

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 (General Development Procedure) Order 1995.

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 Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration Services.

Reference No.: 08/03449/VAR Variation of Condition

Proposal: Variation of condition 3 attached to 07/03132/OUT for an outline application for mixed used development, to include, 54,349 sq mtrs of office/industrial units (Class B1, B2 and B8), 11,149 sq mtrs of hotel (Class C1) and leisure (Class D2) and 929 sq mtrs of ancillary retail (classes A1-A5). Creation of associated access and infrastructure, including stopping up of footpath and change of use to industrial/commercial development, and creation of new bridle way.

Location: Turbine Business Park Nissan Way Washington

Ward: Washington North

Applicant: Barmston Developments Ltd

Date Valid: 12 September 2008

Target Date: 7 November 2008

Location Plan



PROPOSAL:

The application, made under section 73 of the Town and Country Planning Act 1990, seeks to revise the wording of condition no. 3 on the outline consent for the Turbine Business Park (07/03132/OUT). That condition seeks to ensure that the development takes place in accordance with the development framework and the indicative master plan within it.

Condition no 3 is currently worded as follows:

"The development hereby approved and all associated reserved matters applications shall be required to incorporate and comply with the design principles outlined in the "Turbine Business Park Design Framework" document, dated September 2007, in the interests of visual amenity and to achieve an acceptable layout for the estate and to comply with policies B2, T14 and EC3 of the UDP."

The proposed rewording of the condition, which the applicant considers would improve the flexibility in building out the proposed Business Park, is as follows:

"The development hereby approved and all associated reserved matters applications shall be required to incorporate and comply with the "design principles" outlined in the "Turbine Business Park Design Framework" document, (TPDF) dated September 2007. For the avoidance of doubt, the design principles referred to within the TPDF relate solely to the architectural quality and design aspirations of the development and not to the particular layout, as indicated in the "indicative masterplan" as shown in the TPDF, in the interests of the overall quality and visual amenity for the estate and to comply with policies B2, T14 and EC 3 of the UDP."

It should be explained that since the grant of consent it has become apparent that the indicative areas on the Master Plan for some uses are no longer appropriate/desirable. Consequently, where that is the case it would not be possible to submit a reserved matters application for the final form of development on the specific plot, as it would not accord with the indicative Masterplan and therefore would not comply with the outline consent. The application proposal would allow development to take place in accord with the principles of the development framework in terms of design of individual units and in accord with the overall levels of floorspace for particular uses as previously agreed, but would allow greater flexibility over the locations of the uses within the site.

The applicant has supported the application with revised versions of the Design and Access statement and Design Framework, together with a statement of justification.

The proposed development to which the proposal relates is a new business park on the south western edge of the Nissan Complex. A copy of the report to the Sub Committee of 25th September 2007 on the original application (ref 07/03132/OUT) is appended for Members information.

The site is located between the Sunderland Highway (A1231), and the Nissan test track to the North. The site is accessed from Nissan Way at the North Western corner of the site. The eastern corner of the site is close to, but does

not about the A19. The western boundary adjoins the site occupied by the Police, Fire and Ambulance Services, partly in buildings previously developed for Nissan. The Nissan Plant to the north of the site with its associated large scale factory building and wind turbines, forms a significant back drop.

The site has a linear configuration contained by both the A1231 and the mounding to the Nissan test track. The latter is a prominent feature adjacent to the application site and rises sharply forming the northern boundary of the site. An access road runs at the foot of the mound, which is to be maintained or re-configured to suit the future development whilst allowing for the maintenance and security access required by Nissan.

The topography of the site is generally one of gentle incline from North to South and from West to East, but flat in appearance. The relationship of the levels to the A1231 is significant, being partly elevated above the A1231, but where the highway rises to both roundabouts at the A19, and the junction with Nissan Way, the land is effectively in a cutting.

The land is mainly cultivated meadow with a number of immature copses and there are no significant landscape features on the site.

The site covers an area of approximately 50 acres, (20.23 hectares), and forms a prominent strategic location within this overall employment-led area of the City.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services
Environment Agency
Economic Development And Marketing
Fire Prevention Officer
The Highways Agency
North East Regional Assembly
Northumbrian Water
Sustrans
One North East
Nexus
South Tyneside MBC
Gateshead MBC

Final Date for Receipt of Representations: **03.10.2008**

REPRESENTATIONS:

Neighbours

To date no representations have been received.

Consultees

No responses have been received to date.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
B_11_Measures to protect the archaeological heritage of Sunderland (general)
B_15_Developments causing large scale ground disturbance (currently undeveloped areas)
B_16_Assessing, recording and preserving historic sites discovered during development
CN_15_Creation of the Great North Forest
CN_17_Tree Preservation Orders and replacement of trees
CN_18_Promotion of nature conservation (general)
CN_23_Measures to conserve/ improve wildlife corridors
EC_2_Supply of land and premises for economic development purposes
EC_3_Support for new and existing economic activity
EC_4_Retention and improvement of existing business and industrial land
EN_1_Improvement of the environment
EN_6_Limit exposure of new noise/vibration sensitive developments to existing sources
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
EN_15_Promoting / encouraging the reclamation of derelict land for appropriate uses
R_1_Working towards environmentally sustainable development
T_1_Promote the development of a varied, balanced, integrated & sustainable transport system
T_2_Promote the role of public transport, improving quality, attractiveness and range
T_8_The needs of pedestrians will be given a high priority throughout the city.
T_9_Specific provision will be made for cyclists on existing/new roads and off road
T_10_Protect footpaths; identify new ones & adapt some as multi-user routes
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments
WA_1_Retention and improvement of established industrial / business area
WA_21_Planting of Tree Belts and Woodlands

COMMENTS:

It should be noted that since the application was initially submitted the revised Design framework has been submitted and therefore the wording of the proposed amended condition should be further amended to refer to the "Design Framework Turbine Business Park, Sunderland Revision A, September 2008". the amended condition would therefore be worded as follows:

" The development hereby approved and all associated reserved matters applications shall be required to incorporate and comply with the "design principles" outlined in the "Design Framework Turbine Business Park, Sunderland Revision A "(TPDF) dated September 2008. For the avoidance of doubt, the design principles referred to within the TPDF relate solely to the architectural quality and design aspirations of the development and not to the particular layout, as indicated in the "indicative masterplan" as shown in the TPDF, in the interests of the overall quality and visual amenity for the estate and to comply with policies B2, T14 and EC 3 of the UDP."

The main issue for consideration in this application is whether the proposed variation of wording would have any detrimental effect on the form of development proposed. In terms of the overall quantum of development and the types of uses proposed there is no change. There have been no changes in material considerations since the submission and determination of the original outline application 07/03132/OUT in September 2007.

The applicant has indicated that the existing condition no. 3 could be interpreted as including the zoning and layout of the whole site as shown on the indicative masterplan. In view of the fact that Note No. 2 on the consent clearly states that the indicative masterplan is one of the plans to which the consent relates, officers are of the opinion that that interpretation would be correct. If any reserved matters application was submitted for a building for a use not in accord with the zoning on the indicative masterplan it could not be considered to be a valid application as it would not comply with the outline consent. In such circumstances it would be necessary for the applicant to submit a full application for each site. This was not considered to be the intention of the original condition. The proposed revision to the wording of the condition is therefore considered to give the developer the additional flexibility while retaining an acceptable level of control over the development for the City Council in its role as Local Planning Authority .

Conclusion

In view of the above it is considered that the variation of condition no. 3 on consent no. 0703132/OUT is considered to be acceptable. As a section 73 application is essentially a new application a new decision notice for the whole development has to be issued and the existing permission also remains in place

In order to ensure that the reserved matters applications can be submitted as soon as possible Members are requested to delegate the approval of the variation of condition to the Director of Development and Regeneration on expiry of the period of public consultation on 3rd October 2008. In the event that any representation are received these will be reported to the meeting, or if received after the meeting will be reported to a future meeting of the Sub Committee.

RECOMMENDATION: DELEGATE to Dir. of Dev and Regeneration

Conditions:

- 1 Details of the following matters shall be submitted for the subsequent approval of the Local Planning Authority: the form and location of the

agreed access onto Nissan Way; the layout, scale, landscaping and appearance of the development.

- 2 Application for the approval of the reserved matters for the first phase of the development (other than road infrastructure) shall be submitted to the local planning authority within three years of the date of this permission. Applications for approval of reserved matters for each succeeding phase of the development shall be made to the Local Planning Authority within three years from the date of the completion of the most recent preceding phase of the development. The development hereby permitted shall be begun either within three years of the date of this permission or within two years of the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3 The development hereby approved and all associated reserved matters applications shall be required to incorporate and comply with the "design principles" outlined in the "Design Framework Turbine Business Park, Sunderland Revision A "(TPDF) dated September 2008. For the avoidance of doubt, the design principles referred to within the TPDF relate solely to the architectural quality and design aspirations of the development and not to the particular layout, as indicated in the "indicative masterplan" as shown in the TPDF, in the interests of the overall quality and visual amenity for the estate and to comply with policies B2, T14 and EC 3 of the UDP
- 4 Prior to commencement of development on site in accordance with the Master Plan Document a framework scheme of habitat creation and management shall be submitted to and approved by the Local Planning Authority (LPA) and prior to the commencement of work on each phase of development /work on each building a supplementary statement relating to habitat creation and management to follow the principles of the framework document shall be submitted to and approved in writing by the LPA. The identified measures shall be implemented in accordance with the scheme agreed, in the interests of habitat creation and to comply with policies CN18, CN22 and CN23 of the UDP.
- 5 For the avoidance of doubt the gross floor space for the development hereby approved shall not exceed 54,349sq m of office/industrial units (use class B1, B2 and B8), 11,149sq m of hotel (class C1) and leisure (class D2) and 929sq m of ancillary retail (classes A1 - A5, including any mezzanine floors), in order to achieve a satisfactory form of development and ensure the highway network is not unduly strained by the traffic generated by the site and to comply with policies B2 and T14 of the UDP.
- 6 For the avoidance of doubt the development of amenity buildings for the development shall not exceed 929 square metres gross in area, with an individual unit size of no greater than 450 sq m, in order to ensure the buildings are ancillary to the primary use of the site and to accord with policy EC4 and WA1 of the UDP.
- 7 No development work shall take place until a programme of archaeological work has been completed. This shall be carried out in accordance with a specification(s) provided by the County Archaeologist. The archaeological report(s) shall be submitted to and approved in writing by the Local Planning Authority before works commence, in order to ensure that any

archaeological remains on the site can be preserved wherever possible and recorded and to comply with Policies B11 and B15 of the UDP.

- 8 Notwithstanding the submitted plans proposed ground level sections across the site and details of the finished slab levels of each property shall be submitted and approved in writing with the Local Planning Authority. All works shall be carried out in accordance with the approved levels details in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.
- 9 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the Local Planning Authority, in the interests of amenities of the surrounding area and to comply with policy EN14 of the UDP.
- 10 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority, in the interests of the amenities of the surrounding area and to comply with policy EN14 of the UDP.
- 11 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the Local Planning Authority for approval, in the interests of the amenities of the surrounding area and to comply with policy EN14 of the UDP.
- 12 Prior to the commencement of works on each phase of the development, the following details shall be submitted to and agreed in writing by the Local Planning Authority before their use on site: samples and specifications of all external materials and finishes, comprising roof cladding, wall facing details, window glass, door and window frames, decorative features and hard surfaces to be used. All works shall be carried out in accordance with the approved details in the interests of visual amenity and to comply with policy B2 of the UDP.
- 13 Details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before that phase of the development or building is occupied. The agreed boundary treatment shall be completed before occupation of each building or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 14 Notwithstanding the submitted details, no removal of hedgerows or felling of trees shall be carried out on the site between the 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority in the interests of nature conservation and to accord with policy CN18 of the UDP.

- 15 Prior to the commencement of each phase of development, a detailed Ecology statement including mitigation measures to protect great crested newts and water voles and their associated habitats on and around the site of this approval shall be submitted to and approved in writing by the Local Planning Authority (LPA). Such measures should include follow up survey work be programmed for a 2-year period. The approved measures shall then be fully implemented in accordance with the LPA's written approval to a timetable to be 1st agreed in writing with the LPA, in the interests of nature conservation and to comply with policy CN18 of the UDP
- 16 Prior to the commencement of each phase of the development, a scheme of working shall be submitted to and approved by the Local Planning Authority; such a scheme shall include; the siting and organisation of the construction compound and site cabins, access arrangements to existing public rights of way on the site, access to the site for construction traffic, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects including measures to stop mud spreading onto the highway. All works shall be carried out in accordance with the approved details in the interests of the proper planning of the development and to protect the amenity and access rights of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 17 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 07:00 and 15:00 on Saturdays and at no time on Sundays or Bank Holidays unless otherwise varied and agreed in writing by the Local Planning Authority, in order to protect the amenities of the area and to comply with policy B2 of the UDP.
- 18 Prior to the commencement of each phase of the development a scheme detailing the on site drainage should be submitted to and approved in writing by the Local Planning Authority. Such a scheme should discharge into public surface water sewers or soakaway systems, in order to comply with Policy EN12 of the approved UDP.
- 19 Prior to being discharged into any watercourse, surface water sewer or soakaway systems, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, before that part of the drainage is commenced. The scheme shall include a statement on the maintenance regime of the gullies and the system shall be maintained thereafter in accordance with the scheme of works unless varied and agreed in writing by the Local Planning Authority, in order to prevent pollution of the water environment and to comply with policy EN12 of the approved UDP.
- 20 Traffic generation from the development shall not exceed the level agreed with the Local Planning Authority and the Highways Agency until the required improvements to the A19 / A1231 junction have been completed. These improvements which are being designed and implemented by the Highways Agency consist of the provision of a free-flow segregated left-turn lane to the northbound diverge slip road of the junction and are required to ensure the safe and free flow of traffic using the A19 Trunk

Road, in the interests of highway safety and to comply with Policy T14 of the UDP.

- 21 Prior to the commencement of works on each building plans shall be submitted to and approved by the Local Planning Authority detailing space and facilities for bicycle parking and changing facilities in the buildings. These facilities shall then be provided prior to the occupation of each building, retained and permanently reserved for bicycle parking to ensure that adequate and satisfactory provision is made for bicycle parking and to comply with policy T14 of the UDP.
- 22 Prior to the commencement of each phase of the highway network plans shall be submitted to and approved in writing by the Local Planning Authority of a scheme of traffic calming. All works shall be completed in accordance with the approved details prior to the highway being brought into use, in the interests of highway safety and to comply with policy T14 of the UDP.
- 23 No building shall be occupied until the off street parking provision including disabled parking provision has been constructed, surfaced, sealed and made available in accordance with the plans to be approved. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policies T14 and T22 of the UDP.
- 24 Prior to the occupation of the first phase of the development, a method statement shall be submitted to and approved by the Local Planning Authority (LPA), detailing measures to control and prevent on street parking within the development. The statement shall include timescales and monitoring and review mechanisms. Such monitoring and review requirements will cease one year post completion of that phase of development and all works shall be carried out in accordance with the agreed method statement unless otherwise agreed in writing with the LPA in the interests of safe and free flow of traffic and to accord with policy T14 of the UDP.
- 25 Prior to the occupation of the first phase of the development, a study shall be carried out of on street parking levels in the area that lies within 500m of the development site. The details of the study including days and times of the survey shall be agreed in writing with the Local Planning Authority (LPA) in advance and the results shall be submitted to the LPA within 1 month of the survey being completed. The survey shall be repeated in accordance with the agreed format no later than 12 months after the initial survey and the results of these studies shall be submitted to the LPA within one month of their completion. If the LPA serves notice that it considers that the studies indicate that there is a significant on street parking problem associated with the development in any of the surveyed streets then a reasonable scheme designed to alleviate the problem caused directly by the development shall be submitted to the LPA for approval within 2 months. The scheme shall be agreed with the LPA and implemented in accordance with an agreed timescale in the interests of highway safety and the amenities of the surrounding area and to accord with policy T14 of the UDP.

- 26 Unless otherwise agreed in writing with the Local Planning Authority (LPA) within six calendar months of the commencement of works on each area of public highway and footways full details shall be submitted to and agreed in writing by the LPA of lighting and street furniture in the interests of highway safety and visual amenity and to accord with T14 of the UDP.
- 27 Prior to first occupation of the development, a Site-wide Green Travel Plan based on the approved Travel Plan Framework shall be submitted to and agreed in writing by the Local Planning Authority. Prior to first occupation of any unit the Management Company shall implement the Site-wide Green Travel Plan and thereafter its effectiveness shall be monitored and reviewed for a period of not less than 5 years after completion of the development. The implementation, monitoring and review of the Site-wide Travel Plan is to ensure that the site is accessible by alternative modes of travel in accordance with Policies T1 and T2 of the UDP.
- 28 Before any unit hereby approved is occupied the occupant shall prepare and submit to the Local Planning Authority a Unit Green Travel Plan based on the format contained in the agreed Site Green Travel Plan. The Unit Green Travel Plan shall be agreed in writing by the Local Planning Authority and the requirements of the agreed Plan shall be implemented by the operator in order to ensure access to the site by alternative modes of travel and to accord with policies T1 and T2 of the UDP
- 29 Before the development hereby approved is commenced a plan showing the provision of (a) a new bus stop on the A1231 westbound off-slip road and (b) the provision of a new footway link between the southern part of the development, and the eastbound bus stop, linking as far as practicable into Public Footpath 31/33, shall be submitted and agreed to in writing by the Local Planning Authority. The agreed works shall be implemented prior to the completion of phase one of the site infrastructure in order to provide the most direct access possible to the site for bus users, pedestrians and cyclists in the interests of highway safety and in order to comply with policies T14 and T22 of the UDP.
- 30 Prior to the completion of each phase of development a scheme of landscaping and treatment of hard surfaces shall be submitted to and approved in writing by the Local Planning Authority in the interests of visual amenity and to comply with policy B2 of the UDP.
- 31 If within a period of 5 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, or becomes, in the reasonable opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and similar size as that originally planted shall be planted in a similar location, unless the Local Planning Authority gives its written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 32 Unless otherwise agreed in writing with the Local Planning Authority (LPA), details of energy efficiency / renewable energy measures should be submitted to LPA for consideration before each building is completed. Such details shall include a justification for the type of measures chosen, including estimations of energy saved / created by such measures, in the

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

- 33 Prior to the occupation of each phase of development a noise assessment shall be undertaken in line with Planning Policy Guidance (PPG) 24, Planning and Noise, in order to determine the Noise Exposure Category of the development. Following the assessment a report shall be submitted to and approved in writing by the Local Planning Authority, detailing the results of the survey and any measures that are to be adopted to ensure that noise from the nearby sources do not cause nuisance or disturbance to the occupiers of the proposed development and in order to comply with Policy EN6 of the UDP.

**APPENDIX: COPY OF REPORT TO DEVELOPMENT CONTROL (HETTON,
HOUGHTON, WASHINGTON) SUB COMMITTEE 25
SEPTEMBER 2007**

Washington

Reference No.: 07/03132/OUT Outline Application

Proposal: Outline application for mixed used development, to include, 54,349 sq mtrs of office/industrial units (Class B1, B2 and B8) , 11,149 sq mtrs of hotel (Class C1) and leisure (Class D2) and 929 sq mtrs of ancillary retail (Classes A1-A5). Creation of associated access and infrastructure, including stopping up of footpath and change of use to industrial/commercial development, and creation of new bridleway.

Location: Land North of A1231/Nissan Way Washington

Ward: Washington North

Applicant: Barmston Developments LTD

Date Valid: 2 July 2007

Target Date: 01 October 2007

Proposal:

The proposal comprises an Outline Planning Application for a mixed use development on an allocated employment site, comprising of 54,349sq m of office/industrial units (use class B1, B2 and B8), 11,149sq m of hotel (class C1) and leisure (class D2) and 929sq m of ancillary retail (classes A1 – A5). Until recently the site formed part of the Nissan car plant site prior to its disposal for reinvestment in the business.

The site is located between the Sunderland Highway (A1231), and the Nissan test track to the North. The site is accessed from Nissan Way at the North Western corner of the site. The Eastern corner of the site is close to, but does not abut the A19. The Western boundary is adjoining a site occupied by the Police, Fire and Ambulance Services, partly in buildings previously developed for Nissan. The Nissan Plant to the North of the site with its associated large scale factory building and wind turbines, forms a significant back drop.

The site has a linear configuration contained by both the A1231 and the mounding to the Nissan test track. The latter is a prominent feature adjacent to the application site and rises sharply forming the Northern boundary of the site. An access road runs at the foot of the mound, which is to be maintained or re-configured to suit the future development whilst allowing for the maintenance and security access required by Nissan.

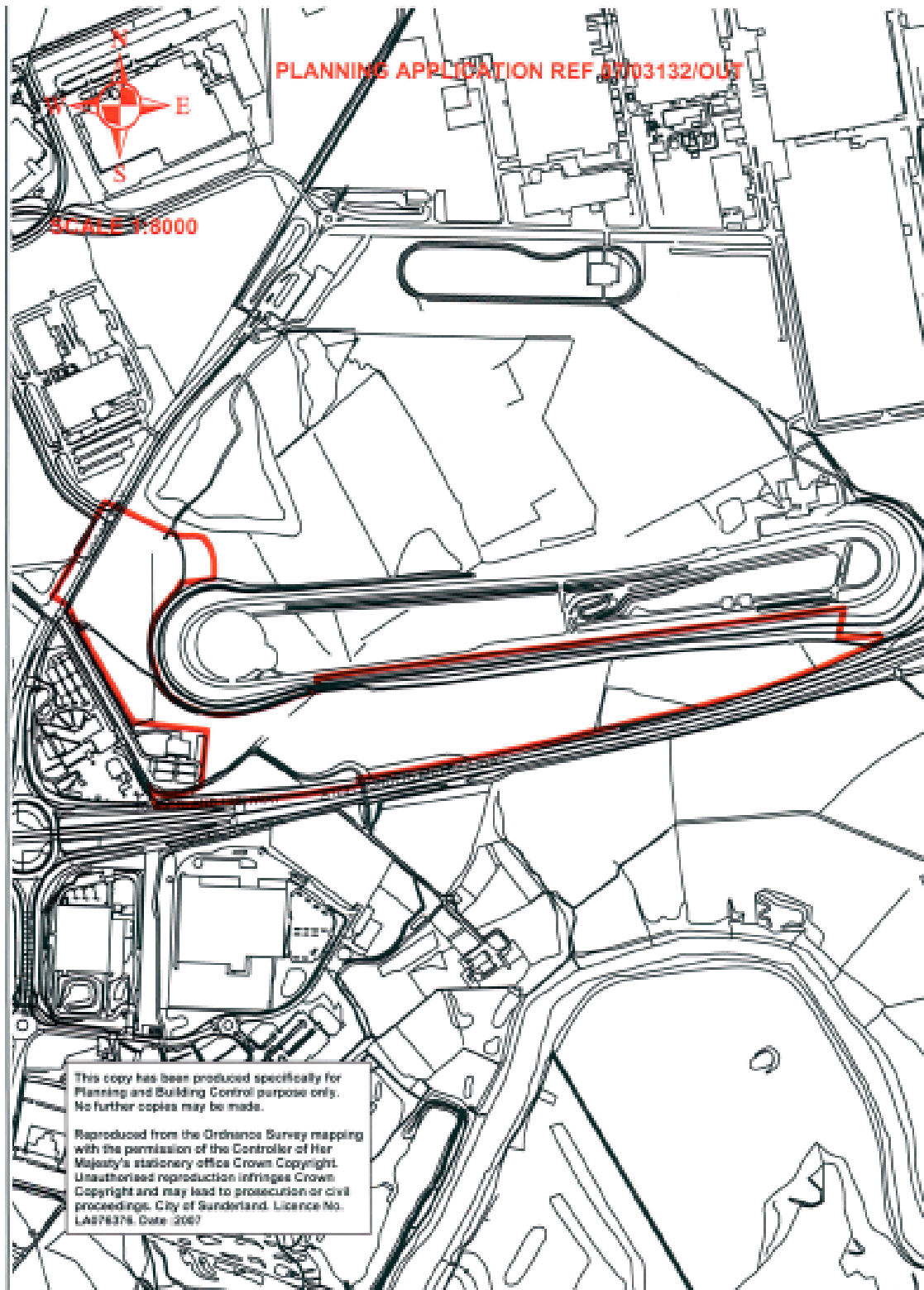
The topography of the site is generally one of gentle incline from North to South and from West to East, but flat in appearance. The relationship of the levels to

the A1231 is significant, being partly elevated above the A1231, but where the highway rises to both roundabouts at the A19, and the junction with Nissan Way, the land is effectively in a cutting.

The land is mainly cultivated meadow with a number of immature copses and there are no significant landscape features on the site.

The site covers an area of approximately 50 acres, (20.23 hectares), and forms a prominent strategic location within this overall employment-led area of the City.

Location Plan



TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services
Environment Agency
Economic Development And Marketing
Crime Prevention Officer
Fire Prevention Officer
The Highways Agency
North East Regional Assembly
Northumbrian Water
Sustrans
One North East
Nexus
South Tyneside MBC
Gateshead MBC

Final Date for Receipt of Representations: **02.08.2007**

REPRESENTATIONS:

Consultees

North East Assembly

Consider the proposal to be in general conformity with the policies set out in Regional Planning Guidance 1 (RPG1) and the Secretary of States proposed changes to revision draft Regional Spatial Strategy (RSS), provided that the Council, in its capacity as Local Planning Authority (LPA), are satisfied that there would not be any more appropriate locations for the office, retail and leisure elements of the scheme. In terms of the development of the principal employment uses and the resulting upgrading and intensification of use at an existing employment site, the Assembly consider the proposal effectively delivers the requirements set out in RPG1 policy EL3 and RSS proposed changes policy 18.

The hotel element of the scheme has been queried, as they did not consider the initial information submitted to satisfactorily address the issue of compliance with the sequential test in PPS6. Further information has been requested from the applicant in order to address this aspect.

One North East

No objections to the proposed development subject to environmental issues being satisfactorily addressed. As the Regional Economic Strategy promotes the need for quality of place within existing and proposed development, ONE has requested that the developer is encouraged to pursue the highest standards of quality in the development of this site, e.g. BREEAM, Building for Life and Secured by Design. In line with Government objectives to generate 10% of

electricity from renewable energy sources by 2010 the application should also provide details regarding the provision of renewable energy measures within the scheme.

Gateshead MBC

No Objections in principle. In terms of the B2 and B8 uses. Gateshead consider the proposal to appear consistent with the emerging RSS (i.e. Policy 6e encourages developing manufacturing and logistics based accommodation on the outskirts of Tyne and Wear with access to strategic road networks).

With regard to other main town centre uses, in addition to the site's designation within Sunderland's UDP as an existing economic development area (which permits office development and ancillary uses), Gateshead has advised that material consideration should also be given to PPS6.

South Tyneside MBC

Whilst South Tyneside have acknowledged that the general principal complies with the allocation set out in the UDP, the Council has queried whether the size of the Hotel element could be classed as ancillary (as set out under UDP Policy EC4) and that this and the other normally "town-centre uses" such as offices etc should be assessed against the criteria as set out in PPS6.

Environment Agency

No objections to the proposal, subject to a condition being imposed ensuring that water is discharged into public sewerage system. The Agency has also suggested that the developer should be encouraged to explore the use of Sustainable Urban Drainage Systems (SUDS), which could be incorporated into landscape features such as ponds and wetlands, which would help with drainage. The question of incorporating renewable / sustainable energy within the development was also raised.

Northumbrian Water

No objections to the development.

Natural England

Advised that Great Crested Newts have been found close to the site. As such, the organisation would require a more detailed ecological assessment to be undertaken at the reserved matters stage, when determining the precise location of the buildings on site, in order to ensure that the development would not harm any of the newts habitat.

County Archaeologist

Advised that a programme of archaeological works may be required on the site given the scale of the proposed development.

Nexus

Have raised concerns over the travel plan, particularly in respect of the current stopping patterns of existing bus services and the location of existing bus stops, which they would expect to be no further away than a 400metre walking distance.

Sustrans

Whilst Sustrans raised no objections to the proposal and welcome the proposed linkage into the existing Coast to Coast cycle route and to the cycle routes to be included throughout the development; they have made the following points in relation to transportation.

- A recommendation that when diverted, the status of Washington Footpath 33 is upgraded to bridleway status.
- A recommendation that they would like to see improvements to the existing bus stops at the entrance of the site.

Neighbours

Two letters have been received in relation to the neighbour notification exercise, from one of the residents of Low Barmston Farm, located across the footbridge on the south side of the A1231. The primary issue raised is in relation to the proposed re-alignment of Washington Footpath no 33, which they are concerned that if the current route this path takes is closed, it could prevent access to their property. At present, the properties at Low Barmston Farm do also have access via Mandarin Way, however they have fears that this route may be closed and if so, could effectively leave their properties "land-locked". Provided access via the footpath is maintained throughout the course of development and thereafter, the respondents will have no concerns. One of the respondents has requested to speak at committee in order to discuss this particular issue.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

B_11_Measures to protect the archaeological heritage of Sunderland (general)

B_15_Developments causing large scale ground disturbance (currently undeveloped areas)

B_16_Assessing, recording and preserving historic sites discovered during development

EC_2_Supply of land and premises for economic development purposes

EC_3_Support for new and existing economic activity

EN_1_Improvement of the environment

EN_6_Limit exposure of new noise/vibration sensitive developments to existing sources

EN_15_Promoting / encouraging the reclamation of derelict land for appropriate uses

T_8_The needs of pedestrians will be given a high priority throughout the city.

T_9_Specific provision will be made for cyclists on existing/new roads and off road

T_10_Protect footpaths; identify new ones & adapt some as multi-user routes

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

T_22_Parking standards in new developments

CN_15_Creation of the Great North Forest

CN_23_Measures to conserve/ improve wildlife corridors

COMMENTS:

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

- The principle of the new development.
Planning Policy Statement 1
Planning Policy Statement 6 (PPS6)
Planning Policy Statement 13
Regional Planning Guidance (RPG) / Regional Spatial Strategy (RSS)
The UDP
- Masterplan framework / General design principles
- Highways and Parking issues.
- Archaeological requirements.
- Land Contamination
- Noise Issues.
- Landscape and Ecology.
- Sustainability.

THE PRINCIPLE OF THE NEW DEVELOPMENT.

NATIONAL PLANNING GUIDANCE

PPS1: Delivering Sustainable Development

The development adheres with national planning guidance relating to sustainable development through meeting the aims of Paragraph 16 of PPS1 that includes:

- When considering the impact of the development on the social fabric of local communities, the impact is considered to be minimal due to being located on an existing employment site as allocated within the adopted UDP and will not adversely effect local communities.
- The development seeks to reduce social inequalities through a mixed-use development able to deliver employment in a diverse selection of industries and support local and sub-regional economic growth.
- The development meets accessibility (in terms of location and physical access) requirements for members of the community to jobs, shops, and leisure facilities through the intensification of an existing employment site that sustains a large workforce within the adjacent site.

The development supports the protection of the environment and the prudent use of resources through the redevelopment and intensification of an existing employment site as allocated within the adopted UDP. Additionally, the development supports many of the aims of PPS1 in relation to sustainable economic development.

PPS6: Planning for Town Centres

The key PPS associated with the proposed development is PPS6 – Planning for Town Centres, which provides guidance relating to the location and spatial distribution of town centre uses and promotes their development through a sequential methodology and local authorities should plan carefully how best to distribute any identified growth to achieve the objectives of their spatial strategies.

The key issues when considering sites for development apply equally to the assessment of planning applications, local planning authorities require applicants to:

- Demonstrate an assessment for the need of the development.
- Identify the development is of an appropriate scale.
- Perform a sequential approach to demonstrate there are no, more central sites suitable for the proposed development.
- Demonstrate there are no unacceptable impacts on existing centres.
- That the location is accessible and promotes the use of sustainable transport options.

A PPS6 Assessment has been submitted by the agent, this meets the requirements of guidance outlined through:

- Demonstrating a recognised need for the development of offices within both Washington and the wider Sunderland area.
- Recognising the necessity to provide a mixed use scheme able to meet the demands of the city and regional market at a scale appropriate for the site and accessibility.
- The sequential test provided within the PP6 Assessment demonstrates that the site is sequentially preferable to comparable sites located both locally and sub-regionally, this is achieved through sustainability, deliverability, and the ability to develop a mixed scheme which includes use classes that are not traditionally encouraged toward town centres.
- The PPS6 Assessment demonstrates the development will have a limited impact on existing centres, and encourage Citywide and Sub-Regional investment in economic development infrastructure.
- The PP6 Assessment is accompanied by a Travel Plan Framework demonstrating the site is accessible by numerous existing bus services, cycling infrastructure, is close to the South Hylton Metro service and accessible by existing residential communities.
- The hotel proposed within the development scheme is considered appropriate as an ancillary use to the primary uses within the development and will assist in achieving a portfolio of hotels distributed in key locations throughout the City able to provide for both business and leisure tourism accommodation demands.

Recognition is given that whilst the development proposal includes use classes encouraged toward existing town centres (B1, A1, C1) the proposal also includes uses that are traditionally located on periphery sites (B2, B8). The site has been sequentially tested and is preferable to other sites and this is further supported by the necessity to ensure uses B2 and B8 are located in appropriate locations.

PPG13: Transport

The primary objectives of PPG13 are to ensure the delivery of integrated planning and transport at the national, regional, strategic and local level to:

- Promote more sustainable transport choices for both people and for moving freight.
- Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling.
- Reduce the need to travel, especially by car.

Local planning authorities will require development proposals to demonstrate:

- Sustainable transport choices
- Transport assessment
- Travel plan

The development proposal meets the primary aims of PPG13 through demonstrating the site is accessible by numerous existing bus services, cycling infrastructure and accessible by existing residential communities.

REGIONAL PLANNING GUIDANCE / SPATIAL STRATEGY

RPG

The proposals are in general conformity with Regional Planning Guidance 1, November 2002 and the Secretary of State's proposed changes to the Regional Spatial Strategy, May 2007. The principle of the development is consistent with the objectives of Policy EL3 of RPG1 which promotes the renewal and upgrading of existing employment areas.

Draft Regional Spatial Strategy (2005)

The Proposed Changes (May 2007) by the Secretary of State (SoS) to the Draft Revision of the RSS provides guidance relating to economic development, including:

Policy 12 – Sustainable Economic Development

Guidance provided within Policy 12 includes the aim to encourage the majority of new economic development and investment toward the conurbations and main settlements within Tyne & Wear. Policy 12 encourages the prioritisation of economic development proposals to renew and re-use previously developed land and buildings particularly within town and city centres and established industrial and commercial estates.

The development scheme accords with policy guidance detailed within Policy 12 through focusing development in the main conurbation of Tyne & Wear, re-using previously developed land and being located within an established industrial and commercial area of the City.

Policy 18 - Employment Land Portfolio

Guidance and statistics within Policy 18 of the Draft RSS detail the distribution of general employment land, regional brownfield mixed use allocations and prestige employment sites.

The allocation of general employment land for Sunderland within Policy 18

is 145ha and when researching the historic employment land take up rates for the City and creating a scenario based upon the expected growth of 2.8% GVA as adopted within the Draft RSS, the results in an expected four year shortfall of general employment land within the City the RSS period to 2021.

Policy 18 c) promotes the presumption in favour of regenerating and upgrading existing employment land and premises in advance of allocating new sites. The development accords with guidance provided within Policy 18 c) of the Draft RSS through regenerating and upgrading an existing employment site within the City and assisting in ensuring the employment land portfolio of the City is 'fit for purpose'.

Policy 18 e) recommends that Tyne & Wear authorities seek to meet any shortfall of employment land supply through the intensification of sites around transport hubs and on previously developed land. The development accords with guidance provided within Policy 18 e) of the Draft RSS and assist in the availability of employment land in the City within the plan period.

Policy 18A – Office Development Outside of City and Town Centres
The Statement of Changes submitted by the SoS includes a new policy (Policy 18A) providing guidance relating to office development located outside of City and Town Centres. The PPS6 Assessment demonstrates that the site is sequentially preferable and justifies the location of B1 land use within the development proposal.

The RSS Panel recommends that Tyne and Wear maintains a 25 year supply of employment land and this should be concentrated on existing sites. The Technical Background Part to the RSS – Delivering Economic Prosperity and Growth (North East Assembly) states that there is a general shortage of good quality modern/new industrial/warehouse stock and that this is particularly the case where demand is strongest, including Washington and Sunderland. As such the proposal is considered to be consistent with the aims of both the RPG and the RSS.

CITY OF SUNDERLAND UDP (1998)

Policy WA1.5

The development site is allocated in the adopted UDP as WA1.5, and is allocated for B1, B2 and B8 uses. Ancillary uses are outline in Policy EC4.

Policy EC4 – Land for economic development

Guidance detailed within Policy EC4 states that within areas of existing business and industrial land, acceptable primary uses include B1, B2, and B8, whilst possible ancillary uses include A2, A3, C1, D1, D2 and shops up to 50sqm.

The proposed development adheres with Policy WA1.5 as it would result in the development of land uses allocated within the adopted UDP. It is recognised that the allocation (WA1.5) includes B1 which has now become encouraged towards existing centres through PPS6, however the sequential test demonstrates that the inclusion of B1 in the development scheme is considered appropriate.

The development adheres with guidance detailed within Policy EC4 through proposing the development of uses considered appropriate within the allocation. Whilst A1 retail is considered as a possible unacceptable use within Policy EC4, this is an ancillary use to the overall development scheme, does not exist in isolation and is considered appropriate.

To conclude, the proposal is considered to be acceptable in principle from a planning policy perspective. The proposed development accords with national, regional and local planning guidance and policies. The development includes the release of an existing allocation in the UDP for economic development, the redevelopment of land within an existing industrial location, and the intensification of use of land around transport hubs and on previously developed land.

The development supports the ability to improve the employment land portfolio of the City, deliver sites that are 'fit for purpose', and assist in ensuring employment land is available throughout the City for the plan period to 2021. By adhering with national, regional and local planning guidance and policies, and supporting the successful delivery of land for economic development the application is considered appropriate.

In addition the development of the site is readily deliverable, with no other comparable sites capable of accommodating the scale of the proposal available at present. The site is an allocated employment site adjacent to an existing key employment area in the City.

Masterplan framework / General design principles

Further information has been submitted by the applicant in order to provide a comprehensive Masterplan for the site, which is now considered to provide an acceptable development framework to assist and guide future submissions.

A series of key design principles have been set out which explain how individual plots should be developed with "plot development criteria", that will provide the LPA with a flexible tool whilst allowing a degree of flexibility when considering applications for reserved matters. The plot development criteria set down in the additional information specifies a high standard of design, ensuring prominent elevations are treated in an appropriate manner, screening and locating servicing yards out of sight of principal aspects where possible and various other detailed design criteria. The indicative Masterplan in its revised form, although only indicative provides a concept of how "Turbine Park" can be developed.

An appropriately worded condition can be attached to any consent granted, should Members be minded to approve the application, in order to ensure that the principles set out in the Design and Access Statement and the Masterplan are carried through to any subsequent reserved matters applications and in order to meet the objectives of Policies B2, EC2, EC3 and WA1 of the UDP.

Highways and Parking issues.

In terms of accessing the site from the existing trunk road network, pre-application discussions between the applicants and the Highways Agency have taken place in order to secure junction improvements to the A19 / A1231 junction. Such improvement works can be secured via the imposition of a Grampian condition to any consent granted, should Members be minded to approve the application.

Discussions are ongoing with the applicant at present, in order to satisfactorily resolve the access arrangements to the site, which are being addressed via the submitted Transport Assessment. Further data has been provided to the applicant in order to create an accurate model of the trip generation created by the development and the accumulative impact of the development as it is incrementally developed. This particular aspect of the application will be discussed in further detail at the Meeting.

In terms of ensuring sustainability in terms of trips to and from the site a green travel plan will be required and improvements to existing footpaths and bus stops, which can be secured via the imposition of conditions, should members be minded to approve the application.

Archaeological Requirements.

There are no known archaeological features within the site, although the western boundary of the site is formed by the course of the North Eastern Railway Pontop and South Shields Branch. As such, the County Archaeologist has advised that there may be archaeological features present and as such it would be necessary for a programme of archaeological works to take place prior to development. Such works should commence with a desk based assessment, which would identify if further work such as a geophysical survey and trial trenching may be required. Such requirements can be secured via the imposition of conditions, requiring submission of such an assessment at the reserved matters stage, should Members be minded to approve the application, which will achieve the objective of Policy B11 of the UDP.

Land Contamination.

The Council's Environmental Health Section advise that the site may have been host to previous industrial activities and as such, it would be necessary for a desk top study to be undertaken to identify if any contamination is present and if so, there would be a further requirement for remediation of the land. Such requirements can be controlled via the imposition of conditions should members be minded to approve the application, which would achieve the objectives of Policy EN14 of the UDP.

Noise Issues.

As the development is situated in close proximity to the major roads the A1231 and the A19, it is possible that if buildings are located near to these roads that they be subject to excessive levels of disturbance from noise. Careful consideration will have to be given at any subsequent reserved matters stage to ensure that all buildings have suitable measures in place and are positioned in such a way in order to minimise any such disturbance. A condition can be imposed to any Outline consent granted, should members be so minded, to require a noise assessment in line with PPG 24, Planning and Noise, in order to ensure there is no noise nuisance or disturbance to residents of the proposed development and to achieve the objective of Policy EN6 of the UDP.

Landscape and Ecology

A detailed Ecological Survey has been undertaken and submitted as part of the outline application, which has identified Great Crested Newts being near to, but not actually present on site. As indicated, the site is cultivated meadow, although some areas have been subject to alteration arising from the test track development. A landscape strategy has been submitted with the application outlining the general principles of the landscaping proposals as follows:-

1. Provision of infrastructure planting to the new estate road from the outset in order to allow the maturity of this prior to landscaping and development of individual plots.
2. A series of significant landscaping zones running perpendicular to the spine road throughout the estate, both to provide visual sub-division of the plots, as well as areas of feature landscaping elements.
3. A series of landscaping focal points throughout the site, associated with the prominent internal vistas along the spine road.
4. Enhancement of the landscaping mound to the north of the site as this is a significant backdrop to the site both viewed internally and externally.
5. Replacement of existing habitat through boundary and internal linear planting with species to encourage bio diversity, though with limited screening buffer planting to allow significant vistas where appropriate.
- 6 Large “fingers” of landscaping will be provided to sub divide the overall site layout creating significant areas of habitat to replacement the copse areas lost and to provide opportunity for bi-diversity and to encourage a “campus” style environment .

The proposed landscaping framework will respond to both the existing features and to enhance the development to provide attractive landscaped setting for the development as a whole and as such, the landscaping proposal are considered satisfactory in order to comply with Policy CN23 of the UDP. In order to ensure no existing habitats are destroyed/damaged during the course of development, conditions can be imposed requiring checking surveys / time restrictions, should Members be minded to approve.

Sustainability

The applicants have confirmed that they are keen to enter into detailed discussion with the Local Authority at the Reserved Matters stage with regard to energy efficiency and sustainability of individual building designs with reference to BREEAM and energy efficiency protocols. Notwithstanding that, the Design Framework Document advises that it is the intention of the scheme to promote and encourage significant reduction in Co2 emissions. Such measures are welcomed by the LPA and conditions can be imposed in order to ensure such matters are achieved.

Conclusion.

The principle and quality of the development on this allocated employment site is considered to be acceptable, although there are matters of detail to be resolved in relation to highways requirements. Discussions are ongoing in this respect and it is anticipated that such issues should have progressed by the time of the Extra-Ordinary Sub-Committee Meeting, which will be reported at the meeting. Members are advised that it is likely that the application will be recommended to be delegated back to the Director of Development and Regeneration for determination at which point should the application be approved, it would be subject to the imposition of conditions as set out below plus possible additions, should officers deem them necessary.

RECOMMENDATION: Dir.of Dev. and Regeneration to Report

Conditions if subsequently approved.

- 1 Details of the following matters shall be submitted for the subsequent approval of the Local Planning Authority: the layout, scale, landscaping and appearance.
- 2 The submission of the matters specified in (1) above must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; (b) the expiration of two years from the final approval of matters specified above or in the case of approval on different dates, the final approval of the last such matter to be approved.
- 3 The development hereby approved and all associated reserved matters applications shall be required to incorporate and comply with the design principles outlined in the "Turbine Business Park Design Framework" document, dated September 2007, in the interests of visual amenity and to achieve an acceptable layout for the estate and to comply with policies B2, T14 and EC3 of the UDP.
- 4 Prior to commencement of development on site in accordance with the Master Plan Document a framework scheme of habitat creation and management shall be submitted to and approved by the Local Planning Authority and prior to the commencement of work on each phase of development /work on each

building a supplementary statement relating to habitat creation and management to follow the principles of the framework document shall be submitted to and approved in writing by the LPA. The identified measures shall be implemented in accordance with the scheme agreed, in the interests of habitat creation and to comply with policies CN18, CN22 and CN23 of the UDP.

5 For the avoidance of doubt the gross floor space for the development hereby approved shall not exceed 54,349sq m of office/industrial units (use class B1, B2 and B8), 11,149sq m of hotel (class C1) and leisure (class D2) and 929sq m of ancillary retail (classes A1 – A5) , including any mezzanine floors, in order to achieve a satisfactory form of development and ensure the highway network is not unduly strained by the traffic generated by the site and to comply with policies B2 and T14 of the UDP.

6 For the avoidance of doubt the development of amenity buildings for the development shall not exceed 929 square metres gross in area in order to ensure the buildings are ancillary to the primary use of the site and to accord with policy EC4 and WA1 of the UDP.

7 No development work shall take place until a programme of archaeological work has been completed. This shall be carried out in accordance with a specification(s) provided by the County Archaeologist. The archaeological report(s) shall be submitted to and approved in writing by the Local Planning Authority before works commence, in order to ensure that any archaeological remains on the site can be preserved wherever possible and recorded and to comply with Policies B11 and B15 of the UDP.

8 Notwithstanding the submitted plans proposed ground level sections across the site and details of the finished slab levels of each property shall be submitted and approved in writing with the LPA. All works shall be carried out in accordance with the approved levels details in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.

9 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.

10 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.

11 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.

12 Prior to the commencement of works on each phase of the development,

the following details shall be submitted to and agreed in writing by the local planning authority before their use on site: samples and specifications of all external materials and finishes, comprising roof cladding, wall facing details, window glass, door and window frames, decorative features and hard surfaces to be used. All works shall be carried out in accordance with the approved details in the interests of visual amenity and to comply with policy B2 of the UDP.

13 Details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before that phase of the development or building is occupied. The agreed boundary treatment shall be completed before occupation of each building or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

14 No development shall take place until there has been submitted full details of trees and hedges to be removed from the site including timescale for their removal. No removal of hedgerows or felling of trees shall be carried out on the site between the 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority in the interests of nature conservation and to accord with policy CN18 of the UDP.

15 Prior to the commencement of each phase of development, a detailed Ecology statement including mitigation measures to protect great crested newts and water voles and their associated habitats on and around the site of this approval shall be submitted to and approved in writing by the local planning authority. Such measures should include follow up survey work be programmed for a 2-year period. The approved measures shall then be fully implemented in accordance with the LPA's written approval to a timetable to be 1st agreed in writing with the LPA, in the interests of nature conservation and to comply with policy CN18 of the UDP

16 Prior to the commencement of each phase of the development, a scheme of working shall be submitted to and approved by the Local Planning Authority; such scheme to include; the siting and organisation of the construction compound and site cabins, access to the site for construction traffic, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects including measures to stop mud spreading onto the highway. All works shall be carried out in accordance with the approved details 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.

17 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 unless otherwise varied and agreed in writing by the Local Planning Authority, in order to protect the amenities of the area and to comply with policy B2 of the UDP.

18 Prior to the commencement of each phase of the development a scheme detailing the on site drainage should be submitted to and approved in writing by the LPA. Such a scheme should discharge into public surface water sewers or soakaway systems, in order to comply with Policy E12 of the approved UDP.

19 Prior to being discharged into any watercourse, surface water sewer or

soakaway systems, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, before that part of the drainage is commenced. The scheme shall include a statement on the maintenance regime of the gullies and the system shall be maintained thereafter in accordance with the scheme of works unless varied and agreed in writing by the Local Planning Authority, in order to prevent pollution of the water environment and to comply with policy EN12 of the approved UDP.

20 Prior to the commencement of works on site, details of improvement works to the A19 / A1231 shall be submitted to and approved in writing by the LPA to ensure the safe and free flow of traffic using the A19 Trunk Road, in the interests of highway safety and to comply with Policy T14 of the UDP.

21 Prior to the first use or occupation of any part of the development, the required improvements to the A19 / A1231 junction shall be completed to the satisfaction of the LPA, to ensure the safe and free flow of traffic using the A19 Trunk Road, in the interests of highway safety and to comply with Policy T14 of the UDP.

22 Before the development is occupied for trading, a surfaced footway shall have been fully constructed on the west side of Spire Road between the eastbound off-slip road from the Sunderland Highway and the bus stop on the west bound on-slip road, in full accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, in the interests of pedestrian safety and to comply with policy T8 of the approved UDP..

23 Prior to the commencement of works on each building plans shall be submitted to and approved by the Local Planning Authority detailing space and facilities for bicycle parking and changing facilities in the buildings. These facilities shall then be provided prior to the occupation of each building, retained and permanently reserved for bicycle parking to ensure that adequate and satisfactory provision is made for bicycle parking and to comply with policy T14 of the UDP.

24 Prior to the commencement of each phase of the highway network plans shall be submitted to and approved in writing by the Local Planning Authority of a scheme of traffic calming. All works shall be completed in accordance with the approved details prior to the highway being brought into use, in the interests of highway safety and to comply with policy T14 of the UDP.

25 No building shall be occupied until the off street parking provision including disabled parking provision has been constructed, surfaced, sealed and made available in accordance with the plans to be approved. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policy T14 of the UDP.

26 Prior to the occupation of the first phase of the development, a method statement shall be submitted to and approved by the Local Planning Authority detailing measures to control and prevent on street parking within the development. The statement shall include timescales and monitoring and review mechanisms. Such monitoring and review requirements will cease one year post

completion of that phase of development and all works shall be carried out in accordance with the agreed method statement unless otherwise agreed in writing with the LPA in the interests of safe and free flow of traffic and to accord with policy T14 of the UDP.

27 Prior to the occupation of the first phase of the development, a study shall be carried out of on street parking levels in the area that lies within 500m of the development site. The details of the study including days and times of the survey shall be agreed in writing with the LPA in advance and the results shall be submitted to the LPA within 1 month of the survey being completed. The survey shall be repeated in accordance with the agreed format no later than 12 months after the initial survey and the results of these studies shall be submitted to the LPA within one month of their completion. If the LPA serves notice that it considers that the studies indicate that there is a significant on street parking problem associated with the development in any of the surveyed streets then a reasonable scheme designed to alleviate the problem caused directly by the development shall be submitted to the LPA for approval within 2 months. The scheme shall be agreed with the LPA and implemented in accordance with an agreed timescale in the interests of highway safety and residential amenity and to accord with policy T14 of the UDP.

28 Unless otherwise agreed in writing with the LPA, within six calendar months of the commencement of works on each area of public highway and footways full details shall be submitted to and agreed in writing by the LPA of lighting and street furniture in the interests of highway safety and visual amenity and to accord with T14 of the UDP.

29 Prior to the occupation of each phase of the development, a Site Green Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. Prior to any of the units being opened for trading the retail park management company or its successors in title shall implement the requirements of the agreed Site Green Travel Plan in order to ensure access to the site by alternative modes of travel and to accord with policies T1 and T2 of the UDP.

30 Before any unit hereby approved is opened for trading the occupant shall prepare and submit to the Local Planning Authority a Unit Green Travel Plan based on the format contained in the agreed Site Green Travel Plan. The Unit Green Travel Plan shall be agreed in writing by the Local Planning Authority and the requirements of the agreed Plan shall be implemented by the operator in order to ensure access to the site by alternative modes of travel and to accord with policies T1 and T2 of the UDP.

31 Before the development hereby approved is commenced a plan showing the provision of (a) new westbound bus stop at the top of the A1231 off-slip road and (b) installation of a new 150-metre footway to link from the eastbound bus stop through to Public Footpath 31/33 shall be submitted to and agreed in writing by the Local Planning Authority. The agreed works shall be implemented prior to any of the units being occupied in order to provide the most direct access to the site for bus users and in the interests of highway and in order to comply with Policies T14 and T22 of the UDP.

32 Prior to the completion of each phase of development a scheme of landscaping and treatment of hard surfaces shall be submitted to and approved in writing by the Local Planning Authority in the interests of visual

amenity and to comply with policy B2 of the UDP.

33 If within a period of 5 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, or becomes, in the reasonable opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and similar size as that originally planted shall be planted in a similar location, unless the Local Planning Authority gives its written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.

34 Unless otherwise agreed in writing with the LPA, details of energy efficiency / renewable energy measures should be submitted to LPA for consideration before each building is completed. Such details shall include a justification for the type of measures chosen, including estimations of energy saved / created by such measures, in the interests of sustainable development and in order to comply with policy R1 of the UDP.

35 Prior to the occupation of each phase of development a noise assessment shall be undertaken in line with Planning Policy Guidance (PPG) 24, Planning and Noise, in order to determine the Noise Exposure Category of the development. Following the assessment a report shall be submitted to and approved in writing by the LPA, detailing the results of the survey and any measures that are to be adopted to ensure that noise from the nearby sources do not cause nuisance or disturbance to the occupiers of the proposed development and in order to comply with Policy EN6 of the UDP.