

## ADDENDUM 05.01.17

### Item No: 5.2

<b>Application No:</b>	<b>16/01595/FUL</b>	Author	Julie Lawson
Date valid:	29 November 2016	:	
Target decision date:	28 February 2017	☎:	0191 643 6337
		Ward:	Wallsend

Application type: full planning application

**Location: O G N Offices Hadrian Yard A B and C Hadrian Way Wallsend Tyne And Wear NE28 6HL**

**Proposal: Erection of 2no gantry cranes and 1no ringer crane**

Applicant: Off Shore Group Newcastle Limited, FAO Mr Graham Kennedy  
Hadrian Way Wallsend NE28 6HL

Agent: Lambert Smith Hampton, FAO Mr Mark Brooker 41-51 Grey Street  
Newcastle upon Tyne NE1 8AU

**RECOMMENDATION:** Minded to grant on expiry consultation

### **1.0 Additional representations**

**5 further objections have been received to the proposal.** The grounds of objection are summarised as follows:

- Adverse effect on wildlife
- Affect Site of Spec. Scientific Interest
- Impact on landscape
- Loss of privacy
- Loss of visual amenity
- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - fumes
- Nuisance - noise
- Poor/unsuitable vehicular access
- Traffic congestion
- Will result in visual intrusion
- Inappropriate design
- Out of keeping with surroundings
- Poor traffic/pedestrian safety
- There was no public consultation with local residents
- Work has commenced on site
- To get a perspective on the size of the development, the building storing the gantry cranes will be of the same height, 53 meters, as the Tyne Bridge and will tower over local residents blocking day light in the winter hours when it is most important.

- Whilst the ringer crane will be an open construction at 130 meters in height it will be the same height as London's millennium wheel.
- Southern Green's landscape appraisal notes suggest that locals have been consulted, but we haven't been consulted.
- The photo-montage images don't show the true impact that the development will have on any views from any home surrounding the site, the development will be visually overpowering for some local residents.
- The Day light analysis and the amount of winter sun that will be removed from local residents is unacceptable.
- I would call for a review into the junction of Amec way and Hadrian Road the proposal suggests 650 jobs to be created, that is 1300 car journeys added to an already very busy road.
- The current traffic lights situated at Amec Way are used by local school children and as they take a long time to change (tempting children to cross before they change) and stay on red for a very short period, I would call for some improvement in them.
- Concern regarding view from resident's home at Coquet Gardens
- Noise 24 hrs per day will be horrendous. We are aware that in the past OGN confirmed there would be a reduced noise level after a certain time at night but I can confirm this never materialised.
- The vehicular access to site around 7am and 5pm will horrendous again.
- OGN are already storing the crane materials on site which seems to show they are confident in obtaining planning permission. Due to the current nature of the oil, gas and wind turbine industry it seems that this will be another blot on the landscape that will be used infrequently and then left to rust.
- With regards to noise when OGN applied for planning permission to build the factory unit it was commented on that would the management want this in their back yard. Their reply was that it was not their issue as they don't live around here. This application would not be of any benefit to the area/local economy.
- I appreciate that the works at the OGN yard are proposed to create many hundreds of new jobs but this must be viewed in conjunction with the impact this potential development will have on the immediate neighbouring properties/residents.
- The OGN site is accessed via Hadrian Road which is already a 40mph road that is hugely congested. Children from Hadrian Mews estate and neighbouring areas are required to cross Hadrian Road to gain access to the nearby schools of St Peters C of E Primary School and Burnside College. The only crossing on this road is a pelican crossing which is very unreliable and has been out of order many times over the past few months. A school crossing patrol is not provided on this fast busy road; potentially adding a further 650 cars accessing and departing from this site on daily basis leaves me very concerned for my own child and others safety whilst gaining access to school.
- I believe that the new development will potentially operate up to 24 hours a day. The type of heavy machinery being used on site will inevitably generate significant noise. My property and bedroom face directly onto the proposed development site. Consideration must be given to the levels of noise and

vibration generated on site and the potential impact on the neighbouring householders and their quality of life.

- As my bedroom windows face the site privacy will also be an issue for me and loss of river views.
- I am concerned about the impact the proposed building has in respect of day light /sun light in my property and garden.
- I have been informed of a potential drop in my property value in the region of 10-15%.
- There is currently a noise abatement order in force at OGN yard which was sought by neighbouring properties due to OGN's lack of consideration for their neighbours. This situation does not bode well when considering a potential licence for 24 hour operation on the site.
- I am concerned that 24 hour working will presumably continue both during construction and thereafter. I appreciate the 'big picture' employment led benefits of the proposal but feel 24 hour working is unreasonable given the close proximity of Hadrian Mews and in particular the 15 homes that form the southern perimeter of the estate. As such, I feel it is entirely reasonable for the Council to partly mitigate as best they can by insisting on the following as planning conditions:

- Triple replacement glazing to the rear elevation of the above mentioned homes to be installed, for those that wish to take this up.
- Operating hours to be restricted to say 8am - 11pm Mon-Fri

- The existing Noise Abatement Notice against OGN provides very little, if any protection. The acoustic fence referred to provides no protection at first floor level when trying to sleep at night.
- I note the OGN signage at Amec Way has recently been replaced with Smulders signage. I therefore wonder whether the above Notice will apply to Smulders if they are or will be the operating company in future?
- My partner suffers from a medical breathing condition called Bronchiectasis and I am therefore extremely concerned as the already poor air quality will be made worse as a result of the proposed works - both during construction and thereafter.
- Turning to Lambert Smith Hampton's Supporting Statement dated 29 September 2016: (*For clarity officers have included the relevant part of the applicant's supporting statement in italics.*)

- Para 3.20 –  
*“Bellway Homes Limited constructed acoustic fencing along the boundary with Hadrian Yard but this has since been altered by residents.”*

- To be clear, the fence has been altered by only one of the residents as far as I am aware. This does not relate to my home.

- Para 3.22 –

*“Most recently a noise abatement notice has been served in respect of the activities at Yard C and OGN are taking steps to ensure that this is appropriately resolved.”*

- The Noise Abatement Notice was served during 2012. I am unaware of any subsequent Notice.

- Para 5.21

*“A Noise Survey has therefore been submitted to accompany this application which covers these issues and the potential impact of the proposed development in detail.”*

- The Noise Survey referred to is dated 2012 and therefore cannot encompass the existing or proposed development.

- Para 6.11

*“The noise levels are principally achieved by containing operations inside the new proposed building which will contain any break out noise. This does require a building of a substantial scale but the alternative is a series of buildings with movements between each and perhaps an element of external working which would not present a comprehensive design solution and which would likely give rise to concerns from local residents.”*

- noted and I appreciate the view. However I do feel that it is only the above mentioned triple glazing and restricted hours of working that will provide a substantive way of partly mitigating the noise impacts arising from the proposal.

- Para 6.26

*“Properties at Railway Terrace and Hadrian Mews are located adjacent to the application site boundary, although somewhat removed from the application proposals given their location within the site and the change in site levels.”*

- I disagree strongly with this. Our home has not felt "...somewhat removed..." given that we have experienced 24/7 noise since 2009 and from 2011-2015.

Para 6.27

*“For the reasons set out above the proposals will not have any adverse impact on nearby residential properties for reasons of noise or land quality..”*

The contention that the proposal will not "...have any adverse impact on nearby residential properties for reasons of noise..." is glib and incorrect. In this respect, OGN's planning consultant is welcome anytime to stay

overnight at our home to attempt sleep when overnight/24-7 working is occurring.

- The cranes are so tall that they will block television signals for some and effect the signal strength for the rest of people living on Hadrian Mews Estate.
- I query that there would be enough work for to have these facilities built and be there for 30 years+, the yard has been moth balled for close to 2 years and has even been put up for sale.
- With this estate being here now before these plans came about, the people of this estate have to be considered in all planning applications that affect us.

## **2.0 Additional consultee comments**

### **3.0 Environmental Health**

The site is located in close proximity to residential properties at Derwent Way, Alwin Close and Coquet Gardens, with rear gardens of the properties overlooking into the yard. I would be concerned about noise arising from the use of the gantry cranes and the ringer crane.

Historically, complaints have been received regarding operational noise from the yard. A statutory notice was served in 2012 due to noise issues from the existing work activities occurring at night from the OGN yard predominantly from yard B which faces the residential development known as Hadrian Mews. This arose due to the large proportion of the work being carried out in an open yard and the noise arising from alarms on vehicles and contact noise from night time movement of metal against concrete. The notice imposes a night time noise limit for activities at the yard to ensure activities, when measured over a 5 minute LAeq, do not exceed the background by more than 5 dB (A) or 45 dB(A), whichever is the greater, and to ensure no activities at night exceed the maximum noise level of 60 dB(A) when measured at the residential properties about Coquet Gardens. This notice still applies.

I have viewed the noise report which is dated May 2012. The noise report has assessed the potential noise impacts from the proposed site operations arising from a new fabrication facility, rather than specifically assessing the crane activities in isolation. The report has been carried out in accordance to the former 1997 version of BS4142, which was superseded in October 2014. However, it is noted within the report that the assessment of the crane activities is for daytime operations only and specifies that the cranes will not operate at night. A condition would be required to restrict their operation to daytime hours only.

The revised version of BS4142 permits a characteristic correction to be applied of up to +18 dB to address tonal, impulsivity and intermittency of noises. The noise report suggests that the crane movements are neither tonal nor impulsive in nature. However, I would expect their use to be intermittent and therefore a correction for this should be considered. I am also unsure if the background noise levels for both daytime and night time used within the report are representative, as the industrial activities in this area may have

changed since the background noise monitoring was carried out. I would therefore recommend that a full assessment of the crane noise is provided via condition.

If planning consent is to be given I would recommend the following conditions.

The 2no gantry cranes and 1no ringer crane are to be operated only between 07:00 - 23:00 hours Monday to Sunday.

Prior to the operation of the 2no gantry cranes and 1no ringer crane a noise scheme must be submitted to assess the impact of crane movement and overloading and uploading of goods in writing to the Local Planning Authority. The noise assessment shall include for a re-assessment of the existing daytime background noise levels, without the cranes operating, at the boundary of the nearest sensitive residential premises about Railway Terrace and Coquet Gardens and Alwin Close and should be carried out at different periods of the day early morning , daytime and late evening. The noise assessment shall be carried out in accordance with BS4142, and appropriate mitigation measures taken where necessary to ensure the rating level of the cranes does not exceed the background noise.

#### **4.0 Heritage England**

Our specialist staff have considered the information received and we do not wish to offer any comments.

Recommendation: The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

#### **5.0 County Archaeologist**

I have read the submitted archaeological desk based assessment.

The assessment concludes that the site may have been used for agricultural purposes from the medieval period onwards.

Evidence for 19<sup>th</sup> century waggonways (shown on Bell's plan of 1847) and industrial structures (including lime kilns shown on the OS map of 1861) may survive.

Fabrication Shop B was built as the North Eastern Marine Engineering Works in the late 19<sup>th</sup> century. OGN House was built in 1883 and was renovated in 1992.

Back in 2012 (12/00806/FUL) I recommended archaeological building recording and trial trenching. I produced a specification for the trenching in November 2012 (see attached). One of my trenches is in the area of the proposed gantry crane rails.

Will the historic retaining walls (R1, R2 and R11 in the Retaining Structures Review by Ove Arup) be affected by the proposed work? If yes, they should be archaeologically recorded beforehand. R1 and R2 are masonry walls associated with the former railway cutting. R11 is a brick retaining wall built as an abutment for a bridge on the railway line.

Any 19<sup>th</sup> century buildings which are proposed for demolition will also need to be recorded.

Archaeological trench 5 on my trench plan (attached) will need to be excavated before the gantry crane rails can be laid. I recommend that the trenches required in advance of the proposed new building are excavated at the same time. This will save time and money.

#### Archaeological Excavation and Recording Condition

No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. Reason: 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 paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

#### Archaeological Post Excavation Report Condition

The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition ( ) has been submitted to and approved in writing by the Local Planning Authority.

Reason: 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 paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6

#### Archaeological Publication Report Condition

The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason: The site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6.

## **6.0 Additional comment from Highways Network Manager**

The applicant has submitted further information to address the potential for pollution entering the river and as such the relevant condition is no longer required.

## **7.0 Additional Conditions:**

5. The 2no gantry cranes and 1no ringer crane are to be operated only between 07:00 - 23:00 hours Monday to Sunday.

Reason: To protect the occupants of nearby residential properties from noise disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

6. Prior to the operation of the 2no gantry cranes and 1no ringer crane a noise scheme must be submitted to assess the impact of crane movement and overloading and unloading of goods in writing to the Local Planning Authority. The noise assessment shall include for a re-assessment of the existing daytime background noise levels, without the cranes operating, at the boundary of the nearest sensitive residential premises about Railway Terrace and Coquet Gardens and Alwin Close and should be carried out at different periods of the day early morning, daytime and late evening. The noise assessment shall be carried out in accordance with BS4142, and appropriate mitigation measures taken where necessary to ensure the rating level of the cranes does not exceed the background noise.

Reason: To protect the occupants of nearby residential properties from noise disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

7. No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason: 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 paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6.

8. Within 1 month of the installation of either crane the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 7 shall be submitted to and approved in writing by the Local Planning Authority.

Reason: 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 paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6.



9. Within 1 month of the installation of either crane a report detailing the results of the archaeological fieldwork undertaken shall be produced in a form suitable for publication in a suitable and agreed journal and shall be submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason: The site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 141 of the NPPF, Local Plan S9.11, Policy DM9.12 and DM9.13 and saved UDP policy E19/6.