

**Item No:** 5.2  
**Application No:** 16/01595/FUL Author: Julie Lawson  
Date valid: 29 November 2016 ☎: 0191 643 6337  
Target decision date: 28 February 2017 Ward: Wallsend

Application type: full planning application

**Location: O G N Offices, Hadrian Yard A B And C, Hadrian Way, Wallsend, Tyne And Wear**

**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

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

#### 1. The Main Issues

1.1 The main issue for members to consider is the impact of the proposal upon the amenity of occupiers of the area and on the character and appearance of the site and the surrounding area.

#### 2. Description of the Site

2.1 The application site is an existing industrial site measuring over 18 hectares. The site is operated by the OGN group and specialises in offshore construction.

2.2 The wider site is bound to the south by the River Tyne, to the east by Willington Gut and Boat Club, to the north by the Point Pleasant Industrial Estate, Hadrian Mews residential development and other light industrial and commercial developments. The site is bound to the west by the Oceania Business Park/Industrial Estate and residential properties on Railway Terrace.

### 3. Description of the proposed development

3.1 The proposal is for the erection of a ringer crane and two gantry cranes to move jacket foundations for wind turbines both during construction and after completion.

3.2 The gantry crane will be positioned to the western part of the site. It would have a height of 44.6m and a span of 46m with a length of 397m.

3.3 The ringer crane will be positioned to the southern part of the site adjacent to the River Tyne. It will be 130m high. The diameter of its base would be 44m.

3.4 The applicant has advised that an application for a new fabrication unit will be submitted in 2017 which will accommodate fabrication facilities to allow for the assembly process, with only the upending of jackets and loading taking place outside. Each jacket can be up to 80 meters in height. This building would house the gantry crane.

### 4. Relevant Planning History

12/00806/FUL: Demolition of existing buildings and erection of building (120 x 300 x 56m) to accommodate the fabrication of offshore jacket foundations for wind turbines: permitted 20.09.12

### 5. Development Plan

5.1 North Tyneside Unitary Development Plan (adopted March 2002).

5.2 Direction from Secretary of State under paragraph 1(3) of Schedule 8 of Town and Country planning and Compulsory Purchase Act 2004 in respect of policies in the North Tyneside UDP.

### 6. Government Policy

6.1 National Planning Policy Framework (March 2012).

6.2 National Planning Policy Guidance (March 2014)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in the determination of this application. It requires local planning authorities to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the National Planning Policy Framework.

## **PLANNING OFFICERS REPORT**

### 7. Main Issues

7.1 The main issue for members to consider in this case is the impact the cranes would have on the amenity of residents and other occupiers in the area and on the character and appearance of the site and the surrounding area.

7.2 Consultation responses and representations received as a result of the publicity given to this application are set out in the appendix to this report.

### 8.0 Principle of the Development

8.1 The NPPF sets out the core planning principles which should underpin decisions and that planning should amongst other matters proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

8.2 The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. This proposal encourages growth, investment and employment and therefore accords with the NPPF.

8.3 UDP Policy LE1/4 seeks to retain land allocated for class B1 (business) B2 (general industrial) and B8 (storage and distribution) development in such uses.

8.4 UDP Policy LE1/7 in considering proposals for class B1 (business) B2 (general industrial) and B8 (storage and distribution) development the Local Planning Authority will seek to ensure that development is in particular acceptable in terms of: (i) its impact on the environment, existing land uses and local amenity. (ii) the local planning authority's requirements for design, landscaping, access, circulation and parking standards, storage of materials, fencing, signing, servicing and security. The Policy goes on to say that where new development is proposed, it meets high standards of design, building materials, layout and landscaping, and is appropriate to its location in terms of form and scale.

8.5 The development is proposed on an existing industrial site and relates to industrial activity. The 2015 Employment Land Review (ELR) notes that this land is in existing industrial use and states that this land is important to retain for employment purposes.

8.6 The Local Plan pre-submission draft 2015 states that one of the objectives is that the North Bank of the River Tyne will be regenerated with marine related industries and training on Wallsend riverside bringing underused areas back into beneficial use and, together with improved links with adjoining communities, support the revitalisation of Wallsend Town Centre and Willington Quay.

8.7 The River Tyne North Bank Strategic Development Framework (2009) provides an important basis for the regeneration and investment in this area. Policy S2.1 of the Local Plan pre-submission draft 2015 seeks to promote proposals for all forms of employment development and particularly develop marine and renewable sectors of manufacturing in the River Tyne North Bank Area. Policy AS 2.5 of the Local Plan pre-submission draft 2015 states that proposals for all forms of employment development will be supported to enable economic growth, investment and regeneration of the area where they do not restrict riverside access that could compromise the capacity of the River Tyne North Bank to support marine and off-shore related industry.

8.8 The principle of the development is in accordance with Policy LE1/4 and LE1/7.

#### 9.0 Visual Impact

9.1 UDP Policy E3 states that the Local Planning Authority will seek to minimise the impact of pollution on the environment, including existing land uses, and on proposed development and will support and encourage measures, including monitoring of pollution, to reduce existing pollution to the lowest practicable levels.

9.2 Objections have been received from residents of Derwent Way and South Terrace. The resident of South Terrace has raised concern that none of the documents submitted include potential effects on South Terrace, North Terrace, Roland Road or Northumberland Villas. The objector states that the visual amenity of residents will be affected, particularly loss of horizon and will be subject to sounds and noise from the development. The ringer crane would be located over 250 metres from the residential properties to the north. The gantry crane would be located over 100m from the residential properties on Railway Terrace.

9.3 The applicants have submitted a landscape and visual appraisal and photomontages to show the potential visual impact of the cranes with a study area of 3.5 km from the centre of the site. The survey also considered the building that is not the subject of this application. The survey considered 5 viewpoints, including views from Jarrow, Segedunum, Davy Bank, Coquet Gardens and Willington Gut. The survey refers to the building but also considers

that the cranes will be visible but will be viewed in the context of other cranes in the skyline.

9.4 The cranes will be visible from a wide range of locations. However, they will be seen in the context of an established industrial estate. It is acknowledged that the cranes, in particular the ringer crane with its height of 134m, will be highly visible from the nearby residential properties and surrounding view points. There is little option to mitigate against the visual impact. It is officer advice that whilst these will be visible their impact will not be so adverse as to warrant refusal of the application when considering the economic benefits of the proposal. The Regeneration team supports the proposal.

9.5 It is appropriate to consider the visual impact on the identified heritage assets in the area around the site and in particular the Roman fort at Segedunum. The crane will appear significantly above the skyline compared to other industrial buildings and structures.

9.6 The site is over 600m to the east of the Hadrian's Wall military zone. In considering the application for a 56m high building in 2012, Historic England advised that they had no objections in terms of impact on views for that building. The proposed ringer crane is significantly higher than that building and Historic England has been consulted. Their comments will be reported to planning committee.

9.7 Members need to consider whether the proposal would have a detrimental visual impact. It is officer advice that on balance the impact of the development would be acceptable subject to no objections from Historic England.

#### 10.0 Impact on Residential Amenity

10.1 The NPPF states that the planning system should contribute to the environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.

10.2 UDP Policy H13 states that for applications for non residential development within or adjacent to residential areas or for changes of use from residential to other uses, or for the intensification of an existing residential use will be approved only where the Local Planning Authority consider that they would not adversely affect residential amenity. Uses that generate excessive noise, smell, fumes, traffic, or on street parking problems will not be allowed. Applications for the expansion or intensification of existing non residential uses within residential areas will be judged against the same criteria.

10.3 A noise assessment has been submitted with the application and this indicates that the closest sensitive noise receptors were the residential properties located on Railway Terrace, Alwin Close, Derwent Way and Coquet Gardens. Average day time and night time noise levels were calculated. Background noise levels were measured between 40dB LA90,1hr at Alwin Close and 50dB at No.1 Railway Terrace. The applicant has advised that the proposed crane generates a maximum noise level of 92 (dB) but due to the distance to the nearest residential property this reduces to 42(dB). The applicant has also advised that it is unlikely that the crane will operate at night, but that it is possible that occasionally it will be required to do so.

10.4 A statutory noise abatement notice was served in September 2011 on OGN at this site 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 at Hadrian Mews. This situation 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 the night time movement of metal against concrete. The notice stipulates no exceedance of the equivalent noise level measured at the facade of residential premises of Derwent Way and Coquet Gardens by 5 dB above background or 45 dB whichever is the greater.

10.5 There are currently no hours of use restrictions related to the operation of the site. The established uses associated with and permitted on the site relate to heavy industrial development. Any impact on amenity should also be balanced against the benefits of the installation of the cranes and its role in facilitating economic development. The views of Environmental Health have been sought and they will be reported to the planning committee.

10.6 With regards to potential impact of shadowing from the cranes, the applicant has stated that the ringer crane will not have any prolonged impact in terms of shadowing due to the lattice nature of its construction and boom. The gantry crane will be a moving structure of minimal massing.

10.7 Members need to consider whether the proposal would have a detrimental impact on the nearby residential and business occupiers. It is officer advice that the impact of the development upon residential amenity would be acceptable subject to no objections being received from Environmental Health.

#### 11.0 Impact upon Archaeology

11.1 The NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by the proposal taking account of the available evidence and expertise.

11.2 UDP Policy E19 seeks to protect the sites and settings of sites of archaeological importance.

11.3 UDP Policy E19/1 states that development which would adversely affect archaeological remains of national importance, including scheduled ancient monuments, or their setting will not be permitted and UDP Policy E19/2 considers the impact of development which may adversely affect the archaeology or setting of the Hadrian's Wall military zone.

11.4 The County Archaeologist has been consulted. Her comments will be reported to planning committee.

## 12.0 Highways

12.1 The NPPF also states that development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe. The Highways Network manager has no objections.

## 13.0 Flood risk

13.1 In relation to flood risk the NPPF states that Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk.

13.2 The site being located at the quayside edge is within Flood Risk Zone 3. The Local Lead Flood Officer has raised no objections subject to a condition requiring details of pollution prevention measures with regards to the ringer crane and the River Tyne.

## 14.0 Impact on Biodiversity

14.1 The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity. When determining planning applications the NPPF states that local planning authorities should refuse planning permission if significant harm resulting from development cannot be avoided, adequately mitigated or compensated for.

14.2 UDP policy E12/6 states that development which would adversely affect the contribution to biodiversity of a wildlife corridor will not be permitted unless no other site is reasonably available; or appropriate measures of mitigation or compensation for are provided.

14.3 The application site is partly within an identified wildlife corridor which runs along the banks of the River. Although the development is partly located within a wildlife corridor, it would be sited on an existing concrete quay and would not involve any increase in hard surface or loss of habitat. It is officer advice that



there would be no material impact upon biodiversity as a result and it is considered acceptable.

#### 15.0 Impact on aviation

15.1 Newcastle Airport have requested further information relating to the height of the ringer crane above ground level in order for them to ensure it does not impact on aviation safety. The agent has submitted further information in this regard and this is being considered by Newcastle Airport. An update will be reported to the committee. NATS (National Air Traffic Safety) have advised no objections.

#### 16.0 Financial Considerations

16.1 The proposal is associated with the provision of jobs at the site.

#### 17.0 Conclusion

17.1 It is officer advice that, subject to the outstanding comments of consultees, the proposed development is acceptable in terms of its impact on nearby residents and businesses, on visual amenity and in respect of highway safety.

17.2 The development is considered to comply with relevant National and UDP policy and is therefore recommended for approval subject to expiry of the consultation period and the removal of the objection from Newcastle Airport.

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

**It is recommended that members indicate they are minded to approve the application subject to the consultation period expiring, the removal of the objection from Newcastle Airport and the conditions set out below and the addition or omission of any other considered necessary, subject to the receipt of any additional comments received following expiry of the consultation period and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.**

#### **Conditions/Reasons**

1. The development shall be carried out in accordance with the following approved plans:

- Site location plan
- Crane elevations
- Crane locations



Reason: To ensure that the development as carried out does not vary from the approved plans

2. Standard Time Limit 3 Years FUL                      MAN02    \*
3. Restrict Hours No Construction Sun BH            HOU04    \*
4. Construction Method Statement                      SIT05    \*

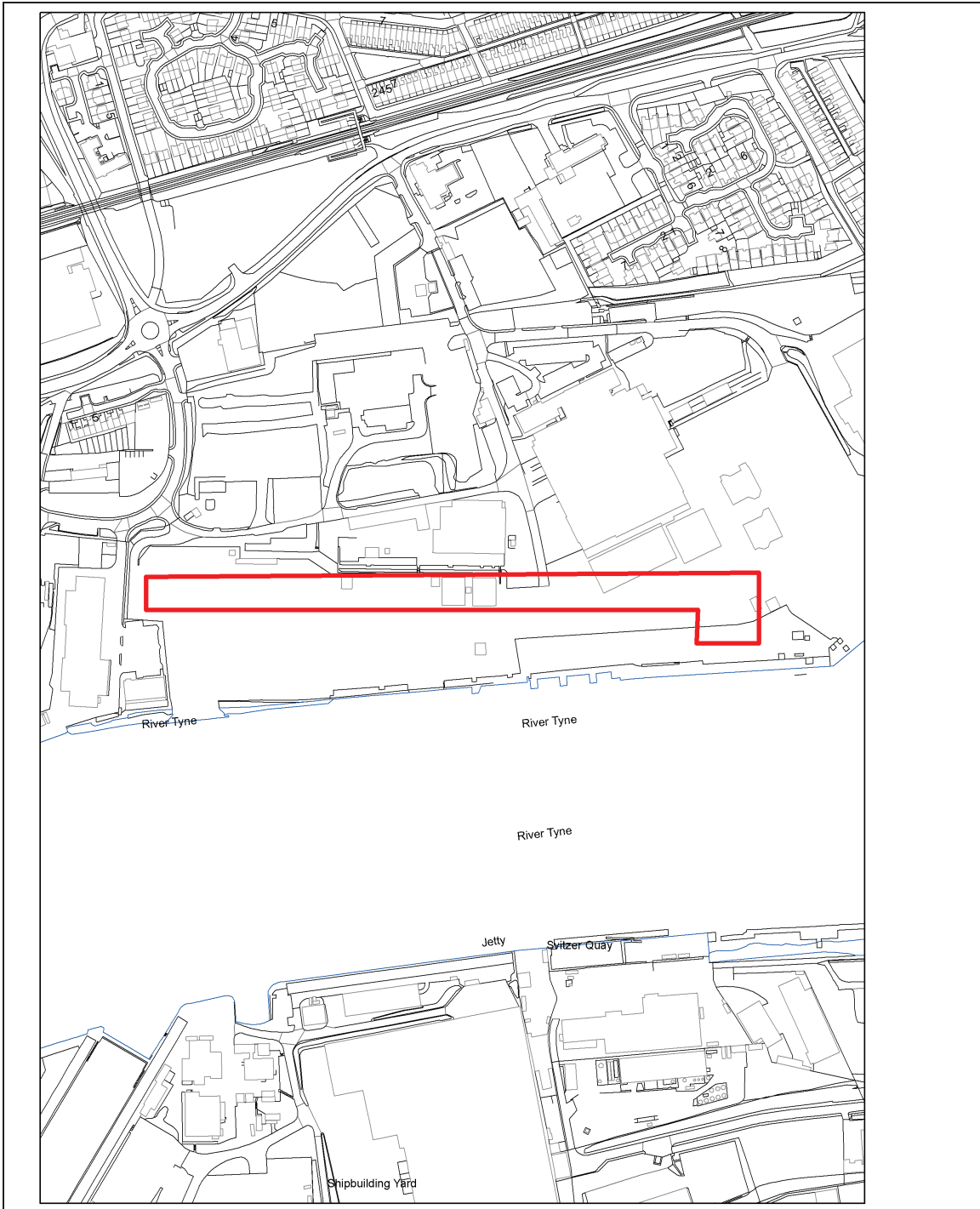
**Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

**Informatives**

Do Not Obstruct Highway Build Materials (I13)

Highway Inspection before dvlpt (I46)



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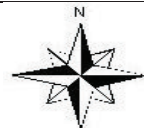
**Proposal: Erection of 2no gantry cranes and 1no ringer crane**

Not to scale

Date: 21.12.2016

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**Appendix 1 – 16/01595/FUL**  
**Item 2**

**Consultations/representations**

1.0 Internal Consultees

2.0 Highways Network Manager

2.1 This application is for the erection of two gantry cranes and one ringer crane. Conditional approval is recommended.

Recommendation - Conditional Approval

Conditions:

SIT05 - Construction Management

Informatives:

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlpt

3.0 Local Lead Flood Officer

3.1 The site will be at risk of flooding from the Tyne during extreme rainfall events and the applicant has proposed to mitigate against the impact of this flooding by raising the threshold of the buildings on the site. Nonetheless, there is a risk of pollution from the proposed cranes entering the Tyne during such flooding events and a condition should be included to address this. Conditional approval is recommended.

Recommendation - Conditional Approval

Condition:

No development shall commence until a scheme to prevent pollution from the site entering the Tyne during flooding events has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests prevention of pollution of the watercourse

4.0 Regeneration

4.1 Support on basis of inward investment.

4.2 This application is a significant step forward in bringing new employment opportunities to North Tyneside and the wider region. Smulders have secured an initial contract for wind turbine jackets for the Aberdeen Bay field and the cranes

are an essential element for the fabrication and assembly of these products. This contract will bring with it the creation of 200 jobs with a further 200-300 on securing other contracts in the pipeline.

4.3 This contract will also bring with it significant local supply chain benefits to the local economy, including further indirect new jobs and consequential spend in the local economy.

4.4 The proposal supports the North Bank of the Tyne Strategy, which looks at realising the potential of the offshore renewable and marine based industries. It is also consistent with the local SEP and the emerging local plan.

4.5 This proposal receives the full support of the Business and Economic development service, and is a key proposal in implementing and delivering the aforementioned strategies and plans.

## 5.0 Representations

### 1 objection from resident of Derwent Way

- Impact on landscape
- Inadequate parking provision
- Loss of privacy
- Loss of residential amenity
- Loss of visual amenity
- Nuisance - disturbance
- Nuisance - dust/dirt
- Nuisance - fumes
- Nuisance - noise
- Poor traffic/pedestrian safety
- Poor/unsuitable vehicular access
- Precedent will be set
- Traffic congestion
- Will result in visual intrusion

I have already put it to this company that the noise and invasion of privacy is a huge issue to myself, They will be able to see into my bedroom window and I will have totally lost my river view. The 24 hour licence is also an issue, though they have tried to encompass sound problems, it will be an issue when loading and unloading and opening of the shed doors and the noise from the fork lifts is horrendous throughout the night. We never ever were considered for an upgrade to triple glazing from this company, which does not fill me with confidence that they actually care about the noise they make throughout the night, and I now have two dogs who I know will bark all night along with the noise from OGN, I also have a letter from Right Move stating that I will suffer from a devaluing of my property by perhaps as much as 10-15 per cent. I do understand that the company will try to not make noise and make all the right comments and

commitments, but they are not there every night 24/7 we are, and complaining after the fact is not something I wish to have to do yet again with more false promises. Plus at 5 every evening the traffic entering onto Hadrian Road is an accident waiting to happen with small children on this estate, it is frightening to watch at times.

5.2 We are all aware that this estate should never have gained planning permission, and OGN insist on saying they were there first, well when I bought my property from Bellway the site was used as a car storage area.

5.3 Councillor Harrison was the only person who I feel understood what was potentially going to happen to us in Derwent Way. I have no doubt this will get passed through easily, but you will have a huge fight on your hands, if I experience anything like the noise levels I experienced which produced a noise abatement order against the company as we are entitled to have a peaceful existence in our homes, irrespective of a 24 hour licence to operate.

## 6.0

### 1 objection from a resident of South Terrace

- Impact on landscape
- Loss of visual amenity
- Nuisance - disturbance
- Nuisance - noise
- Out of keeping with surroundings
- Will result in visual intrusion

None of the documents submitted include potential effects on South Terrace, North Terrace, Roland Road or Northumberland Villas.

- The visual amenity of residents will be affected, particularly loss of horizon and will be subject to sounds and noise from the development.
- Cannot adequately determine the exact negative impacts due to the submitted information.

## 7.0

### 1 letter of support

7.1 My wife and I offer our full support to this proposal. We believe that it represents thoroughly appropriate development at this location and has multiple potential economic benefits for the local community.

7.2 As local residents we will be amongst the most affected by any visual intrusion or noise pollution but, through past dealings with OGN we are confident that they are a responsible company that will minimise any loss of amenity.

7.3 We ask that OGN fulfil their promises made to minimise noise during evening hours and to substitute reversing alarms to an alternative less annoying system. We wish OGN every success with this proposal and in ongoing commercial activities at the site.

#### 8.0 External Consultees

##### 8.1 NATS Safeguarding

8.2 The proposed development has been assessed from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

#### 9.0 Newcastle Airport

9.1 In order to undertake an assessment of the potential impact on the operation of the airfield I require the following information –

- The heights of the cranes, both as structures and above ground level
- The exact coordinates of where the structures are proposed to be erected on the site

Until this information is provided and an assessment undertaken, please could you consider this as a holding objection to the scheme.

#### 10.0 South Tyneside Council

10.1 No objections.