

Item No: 5.3
Application No: 16/02018/FUL Author: Maxine Ingram
Date valid: 5 January 2017 ☎: 0191 643 6322
Target 6 April 2017 Ward: Longbenton
decision date:

Application type: full planning application

Location: The Bridge, Balliol Business Park, Benton Lane, Longbenton, NEWCASTLE UPON TYNE

Proposal: Change of use of an existing call centre to an industrial unit with increased office space at first floor (mezzanine level) - (Amended plans received 1.3.17)

Applicant: Ashall Property, FAO Mr Scott Ashall Ashall Property 11 Abbots Park Preston Brook Cheshire WA73GH

Agent: Seymour Architecture, FAO Mr Paul Seymour 1 The Old Stables Grey's Yard Morpeth NE61 1QD

RECOMMENDATION: Minded to grant on expiry consultation

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.1 The main issues in this case are:

- Principle of the development
- Impact on amenity of adjacent occupiers
- Design and appearance
- Impact on highway safety

1.2 Members need to determine whether the principle of the development, the impact on amenity and highway safety are all acceptable.

2.0 Description of the Site

2.1 The site to which this application relates is an existing industrial/commercial unit located within Balliol Business Park. The site is approximately 10,260sqm in area. The site is accessed from the adjacent public highway and is bound to the west by Gosforth Business Park. Parking areas are located to the north, east and

south. A cycle shelter is sited in the southern car park area. An existing plant enclosure is sited on the north elevation. An existing smoking shelter is sited on the rear elevation.

2.2 The lawful use of the existing building is as an office and contact centre. The total floor area is approximately 4,165sqm with the main raised access space occupying 2,900sqm of the area with the remaining comprising of smaller spaces (815sqm ground floor and 450sqm first floor).

2.3 Industrial units are located to the north, south and beyond the public highway to the east of the site.

2.4 The site is designated in the Council's Unitary Development Plan as a current employment area according to policy LE1/4. The site is also designated as employment land in the Council's Local Plan Pre-Submission Draft (2015).

3.0 Description of the Proposed Development

3.1 Planning permission is sought for a change of use from an existing call centre to an industrial unit with increased office space at first floor (mezzanine level). The proposed development would retain most of the internal raised space, with approximately 1,845 square metres (sqm) allocated to the open plan assembly area. The remaining raised floor space would be lowered providing an open plan 1,055sqm ground level production area with accessible ramps to connect the two areas. The smaller accommodation and offices are to be to the front of the building. This area would be slightly expanded to allow for offices, training areas, a canteen and serving spaces (815 sqm at ground floor and 735sqm at first floor). The total proposed floor area of the site is 4, 450 sqm.

3.2 Externally the smoking shelter will be removed and a small external compressor added to match the existing style of the external plant compound. The existing fire exits have been relocated to suit the revised layout.

3.3 The scale of the proposed industrial unit remains unchanged with the existing building retaining its original structure, external walls and roof with only small scale amendments to the building fabric to make the scheme work. All of the doors, windows and minor external changes match the existing materials.

3.4 The parking spaces will be amended to accommodate a delivery entrance to the rear of the car park as well as a traffic control barrier to the front area of the car park for security. 96 of the existing parking spaces will be retained.

3.5 The applicant has advised that this development would provide up to 150 jobs.

4.0 Relevant Planning History

4.1 Application site

02/01635/ADV – Erection of freestanding internally illuminated sign – Approved – 01.08.02

06/00566/FUL – The erection of 1-3 free standing temporary lamp post mounted satellite dishes to rear west of the building – Approved – 02.05.2006

06/02213/ADV - Medium size external sign placed towards the top of the building front to advertise the company but also to provide guidance to guests and contractors – Permitted 29.08.2006

4.2 Greggs – most recent application

16/01668/FUL - Construction of new car and lorry parking areas including disabled and cycle parking – Permitted 12.12.2016

5.0 Development Plan

5.1 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)

6.0 Government Policy

6.1 National Planning Policy Framework (March 2012).

6.2 National Planning Practice Guidance (As Amended).

6.3 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

7.0 Main Issues

7.1 The main issues for this application are:

- Principle of the development;
- Impact on amenity of adjacent occupiers;
- Design and appearance;
- Impact on highway safety.

7.2 Consultation responses 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 Government is committed to securing economic growth in order to create jobs and prosperity. 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.

8.2 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.

8.3 UDP Policy LE1/4 states that the LPA will ensure that the physical base of the local economy is maintained and protected. Areas shown on the proposals map as currently used for use classes B1, B2 or B8 will be retained in their current use.

8.4 The site is designated as employment land within the Council's UDP. The site is also designated as employment land within the Council's Local Plan Pre-Submission Draft (2015).

8.5 The application site is occupied by an existing industrial/commercial unit, sited on the western boundary of Balliol Business Park. The lawful use of the existing building is as an office and contact centre. The total floor area is 4,165sqm with the main raised access space occupying 2,900sqm of the area with the remaining comprising of smaller spaces (815sqm ground floor and 450sqm first floor). The current proposal relates to changing the use of the building, increasing the internal floor space by approximately 285 sqm and some external alterations, including alterations to the car park. The applicant has specified on their application that the proposed use of the building would be Use Class B2 General Industrial and B1 (a) Office (Other than A2). These uses comply with the site's current designation within the Council's UDP and its future designation within the Council's Local Plan Pre-Submission Draft. The applicant has also confirmed that this building is currently vacant and should planning permission be granted the proposed use could generate up to 150 jobs.

8.6 Members need to consider whether the proposed change of use is acceptable within a designated employment site. It is officer advice that it is and it would accord with its allocated use in the existing UDP and the emerging Local Plan.

9.0 Impact on 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 from 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 LE1/7 of the UDP states that in assessing proposals for Class B1, B2 and B8 development the LPA will seek to ensure that development is acceptable in terms of: its impact on the environment, existing land uses and local amenity; the local planning authority's requirements for design, landscaping, access, circulation and parking standards, storage of materials, fencing, signing, servicing and security.

9.3 Policy H13 of the UDP states that in assessing proposals for non residential uses within or adjacent to residential areas or for changes of use from residential to other uses, or for the intensifications of an existing residential use will be approved only where the LPA 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.

9.4 In visual terms external alterations to the unit would have no greater impact on the amenity of nearby industrial units than that experienced at present.

9.5 The Manager for Environmental Health has been consulted. She has recommended conditional approval.

9.6 Members need to consider whether the proposal is acceptable in terms of its impact on amenity. It is officer advice that it is given the industrial location of the site. On the basis of the above, it is the view of officers that subject to the imposition of conditions, the impact on residential amenity would be acceptable.

10.0 Design and Appearance

10.1 NPPF 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.

10.2 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 and enhances and local distinctiveness is generated.

10.3 The external alterations proposed to the main unit are considered to be of a minor nature and would not detract from the character or appearance of the immediate surrounding area.

10.4 Members need to determine whether the proposal would have an acceptable impact on the character and appearance of the immediate surrounding area. It is officer advice that it would.

11.0 Car Parking and Access

11.1 The National Planning Policy Framework states that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives. The guidance states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

11.2 Policy T8 of the UDP seeks to encourage cycling by amongst other matters ensuring that cyclists' needs are considered as part of new development and where appropriate requiring that facilities including parking are provided.

11.3 Policy T9 of the UDP states that the needs of pedestrians, including people with disabilities and special needs will be given a high priority when considering transport and development issues.

11.4 Policy T11 of the UDP states that parking requirements will in general be kept to the operational maximum and should include adequate provision for people with disabilities and special needs.

11.5 LDD 12 Transport and Highways SPD sets out the Council's adopted parking standards.

11.6 Access to the site is via Benton Road. The site is located within close proximity to existing bus stops and local services. The existing cycle shelter is to be renovated. The existing car parking arrangement to the south of the building is

to be reconfigured. This will result in the loss of 19 car parking spaces to provide an allocated turning area for deliveries within the site. A total of 96 parking spaces would be retained. A security barrier with intercom is proposed to control access to the car parking bays retained to the north and east of the building.

11.7 The Highways Network Manager has been consulted. He has advised that parking has been provided in accordance with the Council's current parking standards. The site access remains unchanged and the site has good links with public transport.

11.8 On balance, the Highways Network Manager supports the application subject to a number of conditions.

11.9 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network. It is officer advice, subject to the imposition of conditions, that the development would not have an adverse impact on parking or access.

12.0 Other Issues

12.1 Ground Conditions

12.2 The NPPF states that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

12.3 UDP policy E3 seeks to minimise the impact of pollution on the environment. The NPPF is consistent with the aims of this policy and the conclusions in the committee report remain the same.

12.4 The Contaminated Land Officer has been consulted. He has raised no objections.

12.5 Archaeology

12.6 NPPF states that heritage assets are an irreplaceable resource and therefore should be considered in a manner appropriate to its significance.

12.7 UDP Policy E19/6 states "Where an assessment and evaluation have established that proposed development will affect a site or area of archaeological interest the applicant will be required to preserve archaeological remains in situ unless this is clearly inappropriate or destruction of the remains is demonstrably unavoidable, in which case a programme of archaeological works will be required to be submitted and agreed with the Local Planning Authority before the start of the development".

12.8 The Tyne and Wear Archaeology Officer has been consulted. She has raised no objections.

12.9 Flooding

12.10 NPPF states that when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere. The site is located within Flood Zone 1.

12.11 The Local Lead Flood Authority (LLFA) has been consulted. He has raised no objections to the proposed development.

12.12 Ecology

12.13 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment as part of this helping to improve biodiversity amongst other matters.

12.14 Paragraph 109 of NPPF states that the planning system should contribute to and enhance the natural and local environment by amongst other matters minimising the impacts on biodiversity and producing net gains to biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.

12.15 Paragraph 118 of NPPF states that when determining a planning application, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided, or as a last resort be compensated for, then planning permission should be refused.

12.16 NPPF advises that the planning system should contribute to and enhance the natural and local environment. Members need to consider whether the proposal would accord with the advice in NPPF and weight this in their decision. It is officer advice that, subject to conditions the proposal would not result in significant harm to biodiversity and that suitable mitigation is proposed to limit the impact. The proposal would accord with the advice in NPPF.

12.17 The Council's Ecology Officer has been consulted. She has advised that the proposed development will involve the loss of a small area of grassland to accommodate a store and waste area to the south west of the car park area. Members are advised that there are no trees to be removed to accommodate this part of the development. To the north west of the existing building, a footpath area is proposed to be extended and a compressor area is proposed. Members are advised that there are trees sited in the north west corner of the site. The trees are sited adjacent to the perimeter fencing and are unlikely to be affected

by the expansion of the existing footpath. Subject to conditions securing details of what vegetation may be affected and replacement planting if necessary, she has raised no objections.

12.18 Natural England have been consulted on this application. Any comments received prior to the Planning Committee will be reported as an addendum.

12.19 Members need to determine whether the proposed development would result in an acceptable impact on ecology. It is officer advice that the development is acceptable.

13.0 Local Financial Considerations

13.1 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.

14.0 Conclusion

14.1 Members need to determine whether the proposed development is acceptable in terms of the proposed use, its impact on the character and appearance of the area, its impact on residential amenity and on highway safety. It is the view of officers that the development is acceptable and it would bring employment benefits to the local area.

14.2 It is the opinion of officers that the development would accord with relevant national and local planning policy and would therefore be 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 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
- Location plan Dwg No. 224-SArch-EX-XX-DR-A-0001-P01
- Site plan as existing Dwg No. 224-SArch-EX-XX-DR-A-0100-P03
- Site plan as proposed Dwg No. 224-SArch-PL-XX-DR-A-1000-P02
- Proposed elevations Dwg No. 224-SArch-PL-XX-DR-A-3000-P02
- Existing elevations Dwg No. 224-SArch-EX-XX-DR-A-0300-P02
- Ground floor plan as proposed Dwg No. 224-SArch-PL-00-DR-A-2004-P03
- Ground floor plan as existing Dwg No. 224-SArch-EX-00-DR-A-0200-P03
- First floor plan as existing Dwg No. 224-SArch-EX-01-DR-A-0201-P03
- First floor plan as proposed Dwg No. 224-SArch-PL-01-DR-A-2005-P03

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. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

4. Notwithstanding Condition 1, prior to the occupation of the building details of facilities to be provided for the storage of refuse at the premises shall be submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

5. Construction Method Statement SIT05 *LE1/7

6. Notwithstanding Condition 1, no development shall commence until a Travel Plan taking into account the new development has been submitted to and approved by in writing the Local Planning Authority. This will include an

undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

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

7. Notwithstanding Condition 1, no new plant or equipment shall be installed at the premises until a noise scheme has been submitted to and approved in writing by the Local Planning Authority. The noise scheme shall be in accordance with BS4142 to determine the background noise level without the plant noise operating at the boundary of the nearest residential premises and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment does not exceed the background noise. Thereafter, the new plant or equipment shall be installed with these agreed details and permanently retained.

Reason: To protect the amenity of nearby properties from undue noise and disturbance having regard to Policy LE1/7 and H13 of the North Tyneside Council Unitary Development Plan 2002.

8. Notwithstanding Condition 1, prior to the commencement of any part of the development details of hedgerow and tree protection measures shall be submitted to the Local Planning Authority. Thereafter, the development shall be carried out in full accordance with these details.

Reason: In the interests of amenity and to ensure a satisfactory standard of protection measures having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

9. Notwithstanding Condition 1, there shall be no loss of the hedgerow to the western boundary.

Reason: In the interests of protecting the existing landscape features having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

10. No vegetation removal will take place during the bird nesting season (March-August) unless a survey by a suitably qualified ecologist has confirmed the absence of nests immediately prior to works commencing.

Reason: In the interests of wildlife protection having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

11. Notwithstanding Condition 1, any tree or shrub loss shall be mitigated for, with native planting, in a detailed landscape plan that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, the development shall only be carried out in accordance with these agreed details. The agreed landscaping shall be planted in accordance with these details within the first planting and seeding seasons

following the commencement of development. Any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

12. Any trees identified for removal that have the potential to support roosting bats shall be assessed for bats by a suitably qualified ecologist prior to removal taking place and the survey details submitted to the Local Planning Authority.

Reason: In the interests of wildlife protection having regard to policy LE1/7 of the North Tyneside Unitary Development Plan 2002.

13. Restrict Hours No Construction Sun BH HOU04 *

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

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

No Doors Gates to Project Over Highways (I10)

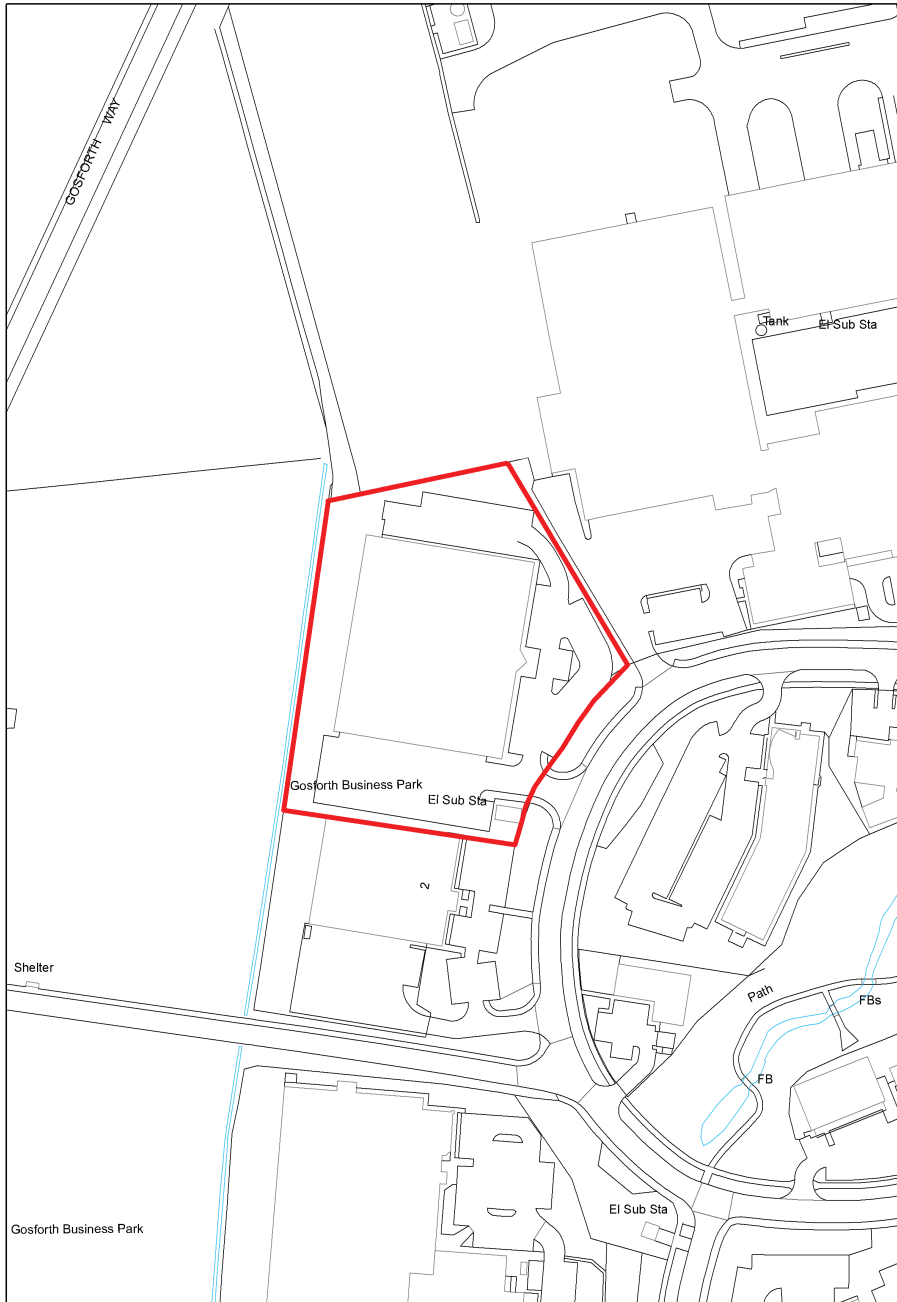
Do Not Obstruct Highway Build Materials (I13)

Advice All Works Within Applicants Land (I29)

Coal Mining Standing Advice (FUL,OUT) (I44)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)



Application reference: 16/02018/FUL

Location: The Bridge, Balliol Business Park, Benton Lane, Longbenton

Proposal: Change of use of an existing call centre to an industrial unit with increased office space at first floor (mezzanine level) - (Amended plans received 1.3.17)

Not to scale

Date: 23.03.2017

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**Appendix 1 – 16/02018/FUL
Item 3**

Consultations/representations

1.0 Internal Consultees

1.1 Local Lead Flood Authority

1.2 This application is for a change of use of an existing call centre to an industrial unit with increased office space at first floor (mezzanine level). There are no objections in principle to this application.

1.3 Recommendation - Approval

1.4 Highways Network Manager

1.5 This application is for a change of use of an existing call centre to an industrial unit with increased office space at first floor (mezzanine level).

1.6 Parking has been provided in accordance with current standards and access remains unchanged. Furthermore the site has good links with public transport. For these reasons conditional approval is recommended.

1.7 Recommendation - Conditional Approval

1.8 Conditions:

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT05 - Construction management

Prior to occupation of the development a scheme for covered, secure cycle parking shall be submitted to and agreed in writing by the Local planning Authority. Thereafter this scheme shall be carried out in accordance with the agreed details.

Reason: To ensure adequate parking facilities for the district centre and in the interests of highway safety.

No development shall commence until a Travel Plan taking into account the new development has been submitted to and approved by in writing the Local Planning Authority. This will include an undertaking to conduct travel surveys to monitor whether or not the Travel Plan targets are being met.

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

1.9 Informatives:

I10 - No Doors/Gates to Project over Highways

113 - Don't obstruct Highway, Build Materials

145 - Street Naming & Numbering

146 - Highway Inspection before dvlpt

1.10 Contaminated Land Officer

1.11 No objection.

1.12 Manager for Environmental Health (Pollution)

1.13 I have no objection in principle to this proposal. I have viewed the layout plans and information provided and note that there may be a new compressor installed at the site. All new external plant e.g. air condition units, air source heat pumps etc will require a noise assessment to ensure existing background noise levels are maintained.

1.14 In addition conditions to address construction hours for any alternations to the building and dust mitigation for any dust generating activities during any construction, should be applied to any planning consent.

New External Plant

No new plant or equipment to be installed at the premises unless a noise scheme has been submitted in accordance with BS4142 to determine the background noise level without the plant noise operating at the boundary of the nearest residential premises and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment does not exceed the background noise.

HOU04

SIT03

1.15 Ecology Officer

1.16 The above scheme will involve the loss of a small area of grassland to accommodate a store and waste area to the south west of the car park area. To the north west of the existing building, a footpath area is proposed to be extended and a compressor area is proposed.

1.17 No information has been included that details what vegetation may be impacted upon by the proposed works. The store and waste area looks to lose a small area of grassland with a potential impact to the boundary hedge along the western boundary. This can be dealt with by way of a condition to protect the hedgerow and its root zone during the works.

1.18 It is not clear, however, whether any trees will be impacted upon by the extension of the footpath and the compressor area. This information should be submitted to the Local Authority to ensure that appropriate mitigation measures

can be attached to the application. If any trees require removal, replacement planting will be required and appropriate tree protection measures should be attached by way of condition to ensure no trees or their root systems are damaged by the proposed works.

1.19 Conditions

-Details of hedgerow and tree protection measures to be submitted to the Local Authority for approval prior to development commencing

-No loss of hedgerow to the west of the site.

-No vegetation removal will take place during the bird nesting season (March-August) unless a survey by a suitably qualified ecologist has confirmed the absence of nests immediately prior to works commencing.

-Any tree or shrub loss will be mitigated with native planting detailed in a landscape plan that is submitted to the Local Authority for approval prior to development commencing.

-If any trees identified for removal have the potential to support roosting bats, these trees must be assessed for bats by a suitably qualified ecologist prior to removal taking place and the survey details submitted to the Local Authority.

2.0 Representations

2.1 None

3.0 External Consultees

3.1 Tyne and Wear Archaeology Officer

3.2 I have no comments to make.