car parking space due to its nature. There is adequate provision within the site to accommodate additional staff parking requirements.

The clarifications provided by the agent and summarised above were accompanied by a plan showing the relevant features as they exist on site. In considering the acceptability of the proposals, it is noted that the new hardstanding to facilitate the car park has already been laid and would appear to benefit from rights of permitted development as set out by Schedule 2, Part 8, Class C of the Town and Country Planning (General Permitted Development) Order (As Amended) and as such does not require planning permission. Furthermore, the new car park appears to be accessed from an existing adopted access to the site meaning that it is not cause for concern in highway safety terms.

The additional information and accompanying plan provided by the agent are considered to provide sufficient clarification in order that that development is considered to be acceptable in highway safety terms and that it complies acceptably with the aims of policy T14 of the UDP.

Wildlife Considerations

Policy CN23 identifies a number of wildlife corridors as illustrated on the proposals map, wherein measures will be taken to conserve and improve the environment through use of suitable designs to overcome any potential user conflicts, whilst development which would adversely affect the continuity of corridors will normally be refused. Where on balance, development is acceptable because of wider plan objectives, appropriate habitat creation measures will be required to minimise its detrimental impact.

The proposal has been considered from a nature conservation perspective and in this regard, it would have a negligible impact on biodiversity features on and adjacent to the site given the site's current use and location. As such, detailed ecological assessment is not considered to be required on this occasion.

Notwithstanding this assessment, should Members be minded to approve the application, an informative note would be added to any planning permission to be granted altering the applicant to recommended working practices in respect of breeding birds, drainage and runoff, lighting and emissions and the inter-relationship with adjacent wildlife sites in Hetton Lyons Country Park and Hetton Lyons Industrial Estate.

The proposal accords with the requirements of UDP policy CN23 and the proposal is not considered likely to prejudice the interests of biodiversity or impact unacceptably upon wildlife.

Conclusion

In light of the conclusions reached in the main agenda report in respect of the proposal's acceptability in principle and that its impact on amenity would be acceptable, combined with the comments set out above in respect of access and highway issues and wildlife considerations, the development is considered to be acceptable in respect of all relevant planning considerations.

Members are recommended to approve the application subject to the conditions set out below.

RECOMMENDATION: Approve

Conditions:

1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.

2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

- The Elevations – Drawing Number EN2090-el, Revision A, received 5 September 2014;
- The Site Plan – Drawing Number EN2090-SP, received 24 October 2014 and
- The Location Plan, received 11 July 2014.

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 building, 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 No construction works required for the development hereby approved shall be carried out other than between the hours of 07.00 and 19.00 Monday to Friday and 07.30 and 14.00 on Saturdays with no works to be carried out on Sundays or Bank Holidays, unless first agreed in writing with the Local Planning Authority, in the interests of residential amenity and to comply with policy B2 of the Unitary Development Plan.

5 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number 6 to number 8 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 9 has been complied with in relation to that contamination. To ensure that risks from land contamination to future

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

6 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

human health

property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes,

adjoining land,

groundwaters and surface waters,

ecological systems,

archaeological sites and ancient monuments.

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

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

7 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the

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

8 The remediation scheme approved under Condition number 7 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 6 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 7 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

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

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

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