

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

18th August 2009

SUPPLEMENTARY REPORT ON APPLICATIONS

REPORT BY DIRECTOR OF DEVELOPMENT AND REGENERATION SERVICES

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

S1 Dunlop Tyres Limited, Birtley Road

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SUPPLEMENT

Number:	S1
Application No.	09/02281/REM
Proposal:	Construction of a new manufacturing facility (35,250sqm) to include office and welfare block with ancillary loading bays and access road.
Location:	Dunlop Tyres Limited, Birtley Road

The proposal being considered is the first of a series of reserved matters planning applications for the redevelopment of the former Dunlop Tyres factory, which is located to the south of the A195 on the Wear Industrial Estate. This initial reserved matters application is for the erection of a new 35,250 sq metre (3.6 Hectare) manufacturing facility, on the 6.6 Hectare eastern end of the site.

As detailed on the main report, the main issues to consider are:

- The inter - relationship between the new facility and nearby residential properties.
- Revisions to the Transport Assessment (TA) and Travel Plan (TP).
- Revisions to the Car Park.
- Accessibility to the proposed pedestrian routes.
- The incorporation of sustainability / environmental measures.

The inter - relationship between the new facility and nearby residential properties.

The applicant has now submitted a sectional drawing through the site, depicting the changes of levels between the site and the residential properties located to the south some 45 metres away from the site boundary. This drawing demonstrates that there is a gradual change in levels of 3.5 metres overall between the dwellings in Laburnum Avenue and the proposed building. It is also demonstrated that this gradual rise in levels away from the dwellings combined with landscaping to the boundary of the site in this location will effectively screen the building from view. It is envisaged that only glimpses of the building will be able to be seen through the tree belt. Also, due to the building being set back from the boundary by approximately 33 metres it is apparent that the building should not to be visible above the tree canopy. From a visual

amenity perspective therefore, the proposal is considered to be acceptable and will not significantly adversely affect the visual amenities of nearby residents. As such, the siting of the building is considered to be in accordance with Policy B2 of the UDP.

Revisions to the TA and TP.

The Councils Transportation Section have advised that they are now satisfied with the Supplementary TA and are confident that the TP that is being prepared with input from the Councils Travel Plan Officer will result in a form of development that will minimise the amount of vehicular movements to and from the site by staff.

Revisions to the Car Park.

A revised site layout plan has now been submitted by the applicant, which shows landscaping introduced to soften up its appearance. The layout also clarifies further matters over the car park layout, such as the proposed "overspill" parking area to the south. It is envisaged that this area will not be in constant use and as such helps to demonstrate that the proposal will not be a generator of an excessive amount of car parking. As such, the car parking layout is considered to be acceptable and in accordance with policies B2 and T14 of the UDP.

Accessibility to the proposed pedestrian routes.

The applicant has indicated that advice is being sought from Sustrans with regards to the routes that are proposed, in order to ensure that these are constructed to an acceptable standard. As development proceeds signage will be provided at these entrances indicating the general layout of the buildings and the safest routes to give access around and through the business park. The applicant is also to enter into negotiations with adjoining landowners and if an agreement can be reached additional signage at locations deemed to be appropriate to indicate pedestrian and cycle accesses into the site will be provided.

As with all the general access routes through the site, all paths will be incorporated into the overall landscaping scheme. Lighting of all areas will comply with recognised standards and it is anticipated that many of the buildings on site will utilise security cameras. Whilst the scheme does not offer a direct link to Sedling Road from the east, it is considered that the introduction of the route from the south together with the improved route from the north will provide sufficient opportunity for users to access the site by a variety of means and as such, the proposal accords with Policy T14 of the UDP.

The incorporation of sustainability / environmental measures.

As discussed on the main Agenda Report, the developer has demonstrated a commitment to sustainability and energy conservation issues and that whilst it is not possible to achieve a 10% renewables target for this part of the site, the proposed measures do meet some of the requirements of condition no 35 of the outline consent granted for the site.

To build upon the measures already offered by the applicant as outlined in the main agenda

report, the applicant has been asked to give further consideration to the use of Sustainable Urban Drainage Systems (SUDS) on site and have advised as follows:-

- Soakaways have had to be discounted due to the underlying nature of the ground which is predominately heavy clays of low permeability.
- Swales and ponds have also been examined and due to site constraints and operations have deemed to be unacceptable due to the land take requirements.
- The site is predominately covered by the proposed building footprint and rainwater harvesting and reuse of the roof water has been included within the scheme.
- Due to the usage and loadings of the external service road and delivery route, the use of permeable pavings do not provide a satisfactory and sustainable long term solution.
- Permeable paving solutions have also been discounted in the parking areas in favour of making full use of the crushed brick and concrete from the demolition of the previous buildings on site. This reuse reduces the number of vehicle movements in removing the demolition material and also in importing clean material to site and is deemed to be more sustainable than using clean quarried stone which would be suitable for permeable paving.
- Surface water discharge from site is to be greatly reduced in accordance with the requirements of Northumbrian Water with attenuation provided within the drainage system itself to ensure a reduction in run off rate in excess of 50%.

Whilst it is recommended that the development should strive to be as environmentally friendly as possible in order to accord in general with regional policy, it is considered that due to the exceptional nature of the processes involved at the facility and the ground conditions of the site that, on balance, the applicant has indeed explored such options, and simply cannot achieve these requirements. A pragmatic view has to be taken in such instances and it must be noted that measures have been incorporated wherever possible to introduce sustainable measures, such as achieving a 'Very Good' BREEAM rating in the building's design elements and by using rainwater harvesting. It should also be remembered that the building is for an industrial use in an area allocated for employment / industrial uses and that it is inevitable that on some occasions, industrial based proposals will not be able to meet all of the environmental criteria that is set out by policy. This is not to say that such uses are unacceptable, as they can be controlled by specific Environmental Health / Environment Agency legislation. As such, on balance it is considered that the applicant has taken a responsible approach to incorporating sustainable measures into the proposal and has taken as big a step as possible in achieving the aims and objectives of UDP Policy R1 and RSS Policies 3 and 38.

Other Matters.

In addition to the above matters, the applicant has provided the following additional information following queries raised during the consultation process.

- Noise Attenuation

A number of noise attenuation measures have been introduced to the building at the recommendation of an acoustician. In particular, the measures introduced to the forge area to the southern end of the building include the following:-

- The external walls have been upgraded to have a full height double skin of cavity blockwork walling behind the external skin of the profiled cladding.
- Fire escape doors, where possible, have been located so that there are not any doors directly from the forge to the South elevation. All external doors are to be insulated and the dock leveller (outwith the forge) has had an additional roller shutter introduced directly behind the outer door to upgrade its acoustic performance.
- The roofing material has been upgraded from standard profiled sheeting to an acoustic standing seam roof with increased insulation.
- Rooflights have been removed in favour of smaller glazed windows (on the North facing elevation), which have been introduced to maintain some natural light within the forge and adjacent high-bay areas.

It should be noted that a number of the above measures proposed are technical matters that will be able to be controlled under Building Regulations. Notwithstanding this, a condition that is to be carried over from the outline permission requires that a noise assessment to be submitted to and agreed in writing by the LPA, thus ensuring that noise levels fall within acceptable standards.

- Storage

Paint and chemicals (which are required within the metal working process) are to be stored on site. All chemicals used in the process will be housed separately from the main facility within a secure materials store which will feature the appropriate containment, fire prevention / suppression and drainage interceptor requirements.

- Processes

The applicant has advised that no explosives are to be housed within the site and that any processes involving packing the product made with explosives is not carried out on site, but done in another facility within Britain.

Conclusion

Having now had the opportunity to fully consider the additional information that has been submitted by the applicant, it is considered that the proposal is acceptable and in general accordance with the principals and requirements set out at the outline application stage.

Whilst some concerns have been raised during the consultation process, the LPA is satisfied that these have been fully explored by the applicant and that the resultant proposal is an acceptable form of development for this site which is has been allocated for industrial purposes.

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

Recommendation: APPROVE

Subject to compliance with the following conditions:

1. No works on any phase of the development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policies B2 and T14 of the UDP.
2. Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
3. The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP
4. Notwithstanding the submitted plans, detailed scale drawings of the proposed entrance gatehouse and ancillary buildings to the rear shall be submitted to and approved in writing with the LPA. The gatehouse shall then be constructed in completed accordance with the approved details in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.
5. Notwithstanding the submitted plans, detailed scale drawings of the positioning of all external plant / machinery / flues and extraction equipment shall be submitted to and agreed and agreed in writing with the LPA, prior to the occupation of the building and maintained as such thereafter, in order to protect the amenities of the area and to comply with Policy B2 of the UDP.
6. Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure for each phase of the development shall be submitted to and approved by the Local Planning Authority before the works on that

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

7. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, details for their protection during the course of development, and details of the enhancements to the landscaping on the periphery of the site in the interests of visual amenity and to comply with policies B2 and CN17 of the UDP.
9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policies B2 and CN17 of the UDP.
10. The development shall not commence until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The details shall incorporate sustainable urban drainage systems/measures, unless otherwise agreed in writing by the Local Planning Authority and the development shall not be occupied until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site, which will not result in any additional flood risk on the site or in the local vicinity and to comply with policy EN12 of the UDP.
11. 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 submitted to and approved in writing by the Local Planning Authority, before the development is commenced, in order to prevent pollution of the water environment and to comply with policy EN12 of the approved UDP.
12. Prior to the occupation of the building, the final report of the results of the archaeological fieldwork undertaken in pursuance of condition no 17 of 08/1038791/0UT shall be submitted to and approved in writing by the Local Planning Authority. A summary of the work shall also be published in a suitable archaeological journal, as the site is located within an area identified as being of potential archaeological interest (Fatfield Waggonway). The investigation is required to ensure that any archaeological remains on the site can be preserved by record, in accordance with Policy B13 of the UDP.

13. No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundwork and construction work to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at all relevant times during the undertaking of groundworks, as the site is located within an area identified as being of potential archaeological interest (Milbank and Thorold coal pits). The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and , if necessary, emergency salvage undertaken in accordance with Policy B13 of the UDP.
14. Prior to the occupation of the building, a report compiling the results of the archaeological observations of the groundworks shall be submitted to and approved in writing by the Local Planning Authority, as the site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with Policy B13 of the UDP.
15. Before the development hereby approved is commenced the details of the layout of the junction on Birtley Road at the access to the site and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully implemented in accordance with the agreed timetable in the interests of highway safety and to comply with policy T14 of the approved UDP.
16. Before the development hereby approved is commenced the details of the car parking for each phase/unit and the site as a whole shall be submitted to and agreed in writing by the Local Planning authority. The agreed scheme for each phase/unit which shall accord with the requirements of the Council's Supplementary Planning Guidance, unless otherwise agreed in writing by the Local Planning Authority, shall be fully surfaced and laid out before the relevant unit is brought in to use in order to ensure a satisfactory level of car parking provision in the interests of highway safety and to comply with policies T14 and T22 of the adopted UDP.
17. Before the development hereby approved is commenced a car parking management scheme for the site as a whole shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented in the interests of highway safety and to comply with policies T14 and T22 of the adopted UDP.
18. Before the development hereby approved is commenced the details of the internal road layout and servicing arrangements shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall then be fully implemented and no unit occupied until the road giving access to it and its servicing area are laid out and surfaced to at least base course level in order to ensure satisfactory access and servicing is available and to comply with policy T14 of the approved UDP.
19. Before the development hereby approved is commenced an updated Travel Plan, which shall include stronger, clearly defined individual targets and penalties to meet the target modal shift of 16% from car borne journeys, shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures and monitoring strategy as set out in the revised Radial 64 Travel Plan shall be fully implemented in order to ensure that the Travel Plan targets are being met and the use of modes of transport other than the

private car are being promoted and to comply with policy T14 of the adopted UDP.

20. 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
21. Before works on any phase of the development hereby approved is commenced, the details of the space and facilities for bicycle and motor cycle parking within that phase shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be laid out in accordance with the approved details before any part of the building is occupied, in order to ensure that adequate provision is made for cycle and motor cycle parking and to comply with policies T14 and T22 of the UDP
22. 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.
23. 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.
24. 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.
25. Before works on each phase of the development, hereby permitted, is commenced a plan showing the provision of adequate facilities for the storage of refuse within that phase shall be submitted to and approved by the Local Planning Authority, and shall be so installed and maintained thereafter in order to ensure a satisfactory form of development and to comply with policy EN1 of the UDP.
26. Before the development hereby approved is commenced a noise assessment report, which shall include the specification of any necessary mitigation measures, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be implemented before the occupation of the relevant building(s) in order to ensure no undue noise nuisance is created and to comply with policy EN5 of the adopted UDP.
27. No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with

the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.

28. Before the development commences a method statement shall be submitted to the Local Planning Authority detailing the method of construction for any works to be undertaken within the crown spread of any trees on the site. Such details to include methods of excavation. All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP.
29. The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the plans and particulars to be submitted to and approved by the Local Planning Authority, before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
30. If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.