

Item No: 5.2
Application No: 17/00246/FUL Author: Julie Lawson
Date valid: 20 February 2017 ☎: 0191 643 6337
Target decision date: 22 May 2017 Ward: Collingwood

Application type: full planning application

Location: Formica Ltd, West Chirton Industrial Estate Middle, Norham Road North, North Shields, Tyne And Wear

Proposal: Proposed extensions to the West and South elevations with roof profile to match existing and relocation of an existing stack and a new stack to the east elevation. Stand alone lean to extension for plant, alongside existing plant. Modify and extend existing road and form new path to proposed extension

Applicant: Formica, FAO Mr Grant Newberry Formica Ltd West Chirton Industrial Estate NORTH SHIELDS NE29 8RE

Agent: Portland Consulting Engineers, FAO Mr Mark Grant 10 Bankside The Watermark Gateshead NE11 9SY

RECOMMENDATION: Minded to grant on expiry consultation

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Description of the Site

1.1 The application relates to an existing factory unit, Formica, which occupies an extensive site within West Chirton Industrial Estate. Norham Road North runs along the east boundary of the site and the Coast Road is to the south.

1.2 Specifically the site relates to the south and west of the wider site.

2.0 Description of the Proposed Development

2.1 It is proposed to construct an extension to a building within the south western part of the site. The extension would be located on a grassed area and wraps around the south west corner of the building.

2.2 The extension will be approximately 11.5m in height, to match parts of the existing building at this location. It would be approximately 82m by 28m and it would wrap around the western elevation of the existing building, projecting approximately 9m past the western elevation of the existing building.

2.3 A new plant building is proposed which would be 5.7m in height and measures 11m in depth by 4m width.

2.4 An extension is also proposed 30m by 6.7m to the south elevation of the western part of the existing building.

2.5 The extensions are grey profile cladding to match the existing.

2.6 The proposal also includes an access road within the site. An existing stack is proposed to be relocated and a new stack, both positioned on the eastern elevation of an existing building. The stacks are approximately 13m high.

3.0 Relevant Planning History

There is a lengthy planning history for the site. The most recent applications are listed below.

06/01699/FUL - Freestanding canopy over the tanker forecourt area – Permitted 17.07.2006

07/01112/FUL - Proposed new security building and alterations to northern entrance, fence and road – Permitted 29.05.2007

13/01117/FUL - Industrial development, consisting of the erection of a regenerative thermal oxidiser, replacing existing carbon filtration units, for the purpose of TVOC

abatement from a process, on industrial land, within the boundaries of the manufacturing site – Permitted 05.09.2013

15/00635/FUL - Industrial development, consisting of increasing extraction stack from 9m to 14.5m to comply with D1 dispersion guidelines – Permitted 16.07.2015

4.0 Development Plan

4.1 North Tyneside Council Unitary Development Plan (adopted March 2002)
Direction from Secretary of State under Paragraph 1(3) of Schedule 8 to Town and Country Planning and Compulsory Purchase Act 2004 in respect of Policies in the North Tyneside UDP (August 2007)

5.0 Government Policy

5.1 National Planning Policy Framework (March 2012)

5.2 National Planning Practice Guidance

5.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs 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 NPPF.

PLANNING OFFICERS REPORT

6.0 Main Issues

The main issues in this case are:

- Principle of the development;
- Impact on visual amenity
- Impact on neighbouring amenity
- Car parking and access;
- Other issues.

6.2 Consultation responses received as a result of the publicity given to this application are set out in the Appendix to this report.

7.0 Principle of the development

7.1 The National Planning Policy Framework states that the planning system should proactively drive and support sustainable economic development. The Government is committed to securing economic growth in order to create jobs prosperity, and it is committed to ensuring that the planning system does everything it can to support sustainable economic growth. 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.

7.2 The NPPF sets out the core planning principles which should underpin decisions and notes 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.

7.3 UDP Policy LE1/4 states that: “The LPA will seek to ensure that the physical base of the local economy is maintained and protected. Areas shown on the proposals map as currently used for employment purposes or allocated for these purposes in the plan, will be protected from change of use to other purposes, except where one or more of the following exceptional circumstances can be clearly shown:

- (i) the proposal is essential to the council's aim of encouraging the regeneration of its older urban areas,
- (ii) there is no reasonable expectation of a site being used for the purpose allocated, and the benefits of its alternative use in relation to the other objectives of the plan have been demonstrated,
- (iii) the existing use does not conform with, and has had an adverse impact on, neighbouring uses.”

7.4 The site is also allocated as Reserved Employment Land within the Local Plan Pre-submission Draft.

7.5 The proposal would secure economic development, and strengthen the role of an existing business. The principle of the proposal is therefore considered to be acceptable in terms of the NPPF and development plan policy.

7.6 Members need to consider whether the principle of the development is acceptable. It is officer advice that it accords with national and local planning policy and therefore the principle is acceptable.

8.0 Impact on visual amenity

8.1 The NPPF attaches great importance to the design of the built environment. It states that high quality inclusive design should be promoted, whilst design which fails to improve the character and quality of an area should not be accepted. The planning system should also 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.

8.2 The Design Quality SPD provides guidance on the design of buildings, places and spaces in North Tyneside. It states that the Council will encourage

innovation in the design and layout, provided that the existing quality and character of the immediate and wider environment are respected.

8.3 Policy LE1/7 states that industrial/commercial development must be acceptable in terms of the LPAs standards for design and landscaping.

8.4 The main factory building, to the east, is included on the Local Register, however this designation does not apply to the application site itself. The proposed extensions would not have a detrimental impact on the locally listed building.

8.5 There would be the loss of a grassed area just to the north of the Coast Road. However there is a further landscape buffer between the site's southern boundary and the highway therefore it is considered that this loss is considered to be acceptable.

8.6 The extensions would be seen within the context of the existing factory buildings and it is officer advice that the design and location of the extensions are acceptable.

8.7 Members need to consider whether the proposal is acceptable in terms of its visual impact. It is officer advice that it is.

9.0 Impact on neighbouring amenity

9.1 NPPF paragraph 123 states 'Planning policies should aim to: avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise new development, including through conditions; recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason'.

9.2 Policy E3 of the UDP seeks to minimise the impact of pollution on the environment including existing land uses and on proposed development.

9.3 The closest residential properties are located to the east of the site on the opposite side of Norham Road North. These are over 250m from the location of the proposed extension. The building to which this proposal relates is located within the western part of the site and is separated from these properties by other factory buildings. The properties to the south east of the site (south of the Coast

Road) on Chollerford Avenue and Simonburn Avenue are over 300m away from the location of the proposed extension. It is considered that the proposal will not have a detrimental visual impact on these existing residential properties. The comments of the Manager of Environmental Health will be reported to the planning committee.

9.4 Members need to consider whether the impact on the amenity of the occupiers of nearby residential dwellings and existing businesses is acceptable. It is officer advice that the impact on amenity is acceptable subject to the suggested conditions.

10.0 Car parking and access

10.1 In the NPPF the Government emphasises that transport policies have an important role to play in facilitating sustainable development. It further states that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

10.2 LDD12 ‘Transport and Highways’ SPD provides guidance on the Council’s planning policies relating to transport and highways considerations. The SPD sets out the procedures that North Tyneside Council follows in order to ensure that the transport implications of new developments are rigorously and consistently assessed and appropriate measures secured.

10.3 UDP policy T7 states that development requiring improvements to the highway network will not be allowed unless amongst other matters appropriate contributions related directly to the impact of the proposal are obtained from developers and appropriate provision is made for public transport, pedestrians, cyclists and horse riders.

10.4 UDP policy T8 seeks to encourage cycling by amongst other matters ensuring cyclists’ needs are considered as part of new development and providing parking facilities at appropriate locations.

10.5 UDP policy T9 states that the needs of pedestrians will be given a high priority when considering transport and development issues.

10.6 UDP policy T11 states that parking requirements will be kept to the operational maximum and should include adequate provision for people with disabilities and special needs.

10.7 The Highways Network Manager has advised that the parking at the site will remain unchanged and that there is sufficient parking to meet the needs to the site therefore the proposal is acceptable in terms of parking. He has recommended conditional approval.

10.8 Members need to determine whether the proposed development is acceptable in terms of parking provision and the impact on highway safety. It is Officer advice that it is.

11.0 Other issues

11.1 Contaminated Land

11.2 NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity and the potential sensitivity of the area or proposed development to adverse effects of pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

11.3 Policy E3 seeks to maintain 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 it to the lowest practicable levels.

11.4 Policy E8 of the UDP provides that future dereliction or contamination should be prevented by imposing restoration and aftercare conditions on appropriate development permissions.

11.5 The site is in a contaminated land buffer zone and a coal authority referral area. The comments of the Coal Authority will be reported to the planning committee.

11.6 Members must determine whether the proposal is acceptable in terms of land stability and contamination. Officer advice is that, subject to the advice of the Coal Authority, the proposal is acceptable in this regard.

12.0 Ecology and landscaping

12.1 The site is in a wildlife corridor. 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.

12.2 UDP policy E12/6 seeks to prevent development that will adversely affect the contribution of biodiversity to a wildlife corridor.

12.3 UDP policy E14 requires the LPA to seek to protect and conserve existing trees and landscape features within the urban environment and will encourage new planting in association with development and wherever possible in other suitable locations.

12.4 The Biodiversity Officer has been consulted and her comments will be reported to the planning committee.

13.0 Flood risk and drainage

13.1 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 is in Flood zone 1. The Local Lead Flood Officer has advised that the surface water drainage proposals show that the surface water will be attenuated in a underground attenuation tank with controlled discharge. He has no objections to the proposal.

14.0 Local Financial Considerations

14.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive in payment of the Community Infrastructure Levy. The proposed development would bring employment opportunities and associated benefits to the local area.

15.0 Conclusion

15.1 In reaching a decision Members need to balance issues relating to new investment within North Tyneside against the impact of the proposal in terms of the principal of development, impact on visual amenity, car parking and access as well as the other issues raised.

15.2 It is Officer advice that, subject to the imposition of appropriate conditions and no objections from the Biodiversity Officer, the Manager of Environmental Health and the Coal Authority, the proposed development is acceptable.

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 on 6th April, and subject to the comments of the Coal Authority, the Manager of Environmental Health and the Biodiversity Officer, 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 to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

Application form
Site Location Plan 002
Proposed Site layout 030
Proposed Ground Floor Plan 301
Proposed Elevations 303

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

2. Restrict Hours No Construction Sun BH HOU04 *

3. Veh Parking Garaging before Occ PAR04 *LE1/7

4. Construction Method Statement SIT05 *LE1/7 and E3

5. Notwithstanding the Framework Travel Plan submitted, the full Travel Plan shall be developed as set out and implemented in accordance with the agreed details.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

6. The development must be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Statement" dated "February 2017". The drainage scheme shall ensure that surface water discharges to the surface water sewer at manhole 8601. The surface water discharge rate shall not exceed the available capacity of 5l/sec that has been identified in this sewer.

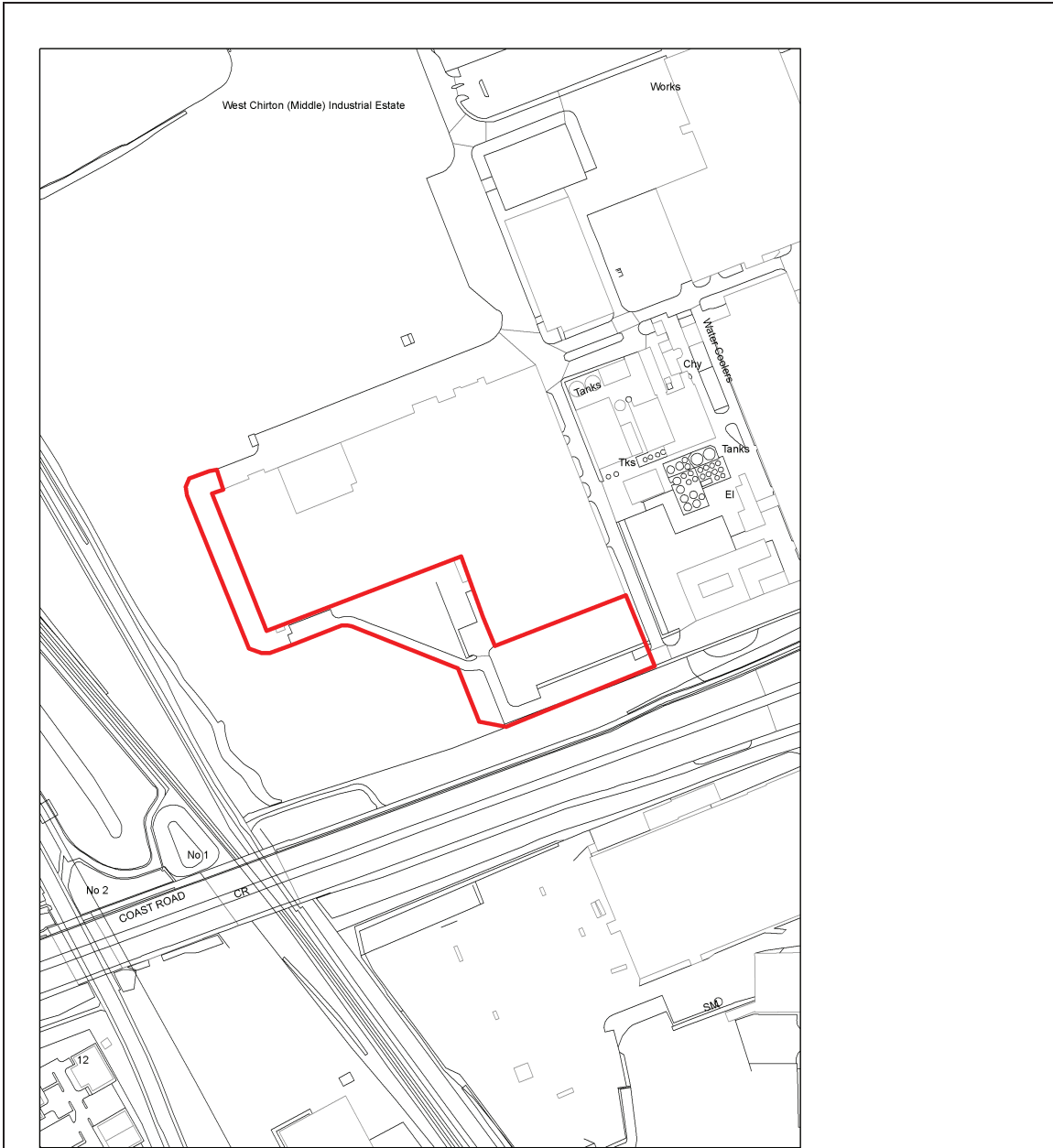
REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

7. Prior to the occupation of the extension hereby approved, a scheme for the provision of secure undercover cycle parking shall be 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 of highway safety having regard to Policy LE1/7 of the North Tyneside Unitary Development Plan.

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.



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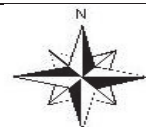
Location: Formica Ltd, West Chirton Industrial Estate Middle, Norham Road North, North Shields

Proposal: Proposed extensions to the West and South elevations with roof profile to match existing and relocation of an existing stack and a new stack to the east elevation. Stand alone lean to extension for plant, alongside existing plant. Modify and extend existing road and form new path to proposed extension

Not to scale

Date: 23.03.2017

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Appendix 1 – 17/00246/FUL
Item 2

Consultations/representations

1.0 Internal Consultees

2.0 Highways Network Manager

2.1 This application is for proposed extensions to the west & south elevations with roof profile to match existing; stand alone lean to extension for plant alongside existing plant, modify & extend existing road and form new path to proposed extension.

2.2 The site has been operating for a number of decades; access, internal circulation & parking remain unchanged, there is sufficient parking to meet the needs of the site and there are has good links to local bus services.

2.3 For the reasons outlined above and on balance, conditional approval is recommended.

Recommendation - Conditional Approval

Conditions:

PAR04 - Veh: Parking, Garaging before Occ

SIT05 - Construction Management

No development shall commence until a scheme for the provision of secure undercover cycle parking shall be 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 of highway safety.

Notwithstanding the Framework Travel Plan submitted, the full Travel Plan shall be developed as set out and implemented in accordance with the agreed details.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dlvt

3.0 Local Lead Flood Officer

3.1 I have reviewed the surface water drainage proposals for the site and I can confirm that I have no objections to the proposed extension. The applicant will be attenuating the surface water from their site in an underground attenuation tank which will have a controlled discharge rate of 5l/s into the nearby NWL surface water sewer.

4.0 Representations

4.1 None

5.0 External Consultees

6.0 Northumbrian Water

6.1 We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "*Drainage Statement*". In this document it states that surface water from the proposed development will discharge to the existing surface water sewer at manhole 8601 at a restricted rate of 5l/sec.

6.2 We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Statement" dated "February 2017". The drainage scheme shall ensure that surface water discharges to the surface water sewer at manhole 8601. The surface water discharge rate shall not exceed the available capacity of 5l/sec that has been identified in this sewer.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option.

For information only

We can inform you that a public sewer crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or

close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.

7.0 Tyne and Wear Archaeology Officer

7.1 There are no archaeological impacts associated with the proposed extensions to Formica Ltd.