

**Committee Report**

<b>Application No:</b>	<b>DC/18/00237/OUT</b>
<b>Applicant</b>	<b>Follingsby International Enterprise Park Limited</b>
<b>Date Application Valid</b>	<b>13 March 2018</b>
<b>Site:</b>	<b>Follingsby Park South Follingsby Lane Gateshead NE10 8YA</b>
<b>Ward:</b>	<b>Wardley And Leam Lane</b>
<b>Proposal:</b>	<b>Outline planning application for use class B8 (storage and distribution) and B2 (general industry) along with associated offices, internal roads, car parks, infrastructure and landscaping with all matters reserved except access and landscaping of the green infrastructure zone.</b>
<b>Recommendation:</b>	<b>GRANT SUBJECT TO A SECTION 106 AGREEMENT</b>
<b>Application Type</b>	<b>Outline Application</b>

**1.0 The Application:**

**1.1 DESCRIPTION OF APPLICATION SITE**

1.2 The application site is an area of fields / agricultural land which measures around 37.62 hectares, south of Follingsby Lane. The topography of the site falls from north to south towards the River Don.

1.3 There are a range of utilities on the site. Overhead electricity cables cross the site running in an east to west direction. Below ground is a high pressure gas mains which runs across the site again in an east to west direction. Connecting to this is a medium pressure gas mains which runs south to north through the site.

1.4 The site is allocated for up to 90,000m2 of employment land (B8 storage and distribution uses) under policy KEA2 South of Follingsby Lane in the Council's adopted Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (CSUCP). The site is also situated within a Wildlife Corridor. The vast majority of the site is situated within Flood Zone 1. There is a small area of the southern part of the site, which runs adjacent to the River Don which is situated within Flood Zones 2 and 3. There is a public right of way (footpath Felling 22) which runs along the western boundary of the site.

1.5 The site is situated on the south eastern edge of Gateshead, with the Borough of South Tyneside to the north and east and the City of Sunderland to the south. The site lies immediately to the south of Follingsby Lane, with Follingsby Park Industrial Park which includes a range of manufacturing and storage /

distribution uses to the north. The former Leamside Railway Line is immediately to the east of the site with fields, commercial uses, stables and some residential properties further east in South Tyneside. The River Don is immediately to the south of the site with fields, a riding stables, playing pitches and the residential areas of Washington to the south in Sunderland. South Follingsby Farm is to the west of the site with the A194 motorway, Heworth Golf Club and the residential areas of Wardley and Heworth beyond.

## 1.6 DESCRIPTION OF PLANNING APPLICATION

1.7 This planning application is seeking outline planning permission for the erection of up to 225,000m<sup>2</sup> of B8 (storage and distribution) /B2 (general industry) floor space of which not more than 27,000m<sup>2</sup> will be for B2 uses. The main use of the site is therefore for warehousing and distribution (use class B8).

1.8 Outline planning permission (reference : DC/17/01117/OUT) for the erection of up to 90,000m<sup>2</sup> of B8/B2 floor space of which not more than 27,000m<sup>2</sup> will be for B2 uses was approved in January 2018. Since this earlier application was granted the applicant has been approached by a potential end user who requires a unit containing multiple mezzanine floors resulting in a significantly larger overall floor area. The requirement of the potential end occupier is for a single unit with a ground floor footprint of 53,000m<sup>2</sup> incorporating mezzanine floors able to accommodate a total of 187,300m<sup>2</sup> of floor space. Land within the wider site could therefore accommodate an additional unit or units providing around 36,000m<sup>2</sup> of floor space. This brings the total proposed ground floor footprint to 90,000m<sup>2</sup> in line with the current planning permission (reference : DC/17/01117/OUT). This current planning application therefore increases the amount of B8 floor space beyond the previous approved 90,000m<sup>2</sup> of floor space as a result of the introduction of mezzanine floors only. The applicant is currently in discussions with the prospective occupier (however cannot be named for contractual reasons) in respect of the proposed unit. This current outline planning application has therefore been prepared and submitted in response to the specific requirements of this occupier.

1.9 This is an outline planning permission with all matters reserved except access and landscaping of the green infrastructure zone. Detailed drawings have been provided to show the proposed access arrangements to the site. No details relating to access within the site have been provided at this outline stage. Matters relating to appearance, landscaping, layout and scale of the development (with the exception of the landscaping of the green infrastructure zone) will be the subject of subsequent reserved matters planning applications.

1.10 A Parameters Plan has been submitted at this outline stage which shows the areas of the site which would be built on and the areas of the site which would provide green infrastructure. The built development area of the site would include warehouse, distribution and industrial uses, and associated car parks, service yards, internal roads and formal landscaping including planting along the Follingsby Lane frontage and within the car park areas. The proposed areas of green infrastructure along the eastern, southern and western boundaries of the site range from 35 metres to 150 metres in width and will provide ecology

habitat areas, landscaping, drainage including SuDs features and a safeguarded zone of 10 metres along the southern boundary of the site for future improvements to the River Don.

- 1.11 The Parameters Plan sets out the minimum and maximum numbers of units to be developed within the built development area and allows for between two to four units. The maximum height of the buildings is 28 metres above the proposed finished floor level. The minimum and maximum finished floor levels as defined on the Parameters Plan are 52.5m (above AOD) and 55m (above AOD). The proposed built and green areas on the Parameters Plan as well as the maximum height of the buildings are the same as the earlier outline permission.
- 1.12 Detailed plans have been submitted for the access into the site. These show that the vehicle access to the site will be from Follingsby Lane via 6 new junctions. This is in response to the potential occupier's requirements.
- 1.13 TIMING OF DEVELOPMENT
- 1.14 The construction of the development is anticipated to take up to 4 years, including site preparation, enabling works and construction, including ground works, foundations, buildings and external service yards and car parking. On the basis that construction works commence in the third quarter of 2018 they are anticipated to end in 2021.
- 1.15 EIA DEVELOPMENT
- 1.16 The proposed development represents an industrial estate development project on a site exceeding 0.5 hectares so falls within part 10 (a) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. (EIA Regs). Part 1 of the EIA Regs confirms that development falling within Schedule 2 may comprise EIA development if it is likely to have significant effects on the environment by virtue of its nature, size or location.
- 1.17 The Council has agreed with the developer that the proposed development has the potential for significant effects due to the scale and nature of the development and its location to sensitive environmental receptors. As such the proposed development is considered to be EIA development and has been submitted with an Environmental Statement (ES). The submitted ES considers the likely significant effects arising during the construction and operation of the development and the potential cumulative effects which may arise when considered with other relevant nearby developments.
- 1.18 ACCOMPANYING INFORMATION
- 1.19 The application has been submitted with the following supporting information.

The Environment Statement comprising of :

Volume 1 Non Technical Summary

Volume 2 Main Technical Assessments

Chapter A - Introduction and Background

Chapter B - Scope and Methodology

Chapter C - Site and Scheme Description

Chapter D - Transport

Chapter E - Biodiversity

Chapter F - Heritage (above and below ground)

Chapter G - Landscape and Visual Impact

Chapter H - Air Quality

Chapter I - Water Resources

Chapter J - Noise

Chapter K - Socio- Economic

Chapter L - Mitigation, Monitoring, Cumulative Effects and Conclusions

Volume 3 - Technical Appendices

and the following supporting information :

Sustainable Drainage Statement

Phase 1 Geo-Environmental Assessment

Phase 2 Geo-Environmental Assessment

Arboricultural Impact Assessment

Utilities Statement

Planning Statement

Flood Risk Assessment

Framework Travel Plan

Summary Statement

Design and Access Statement

Landscape Management Specification

## 1.20 RELEVANT PLANNING HISTORY

### 1.21 DC/17/01117/OUT – APPROVED 5 January 2018

Outline application for Use Class B8 (storage and distribution) and B2 (general industrial) uses , along with associated offices, internal roads, car parks, infrastructure and landscaping, with all matters reserved except access. This planning application was granted subject to a number of planning conditions and a planning obligation for off site ecology measures at Shibdon Meadow.

### 1.22 DC/18/00111/REM – APPROVED 18 April 2018

RESERVED MATTERS APPLICATION relating to appearance, layout, scale and landscaping for the phase one area of development (comprising works to Follingsby Lane, plot entrances, formation of development plateaus, green infrastructure development and related infrastructure works) pursuant to outline planning application DC/17/01117/OUT.

- 1.23 17/01117/DOC1 – Currently being considered.  
Discharge of conditions 5 (Phasing plan), 8 (Archaeological fieldwork), 11 (Phase 2 Risk Assessment), 12 and 13 (Remediation scheme), 16 (Site levels) and 38 (Drainage details) of planning application DC/17/01117/OUT.

## 2.0 Consultation Responses:

Network Rail	No objection in principle to the development subject to a number of planning conditions.
Northumbria Water	No objection subject to a planning condition requiring the foul water to discharge into the existing foul sewer via manhole 0202 and the surface water to discharge directly into the local watercourse via an indirect connection into the surface water sewer close to either manhole 3801 or 3802.
Archaeology Officer	The site has been subject to geophysical survey and archaeological evaluation. These investigations did not reveal any significant archaeological resource on the site. No further archaeological investigation is required.
Health And Safety Executive	No objection as does not advise on safety grounds against the granting of planning permission.
Tyne And Wear Fire And Rescue Service	No objection
Northern Gas Networks	No objection
Highways England	No objection subject to planning conditions relating to the Follingsby Lane / Follingsby Avenue junction improvement scheme and that each unit operates in accordance with a plan detailing shift patterns and trip generation.
Environment Agency	No objection subject to a number of planning conditions relating to no buildings being located within flood zones 2 and 3 on the site, the provision of a buffer zone along the River Don and the provision of a river restoration scheme for the River Don.

Natural England            No objection as the proposal is unlikely to affect any statutorily protected sites or landscapes. No assessment has been made for impacts on protected species and the Council should apply the standing advice.

### **3.0 Representations:**

- 3.1 This planning application has been advertised on site and in the press as EIA development which has been submitted with an Environment Statement, as being a departure (as B2 floor space is proposed and more than 90,000m<sup>2</sup> of floor space is proposed) and as well as affecting a public right of way.
- 3.2 The Council sent neighbour notification letters to 69 properties surrounding the site in Gateshead, South Tyneside and Sunderland on 14 March 2018. Council officers displayed 9 notices surrounding the site in Gateshead, South Tyneside and Sunderland on 16 March 2018. In addition a notice also appeared in the Newcastle Journal on 16 March 2018.
- 3.3 One representation has been received (address unknown) questioning whether there are plans to improve the main access road into Follingsby Park as the bend on the road is already dangerous and will only get worse with increased traffic
- 3.4 SUNDERLAND CITY COUNCIL
- 3.5 Sunderland City Council was consulted as an adjoining Council to the south of the application site. On 4th April 2018 they responded stating that they have substantive concerns given that the proposed development would be a departure from Gateshead's adopted development plan. They also have detailed concerns and comments in terms of cumulative effects, highways and landscape.
- 3.6 SOUTH TYNESIDE COUNCIL
- 3.7 South Tyneside Council was consulted as an adjoining Council. On 4th April 2018 they responded stating that they object to the planning application on the basis that it represents a departure (as an element of B2 is proposed) and this would have a negative impact on the International Advanced Manufacturing Park (IAMP) to the south of the proposed development. They also have detailed concerns in terms of highways, the scope of the Transport Assessment, the lack of direct public transport services and shared use footways to connect with IAMP and Highways England's major schemes and the scope of the submitted Travel Plan.
- 3.8 Further, comments are made on the impact on the River Don, ecology, flood risk and the requirement for effective screening to protect the purposes of the Green Belt sites in close proximity.

3.9 All of the comments and issues raised by Sunderland City Council and South Tyneside Council have been fully considered and addressed in the committee report assessment below. It is Council officer's view that none of the issues raised justify the need for amendments to the proposed development, beyond those agreed during the assessment of the application.

#### **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

DC1D Protected Species

DC1H Pollution

DC1J Substrata Drainage-Water Quality

DC1P Contamination, derelict land, stability

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV22 Sites of Archaeological Imp - Potential

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV49 Sites of Nature Conservation Importance

ENV51 Wildlife Corridors

ENV54 Dev on Land Affected by Contamination

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

KEA2 Follingsby South

## **5.0 Assessment of the Proposal:**

- 5.1 The main planning issues are considered to be the principle of the development, landscape and visual impact, heritage issues, transport issues, noise, air quality the potential for land contamination, flood risk / drainage, ecology, socio economic issues and cumulative effects.
- 5.2 PRINCIPLE OF DEVELOPMENT
- 5.3 The site is allocated for up to 90,000m<sup>2</sup> of employment land (B8 storage and distribution uses) under policy KEA2 South of Follingsby Lane in the Council's CSUCP. This planning application is seeking outline planning permission for the erection of up to 225,000m<sup>2</sup> of floor space. The proposed uses would include B8 (storage and distribution) and B2 (general industry) of which not more than (27,000m<sup>2</sup>) will be for uses within B2. The main use of the site is therefore for warehousing and distribution (use class B8).
- 5.4 Given that this site is allocated for up to 90,000m<sup>2</sup> of only B8 use - the proposal has been advertised by the Council as a departure to the Council's adopted development plan.
- 5.5 The introduction of up to 27,000m<sup>2</sup> of B2 floor space at the site was considered acceptable by the Council on the earlier outline planning application (reference : DC/17/01117/OUT). The B2 floor space was considered acceptable to provide flexibility to meet market requirements and in terms of maximising job creation and inward investment. It was also previously accepted that the inclusion of B2 floor space would bring economic benefits and will make the development more attractive to potential occupiers.
- 5.6 This site was allocated for B8 development due to its potential contribution to supporting the distribution and logistics sector. Whilst the inclusion of B2 (general industrial) floor space has the potential in quantitative terms to reduce the amount of floor space given to B8 (storage and distribution) uses, Council officers are of the view that the inclusion of B2 uses would not impair the developments primary function within the distribution and logistics sector.
- 5.7 The overall amount of development now proposed in this current application (225,000m<sup>2</sup>) exceeds that envisaged (90,000m<sup>2</sup>) in the adopted development plan. The submitted Planning Statement explains that this additional floor space is justified by the need to address the specific requirements of a potential occupier. This additional floor space can also be accommodated within the built development zone on the Parameters Plan which was approved as part of the earlier outline application. The Environmental Statement (ES) has also considered and demonstrated that the increase in floor space from 90,000m<sup>2</sup> to 225,000 m<sup>2</sup> can be accommodated on the site without significant adverse environmental effects.
- 5.8 Sunderland City Council has stated in their representation letter that they are substantively concerned as this current application seeks consent for up to



27,000m<sup>2</sup> of B2 floor space which they consider is in conflict with and is a departure from Gateshead's evidenced and adopted development plan's employment policy allocation.

- 5.9 South Tyneside Council has also objected to the application in their representation letter on the grounds that the proposed B2 floor space is contrary to the adopted development. South Tyneside Council has also objected as they consider that this proposed development would have a negative impact on the International Advanced Manufacturing Park (IAMP) to the south east of the site.
- 5.10 The IAMP Area Action Plan (AAP) and supporting documents were submitted to the Secretary of State and Planning Inspectorate on 6 February 2017 for Independent Examination. The Examination Hearing sessions took place in April 2017. The AAP for IAMP was adopted on 30th November 2017. Therefore at the current time IAMP does not benefit from a planning permission, although a planning application (reference : 18/00092/HE4) for the first phase has been submitted to Sunderland City Council and is currently undetermined.
- 5.11 Notwithstanding the above the evidence base supporting development of the IAMP emphasises that the IAMP will deliver additional growth in the automotive/advanced manufacturing sectors. The additional growth cited within the IAMP's evidence base makes clear that the IAMP will bring jobs into the region that would not otherwise be delivered (i.e. could not be delivered on existing sites, including at this site Follingsby South, which serves a role in the logistics/distribution sector rather than automotive/advanced manufacturing). The land allocated for the IAMP is therefore only to be made available for businesses operating in activities directly related to the automotive and advanced manufacturing sectors (as required by policy S2 of the adopted IAMP AAP).
- 5.12 The IAMP evidence also makes clear that any displacement effects of the IAMP (i.e. effect the IAMP might have on attracting existing businesses within the region to relocate there) will be outstripped by the wider economic uplift that the IAMP will support across the region.
- 5.13 Given the differences between Follingsby South and the IAMP in terms of their scale, and targeted business sectors, Council officers are of the opinion that there is no evidence to suggest that the proposed provision of 225,000sqm<sup>2</sup> of B8/B2 floor space at Follingsby South would undermine delivery of IAMP. Council officers are therefore of the view that the development of this site for up to 225,000 m<sup>2</sup> for B8 and B2 uses could complement and support (rather than compete with) development of IAMP.
- 5.14 Council officers accept that the inclusion of some B2 uses as part of the development which has a floor space of up to 225,000m<sup>2</sup> is not in accordance with policy KEA2 of the CSUCP and is therefore a departure to the Council's approved development plan. However the introduction of 27,000m<sup>2</sup> of B2 floor space has already been granted planning permission in the earlier outline application. In addition the ES has assessed and demonstrated that an

increase in floor space from 90,000m<sup>2</sup> to 225,000 m<sup>2</sup> can be accommodated on the site without significant adverse environmental effects. Council officers are therefore of the view that the increase in B8 floor space would still enable the aims and objectives of policy KEA2 to be met and exceeded in response to a specific end occupier requirement.

5.15 A condition (CONDITION 7) has been recommended to ensure that any B2 uses on the site do not exceed more than 27,000m<sup>2</sup> of floor space to ensure the primary function of the site is for B8 storage and distribution uses in line with the aims and objectives of policy KEA2 of the CSUCP. Subject to this condition the proposed development of the site for B8 and B2 uses with a floor space of up to 225,000m<sup>2</sup> is considered to be acceptable.

#### 5.16 LANDSCAPE AND VISUAL IMPACT

5.17 The ES considers the effects of the proposed development on the landscape. There will be a fundamental change to how the site looks changing from the existing agricultural land to an employment development with large scale industrial buildings, infrastructure and parking within the developed area on the Parameters Plan. However the Green Infrastructure area offers landscape and ecological enhancements.

5.18 The ES concludes that the proposed development will alter the local landscape character - however considering the semi-urban and industrial character of the surrounding landscape and the presence of some existing visual barriers in the landscape such as trees and buildings that the proposed development is appropriate to the location. Council officers agree with this conclusion and also consider that the choice of external materials for the buildings and the provision of additional landscaping at the site could help to reduce the visual impact of the development further. The external materials are not known at this outline application stage and will be subject to separate reserved matters applications.

5.19 South Tyneside Council have commented that the development of this site should ensure that there is no adverse impact on the Green Belt so effective screening should protect the purposes of the Green Belt sites in close proximity. Council officers are of the opinion that the landscape and visual impact of the development has been fully considered in the ES submitted with this application. In addition the principle of developing this site has already been accepted through the approval of the earlier outline application (reference : DC/17/01117/OUT). The extent of the built development area and the maximum building heights remain the same as the previously approved development. Council officers are therefore of the view that this current application with an increased internal floor space raises no new landscape or visual issues.

5.20 Sunderland City Council have commented that given this proposed development seeks approval for a much greater quantity of floor space, there would be benefit in providing an indicative layout and elevation drawings to demonstrate how the quantity of floor space could be accommodated within the local landscape. Sunderland City Council have stated that whilst they recognise

that the final details would be given consideration at a reserved matters stage, there is concern that in the absence of these details a full assessment of the proposed scheme upon views from Sunderland City has not been possible.

- 5.21 Given the end occupiers for the proposed buildings are not known at this stage it is not possible to define the layout and footprint of the proposed buildings at this time. However drawings within the submitted Design and Access Statement demonstrate some of the possible site layouts that could come forward at the reserved matters stage. The submitted Parameters Plan also confirms the height and extent of built development proposed at the site. Council officers are therefore of the opinion that sufficient and adequate information has been submitted as part of this application to enable a full assessment of the landscape and visual impact of the development to be undertaken. The submitted parameters plan shows that the additional floor space can be accommodated within the same height and extent of built development parameters approved as part of the earlier outline application (reference : DC/17/001117/OUT). Therefore Council officers of the view that the landscape and visual impact of the development will be no different to the development already granted permission.
- 5.22 **Green Infrastructure Landscaping Scheme**  
Full landscape details for the green infrastructure zone have been provided as part of this current application. The green infrastructure zone includes a mix of SuD's features, space for future improvements to the River Don, landscape planting and habitat creation.
- 5.23 A number of tree belts are also proposed around the site to help create a visual buffer to the lower levels of the proposed buildings. The details of the proposed landscaping along the frontage of the site, which is intended to be more formal is not included in this current outline application.
- 5.24 Comments have been made by the Environment Agency regarding the inclusion of non locally native species in the proposed landscaping scheme and the impact this could have on the ecology value and function of the site and adjoining sites. To address this issue, amended plans have been submitted which revise the planting species to include more appropriate planting species relating to native species. The submitted landscaping drawings for the green infrastructure zone are the same as the landscaping details approved for the earlier reserved matters application (reference : DC/18/00111/REM).
- 5.25 The submitted landscape drawings include a wildlife observation area looking south over the green infrastructure zone. Council officers welcome the provision of a wildlife observation area, however consider that some changes are required to the observation area to maximise the opportunities for ecology enhancement at the site. To address this issue two conditions (CONDITIONS 10 - 11) have been recommended to approve and provide a revised wildlife observation area.
- 5.26 A Landscape Management and Maintenance Plan has also been submitted as part of This application. This is a generic document which Council officers

consider should be revised to reflect the submitted landscaping scheme. Therefore two conditions (CONDITIONS 12 - 13) have therefore been recommended to cover the submission, approval and implementation of a joint landscape and ecology management strategy for each phase of the development.

5.27 A planning condition (CONDITION 14) has also been recommended to require the implementation of the submitted landscaping scheme prior to the first building on the site being occupied or first planting season thereafter.

5.28 Subject to the above planning conditions, the proposed development is considered to be acceptable from both a landscaping and visual point of view and therefore accords with the NPPF, saved policies DC1(d), ENV3, ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CS15, CS18 and KEA2 of the CSUCP.

#### 5.29 HERITAGE ISSUES

##### 5.30 Below Ground (Archaeology)

A programme of archaeological investigation work (comprising geophysical survey and trial trenching) has been undertaken together with an archaeological evaluation. The Council's Archaeologist has confirmed that these archaeological investigations did not reveal any significant archaeological remains on the site - therefore no further archaeological investigations are required.

##### 5.31 Above Ground

There are no Conservation Areas, Registered Parks and Gardens, Historic Battlefields and World Heritage Sites either within the site or its surroundings that will be impacted upon by the proposed development.

5.32 Bowes Railway and Wardley moated site Scheduled Monuments, the Grade II\* Scots House and a number of Grade II Listed Buildings are located within 2 km of the site. The submitted ES assesses the impact of the construction and operation phases of the development on these designated heritage assets and concludes that the construction phases will have a neutral and negligible impact. The ES also concludes that the impact of the operation phase of the development on these designated heritage assets is neutral. Council officers agree with these conclusions given that all the designated heritage assets are either in areas of modern development or far enough away from the site so that their settings and significance would not be impacted upon by the proposed development.

5.33 The proposed development is therefore considered to be acceptable from a heritage point of view and accords with the aims and objectives of the NPPF, saved policy ENV22 of the UDP and policy CS15 of the CSUCP.

#### 5.34 TRANSPORT ISSUES

- 5.35 The Transport Chapter of the ES assesses the potential effects of the development on the highway network surrounding the site during the construction and operational phases.
- 5.36 **Public right of way**  
There is a public right of way which runs along the western boundary of the site (footpath Felling 22). The proposed development proposes no changes to this existing right of way – it is not to be stopped up or diverted. The right of way will be situated within the green infrastructure buffer along the western edge of the site. The proposed development will therefore not have any impact on this existing right of way or its use.
- 5.37 **Access Arrangements**  
Proposed vehicle access to the site is from Follingsby Lane via six new junctions comprising car and HGV accesses. A maintenance access to the site is also proposed via proposed access 5 off Follingsby Lane. Follingsby Lane is to be widened from 6.3 metres to 7.3 metres all along the site Frontage. The proposals will also provide a shared footway and cycleway along the southern side of Follingsby Lane, together with bus infrastructure improvements. The eastern part of Follingsby Lane operates with a national speed limit, although the western section of Follingsby Lane is subject to a 30 mph speed limit. It is proposed to reduce the speed limit along the eastern section of Follingsby Lane to 40 mph.
- 5.38 South Tyneside Council have raised concerns in their representation letter about the number of access points at the entrance to the development site. South Tyneside Council consider that due to the number of access points and the levels of vehicle activity there will be a heightened risk of collisions between vehicles turning in and out of the development.
- 5.39 Council officers have carefully considered the proposed access arrangements including the number and location of the accesses along Follingsby Lane. Some changes have been made to the location and design of the proposed access points along Follingsby Lane to reduce the potential for conflict and improve highway safety. A framework car park management plan together with indicative car park layout plans have also been submitted which demonstrate that suitable car park management can be put in place to reduce the impact at the access points during peak periods (shift change over). The final details and implementation of the framework car park management plan for each building as well as a servicing management plan for inbound HGV movements will be covered by planning conditions (CONDITIONS 15 - 18). In addition to reduce the potential for conflict further a planning condition (CONDITION 19) has been recommended to limit the access points that HGV's can use. This condition states that HGV's to the site can only use access points 1, 4, 5 and 6. Notwithstanding all of the above the original access arrangements / highway layout has also been independently safety audited - which did not identify any safety problems with the proposed junctions.
- 5.40 **Sustainable Travel**

South Tyneside Council has raised concerns in their representation letter about the accessibility of the Follingsby Lane site to residents of South Tyneside by means of direct public transport services. South Tyneside Council state that there is a need for a joined up approach to assessing IAMP and Follingsby Park South by means of an enhanced public transport service. South Tyneside Council also suggest that consideration should be made to expanding the proposed shared use footways to connect with IAMP, in the next few years.

- 5.41 Council officers agree that the proposed development should have improved access to public transport services. The developer has confirmed that discussions have been held with Go North East to discuss the potential to extend the existing bus route and services along White Rose Way so as to join back onto Follingsby Lane directly north of the development site, where two new bus stops will be provided. Go North East have confirmed that an extension to the route is likely to be appropriate and there may be scope to increase the level of service provided. Whilst the buses using this route do not provide direct access to South Tyneside they do go via the Heworth Interchange which is easily accessible by public transport (bus and Metro) from South Tyneside.
- 5.42 The proposed development therefore will ensure that public transport infrastructure is provided where appropriate including that which will future proof the scheme for potential links to and from IAMP. The final public transport scheme is to be approved and implemented by planning conditions (CONDITIONS 20 - 21) as the exact details will be subject to the occupiers of the buildings on this site and their associated shift patterns – which is not known at this stage.
- 5.43 Council officers have also fully considered the proposed pedestrian and cycle connections to the site, which are considered to be appropriate for the proposed development.
- 5.44 Traffic Generation / Impact  
In assessing the transport implications of the proposed development the Transport Assessment (TA) considers 4 scenarios :
- 1 - generic trip generation with Follingsby Lane open
  - 2 - generic trip generation with Follingsby Lane closed
  - 3 - bespoke trip generation (provided by the potential end occupier) with Follingsby Lane open
  - 4 - bespoke trip generation (provided by the potential end occupier) with Follingsby Lane closed
- 5.45 Highways England have been consulted and have confirmed that they have no objections to the proposed development subject to a number of planning conditions. The planning conditions would require the design and implementation of a junction mitigation strategy at the Follingsby Lane/ Follingsby Ave junction (CONDITIONS 22 - 23) and that each unit on the site has an operational management plan which confirms the shift patterns and traffic generation for the end occupier (CONDITION 24 – 25). Highways

England has requested these conditions to ensure highway safety and the free flow of traffic.

- 5.46 Work undertaken by Highways England in respect of the Whitemare Pool junction demonstrate that the development proposals will increase delays on both the strategic and local roads. This impact is not deemed to be severe.
- 5.47 Capacity of the B1288 - Sunderland City Council have requested in their representation letter that the Transport Assessment (TA) for the development should specifically identify whether the B1288 has sufficient capacity to accommodate such an increase in traffic and suggest any mitigation if necessary. The B1288 provides a link between the A194(M) and the A1 (North). The submitted TA shows that there will be an increase of 18.1% of traffic along this section of the B1288 as a result of the proposed development. This developer has clarified that this 18.1% increase represents an increase of 60 HGV movements across the whole day (Annual Average Daily Traffic) along this section of road and would not have any discernible impact on the capacity of this section of the highway meaning that no mitigation is required.
- 5.48 South Tyneside Council in their representation letter have stated that further information is required in the TA in order for the implications of the development to be understood and that some information appears to be missing. South Tyneside Council would also like more information on the junction improvement strategy for the Follingsby Lane/ Follingsby Avenue junction.
- 5.49 Council officers are of the opinion that adequate information has been submitted in the TA to assess the impacts of the proposed development. All the necessary information is available to view in the various documents that have been submitted including the Transport Assessment and the Transport Chapter of the Environmental Statement.
- 5.50 The ES concludes that the effect both during construction and operation in terms of transport are acceptable and not significant. Council officers are accepting that the proposals are not severe subject to the external highway works detailed below.
- 5.51 Transport Improvements  
In addition to the widening of Follingsby Lane and introduction of shared footway and cycleway, a number of transport changes and improvements are proposed as a result of this development including :

Provision of a new signalised crossing across Follingsby Lane east of access 2

The upgrade and modification of the signal equipment and controllers at the A195 New Road / B1288 Leam Lane / A195 Lingey Lane junction

Improvements to public transport services and infrastructure.

The provision of a new bus stop and layby along the southern side of Follingsby Lane to the east of access 1.

The provision of a new bus stop and layby along the southern side of Follingsby Lane to the east of access 5.

The provision of loading / waiting restriction along both sides of Follingsby Lane

Reduction in the speed limit along Follingsby Lane from 60mph to 40mph.

A signalised junction improvement at Follingsby Lane/ Avenue

- 5.52 Two planning conditions (CONDITIONS 26 - 27) have been recommended to approve the final details of these transport changes and improvements and to ensure that they are delivered at an appropriate stage in the development. The upgrade and modification of the signal equipment at the Lingey Lane junction will however be dealt with via a planning obligation as the developer has agreed to pay the Council £75,000 to undertake these works.
- 5.53 Internal Site Layout  
The access within the site, number, location and layout of car parking spaces, and the service yards will all be considered as part of the reserved matters application in the context of the assessments that have been carried out as part of this outline application
- 5.54 Planning conditions (CONDITIONS 28 - 31) are however considered necessary at this outline stage relating to approving and providing cycle parking provision and electric vehicle charging points as part of the development.
- 5.55 Construction Phase  
In order to ensure that the impact of the construction phase on the transport network is minimised it is proposed that the construction management plan secured under (CONDITIONS 32-33) will provide details relating to contractor parking, managing deliveries and the transfer of debris on to the highway.
- 5.56 Travel Plan  
A Framework Travel Plan has been submitted as part of the planning application. South Tyneside Council has raised some concerns in their representation letter about the submitted Travel Plan and suggest that further information and changes are required. Council officers agree that some changes and improvements are required to this document to make it more appropriate. Two conditions (CONDITIONS 34 – 35) have therefore been recommended to approve and implement a revised Framework Travel and Final Occupier Travel Plans for the development.
- 5.57 Subject to the above transport related planning conditions the proposed development is considered to be acceptable from a transport point of view and



would accord with the aims and objectives of the NPPF and policies CS13 and KEA2 of the CSUCP.

5.58 NOISE

5.59 The ES considers the potential noise impacts resulting from the proposed development.

5.60 Construction Noise

Construction works including site preparation, road widening and the construction of the buildings on the site will generate noise that has the potential to disturb occupiers of houses and commercial properties surrounding the area. The submitted ES states that due to the separation distances from the site to nearby houses the enabling and construction activities will be below the criteria to be significant. The ES states that for the existing industrial units at Follingsby Industrial Park there is the potential for the highways and building construction to approach criteria to be of significant noise levels, when working in close proximity or undertaking concurrent activities.

5.61 The ES therefore proposes careful management of the on site construction activities through the adoption of a construction management plan which will reduce these effects. Planning conditions have therefore been recommended (CONDITIONS 32- 33) to ensure that a construction management plan is approved and implemented on the site in the interests of the amenity of adjacent residential and commercial properties.

5.62 The ES suggests the following construction hours :

7:30am – 6:30pm Monday – Fridays  
7:30am – 1:30pm Saturdays  
No working on Sundays, Bank or Public holidays.

5.63 A planning condition has been recommended (CONDITION 36) which restricts the construction works to these hours, subject to a change to the suggested Saturday working to 8am-2pm instead in the interest of residential amenity.

5.64 Operational Noise

The proposed development may operate 24 hours a day, 7 days a week. A planning condition (CONDITION 37) has therefore been recommended to require that the development when operational does not exceed a specified noise rating at the nearest noise sensitive properties in the interest of residential amenity.

5.65 The ES predicts the change in traffic noise associated with the proposed development and states that the development will be perceptible at two residential properties on Follingsby Lane (Westfields and Strothers Farm House). The ES goes on to state that for 99% of the residential properties assessed the change in road traffic noise due to the development will be below of negligible effect.

- 5.66 The ES explains that based on the results of the assessments, impacts from construction noise and vehicle movements have the potential to increase the noise levels in the area. The ES concludes that these effects will either be temporary in nature, highly localised or limited to a small number of properties.
- 5.67 Council officers agree with the findings and conclusions of the ES. Subject to the recommended planning conditions relating to noise the proposed development is considered to be acceptable from a noise point of view and accords with the aims and objectives of the NPPF, saved policies DC1(h) and DC2 of the UDP and policy CS14 of the CSUCP.
- 5.68 AIR QUALITY
- 5.69 The ES predicts the potential air quality effects associated with the construction phase (dust) and operational phase (vehicle emissions) of the proposed development. A dust management plan is to be prepared for the site to provide measures to ensure dust arising from the construction phases of the development will be controlled, limited and reduced. The ES states that this will result in a negligible impact for dust at nearby properties during the construction phases. The submitted air quality assessment predicts that there will be a negligible impact on vehicle emissions with the proposed development in place.
- 5.70 Council officers agree with these conclusions. Two planning conditions (CONDITIONS 32-33) have been recommended to require a dust management plan as part of the construction management plan to ensure that the construction phases of the development have no significant effects. Subject to these planning conditions the development is considered to be acceptable from an air quality point of view.
- 5.71 LAND CONTAMINATION
- 5.72 Phase 1 and Phase 2 Geo Environmental Assessment Reports have been carried out for the site, which assesses the potential for contamination to be present. These reports conclude that there are no soil contamination issues at the site, no remediation measures are required and assessment of ground gas monitoring results has concluded that no gas protection measures are required. Council officers agree with these findings. A condition is however considered necessary (CONDITION 40) in the event that contamination is found when carrying out the development that was not previously identified.
- 5.73 It is therefore considered that there are no significant ground conditions likely to effect the development or arise as a result of the development. Subject to the above condition, it is considered the proposed development is acceptable from a contaminated land point of view and would accord with the aims and objectives of the NPPF, saved policies DC1(p) and ENV54 of the Council's UDP and policy CS14 of the CSUCP.
- 5.74 THE FORMER LEAMSIDE RAIL LINE

- 5.75 The former Leamside Railway Line runs along the eastern boundary of the site. Policy KEA2 of the CSUCP requires that the development of this site safeguards the Leamside Line for potential future re-opening. The submitted Parameters Plan shows that a green infrastructure buffer ranging from 35 metres to 45 metres along the eastern boundary of the site adjacent to the former Leamside Line. It is therefore considered that the proposed development would not prejudice the potential re-opening of the Leamside Line.
- 5.76 Network Rail has been consulted. Given the Council's aspirations to reopen the currently mothballed Leamside railway line Network Rail has considered the line to be operational and safeguarded for future re-use. On this basis they have stated that they have no objection in principle to the proposed development subject to a number of planning conditions relating to drainage, boundary fencing, site levels, lighting and landscaping adjacent to the line. These issues are already covered by planning conditions for other reasons relating to flood risk, design, ecology and amenity and /or will be subject to separate reserved matters applications.
- 5.77 EXISTING HEDGEROWS AND TREES
- 5.78 An Arboricultural Impact Assessment has been submitted as part of this application which identifies a number of hedgerows and trees on the site. The majority of the hedgerows and a small number of trees will be removed from the site to accommodate the development. Replacement and additional landscaping is proposed as part of the development.
- 5.79 Two planning conditions (CONDITIONS 38 - 39) have been recommended relating to the protection of the trees that are to be retained during construction. Subject to these conditions, the development is considered to be acceptable from a tree/landscaping point of view and accords with the NPPF, saved policy ENV44 of the UDP and policy CS18 of the CSUCP.
- 5.80 FLOOD RISK / DRAINAGE
- 5.81 The vast majority of the site is situated within Flood Zone 1 (lowest risk). There is a small area of the southern part of the site, which runs adjacent to the River Don which is situated within Flood Zones 2 and 3. A Flood Risk Assessment (FRA) and Sustainable Drainage Strategy have been submitted as part of the planning application.
- 5.82 No built development is proposed in flood zones 2 or 3. The FRA concludes that the proposed development is not a significant flood risk, subject to the finished floor levels of the development being raised. It is recommended that the finished floor levels are raised 150mm above surrounding ground levels and that the site has a finished floor level of between 52.5 metres and 55 metres (above AOD). These levels are indicated on the submitted Parameters Plan.
- 5.83 The Sustainable Drainage Strategy sets out the principles for the drainage design. The foul water flows from the development will connect to an existing

foul sewer system in the area. It is proposed that surface water flows from the development will discharge into the River Don to the south of the site at a restricted rate as the site is considered to be unsuitable for infiltration. The FRA therefore concludes that the development will not increase flood risk to the surrounding area as a result of suitable management of surface water discharging from the site.

5.84 Northumbrian Water has stated that they have no objection to the development subject to a planning condition requiring the foul flows to discharge into the existing foul sewer at manhole 0202 and the surface water to discharge directly into the local watercourse via an indirect connection into the surface water sewer close to either manhole 3801 or 3802 (CONDITION 46).

5.85 River Don Feasibility Study

As part of the work being carried out by the River Don Partnership a River Don Feasibility Study report was commissioned by the Environment Agency (EA) to assess the potential for providing improvements and river restoration along reaches of the River.

5.86 Much of the River Don is considered to be heavily modified and failing and is considered to have potential for improvement. At this current time there are no specific proposals for improving the River Don. The submitted Parameter Plan however includes a 10 metre safeguarded zone adjacent to the River Don. It is therefore considered that the proposed development would not prejudice the future restoration of the River.

5.87 The Environment Agency stated that they have no objection to the proposal subject to a number of planning conditions relating to no buildings being located within flood zones 2 and 3 on the site, the provision of a buffer zone along the River Don and the provision of a river restoration scheme for the River Don. A number of planning conditions (CONDITIONS 41 - 45) have therefore been recommended to address the EA's comments.

5.88 South Tyneside Council have stated that as the development is adjacent to the River Don there is a need to ensure that downstream developments will not suffer increased flood risk as a result of the development. South Tyneside Council go on to state that any increase in flows could impact not only the proposed IAMP development but also Reay Crescent in Boldon. South Tyneside Council have no objections to the development in principle from an environmental protection point of view, provided that Greenfield discharges are maintained and that the treatment of any discharges to the River Don are dealt with appropriately to ensure that there is no deterioration in water quality. South Tyneside Council also comment that any river restoration proposals that are undertaken going forward on the River Don should ensure that there is no increase in downstream flood risk and they should provide appropriate evidence of this at the reserved matters stage.

5.89 The above comments made by South Tyneside Council have been fully considered. The issues relating to the greenfield discharge rates, the treatment of discharges into the River Don to ensure that there is no deterioration in water

quality and the final details of the river restoration proposals can be controlled by planning conditions. Council officers also consider that the issues of flood risk have been fully addressed in the submitted ES ensuring that there will be no adverse impact on IAMP or Reay Crescent.

- 5.90 A number of planning conditions (CONDITIONS 46 – 51) have therefore also been recommended relating to the approval and implementation of the drainage scheme for the site including SuDs features and its maintenance. Subject to these planning conditions the proposed development is considered to be acceptable from a flood risk and drainage point of view and accords with the aims and objectives of the NPPF, saved policy DC1(j) of the UDP and policies CS17 and KEA2 of the CSUCP. In addition the proposed development provides the opportunity to carry out improvements to the River Don.
- 5.91 The ES concludes that the development would not have any significant impacts on water resources in the area and that there are some beneficial impacts associated with the scheme such as the improvements to the river and water quality. Council officers agree with this conclusion.
- 5.92 ECOLOGY
- 5.93 The site is located entirely within a designated Wildlife Corridor. Sections of the Durham Coast Special Area of Conservation (SAC) and Northumbria Coast Special Protection Area (SPA) lie within 9.5km of the development site. Several non-statutory designated nature conservation sites (i.e. Local Wildlife Sites) are located within 2km of the site, including Wardley Colliery LWS (120m northeast) and River Don LWS which forms the southern boundary.
- 5.94 The site comprises a series of arable fields of varying size bound by native hedgerows with occasional hedgerow trees, smaller areas of semi-improved/marshy grassland and two small buildings. The River Don forms the southern boundary of the site which at its eastern end supports a narrow strip of broadleaved woodland.
- 5.95 Several ponds occur within 500m of the site, a number of which have been confirmed as supporting breeding great crested newts (European Protected Species). The River Don supports water vole and occasional commuting otter. Habitats within and adjacent the site also provide opportunities for terrestrial amphibians (incl. common toad), farmland birds, foraging/commuting bats, brown hare, hedgehog and badger.
- 5.96 The site and its setting have been subject to a range of ecological surveys to inform allocation of the site for employment use under policy KEA2 of the CSUCP. In addition a range of surveys have been undertaken to support other planning applications in the local area. Using data gathered from a range of sources including a desk based study, previous ecological survey work and more recent survey work where time constraints have allowed the ES identifies the key ecological constraints as being :

the River Don corridor and its associated water vole population

local great crested newt populations

farmland and woodland edge birds

otter and bats which use the River Don corridor

the presence of the invasive aquatic plant *Crassula* in South Follingsby Farm pond and Himalayan balsam on the River Don which are likely to invade wetlands in the local area.

- 5.97 The proposed development will result in the loss of all arable land and internal hedgerows on the site. These areas will be replaced by the development together with 13.08 hectares of green infrastructure on the eastern, southern and western boundaries of the site.
- 5.98 Mitigation measures are proposed to protect the value and function of the River Don corridor and maintain ecological connectivity with neighbouring habitats/designated sites, including Wardley Colliery LWS. Mitigation measures are also proposed to avoid/minimise adverse impacts on protected/priority species during the construction and operational phases of the development. These proposed mitigation and enhancement measures can be secured through planning conditions (CONDITIONS 52 - 57)
- 5.99 Whilst mitigation measures have been put forward, the reduced width of the southern ecological/landscape buffer is likely to compromise its potential to support birds of open habitats including wading birds. Council officers are of the opinion that this level of impact cannot be mitigated on site alone. It is therefore considered that it is not possible to develop this site with no net loss of biodiversity.
- 5.100 In recognition of this and in accordance with the hierarchy set out in the NPPF, Council officers consider that off-site ecological compensation is therefore required to make the proposed development ecologically acceptable.
- 5.101 After considering options Council officers have identified an off-site ecological solution which involves the creation of 3.5 hectares of wet/marshy grassland at Shibdon Meadow LWS. The costs associated with the above off-site ecological compensatory measures (£58,750) can be secured by a planning obligation. Council officers consider that this would represent an acceptable/proportionate off site ecology scheme. The applicant has agreed to the off-site ecological solution and discussions are currently taking place to progress and complete the planning obligation.
- 5.102 The Local Planning Authority considers that the proposed development will require a Natural England European Protected Species Mitigation Licence in respect of great crested newts, and that the relevant licensing authority is likely to issue such a licence subject to the submission of an acceptable licence application by the applicant and/or their appointed agent.

5.103 In respect of discharging its statutory duty with regards to the consideration of species (namely great crested newt) protected under the provisions of the Habitats Directive, and implemented through the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority is satisfied that the proposed development meets the requirements of the three derogation tests:

a. Imperative reasons of overriding public interest of a social or economic nature or preserving public health and safety. The significant socio economic benefits are outlined in the Socio Economic section of this report.

b. No satisfactory alternative. The ES considers alternatives and concludes that the development site is the most suitable and appropriate site to meet the operational and employment land requirements for Gateshead. Council officers agree with these findings.

c. Favourable conservation status of the European Protected Species in their natural range. The LPA is satisfied that suitable measures can be imposed that will minimise the impact of the development on individual great crested newts during the site clearance and construction phases of the development, and that the proposed creation of new/replacement breeding and terrestrial habitat, along with measures to improve ecologically connectivity, will result in the conservation status of the local great crested newt population being maintained at or above its current level.

5.104 The ES concludes that with the implementation of the proposed mitigation measures (including licenced mitigation in respect of great crested newts) no residual adverse construction effects of above minor adverse significance are anticipated other than on wading birds which will be lost to the development with a moderate adverse effect. The ES also states that a number of potential benefits will be provided as a result of the development including habitat creation and improved ecological connectivity. Council officers agree with these conclusions.

5.105 South Tyneside Council has stated that with regards to ecology there is the potential for adverse impacts on the cross boundary green infrastructure and wildlife corridors that runs through this area. The Follingsby Local Wildlife site, River Don East House Local Wildlife Site and Wardley Colliery Local Wildlife Site are all in close proximity to the proposed development. South Tyneside Council comment further by adding that a regionally important population of water vole is present through the River Don and that sufficient mitigation should be put in place to prevent or offset any adverse impact on the Local Wildlife Sites and all protected and priority habitats and species.

5.106 The comments made by South Tyneside Council have been fully considered. The submitted ES demonstrates that the proposed development will conserve biodiversity overall and provide opportunities for enhancement of the River Don, water vole and great crested newt. Whilst the development will result in the loss of all arable land at the site this will be replaced by 13.08 hectares of

green infrastructure on the eastern and western boundaries of the site as well as along the River Don. Detailed mitigation measures are also proposed to protect the river corridor and other habitats around the margins and to protect species such as great crested newts, otter, water vole and bats. Council officers are therefore of the opinion that there will be no adverse impact on nearby green infrastructure or wildlife corridors.

5.107 Subject to the above ecology related planning conditions and off-site ecology compensation measures to be secured by a planning obligation, it is considered that the proposed development would not have a detrimental impact on designated sites, protected species, priority habitats, priority species and ecology connectivity. The development should provide opportunities for enhancement of the River Don, water vole and great crested newt. It is therefore considered that the proposal and would will comply with the NPPF, saved policies DC1(d), ENV44, ENV46, ENV47, ENV49 and ENV51 of the UDP and Policy CS18 of the CSUCP.

#### 5.108 SOCIO ECONOMIC ISSUES

5.109 This chapter of the ES assesses the likely socio economic effects of the proposed development both during its construction and operation. During construction the ES states that the development is expected to support 370 construction jobs and 555 spin off jobs each year over the duration of a four year build project.

5.110 The ES estimates that the proposed development during operation is capable of accommodating 3,225 jobs on site. Adjusting for part time workers this is likely to equate to between 3,013 full time equivalent jobs. The proposed development could also generate £4.75 million of additional business rates revenue per year.

5.111 The ES concludes that the development would not give rise to any adverse socio economic effects. The ES goes on to state that overall the proposed development will have a permanent beneficial effect from a socio economic point of view. Council officers agree with this conclusion and are of the opinion that the development would result in significant investment in the area which would provide significant local employment opportunities and expenditure.

#### 5.112 CUMULATIVE EFFECTS

5.113 The ES assesses whether any cumulative effects may arise from the proposed development when considered with other schemes in proximity to the site. The objective is to identify whether impacts from several developments which individually might be insignificant could when considered together cause a significant indirect and cumulative impact requiring mitigation.

5.114 The ES identifies cumulative effects in respect of transport, landscape, visual and ecology arising from the development when considered with other developments in the surrounding area.



- 5.115 Sunderland City Council suggest that there are additional projects which should have been taken into account in the assessment of cumulative effects. These are the allocations shown within the recently published Draft Core Strategy and Development Plan (2017-2033) and a development at the Washington Northern Area Playing Fields, which is a sports facility to the south at Stephenson Road (planning application reference : 17/02425/LP3).
- 5.116 The EIA regulations require a description of the likely significant effects of a development on the environment resulting from the cumulation of effects with other existing and / or approved projects. Cumulative assessments normally have regard to schemes which are reasonably foreseeable (usually those under construction or with planning permission). This assessment is also only capable of being carried out based on the information available at the time.
- 5.117 Council officers are therefore of the opinion that there is no requirement to consider the likely cumulative effect of potential site allocations or schemes which have not yet secured planning permission.
- 5.118 The planning application at Washington Northern Area Playing Fields was approved on 4th April 2018 by Sunderland City Council. The development relates to the demolition of the existing changing pavilion, engineering works to re-grade the site and the installation of drainage for the provision of 4 artificial pitches with associated fencing, floodlighting and improvements to the remaining existing natural grass pitches, the erection of a new pavilion building, alterations to the existing access and other associated works.
- 5.119 At the time that the Follingsby Environmental Statement (ES) was submitted (March 2018) the Washington Northern Playing Fields application remained undetermined. In this context it was not reasonably foreseeable that permission would be granted and so was not identified as requiring consideration in the Follingsby (ES).
- 5.120 Notwithstanding the above, considering this application's recent approval the applicant has reviewed the details of the application and concluded that there is no potential for significant environmental effects and therefore no need to provide an addendum to the ES Chapter L on Cumulative Effects.
- 5.121 The ES concludes that none of the identified cumulative effects will be significant and therefore no additional mitigation measures are required. Council officers agree with this assessment and findings.
- 5.122 COMMUNITY INFRASTRUCTURE LEVY
- 5.123 On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development as it is not for qualifying retail or housing related development. As such no CIL charge is liable.

## 6.0 CONCLUSION

- 6.1 The site is allocated through policy KEA2 of the CSUCP for employment uses and development of up to 90,000m<sup>2</sup> of floor space has already been considered to be acceptable through the approval of planning permission (reference : DC/17/01117/OUT). The proposed increase in floor space is in direct response to a potential operators requirements and can be accommodated on the site through incorporating mezzanine floors.
- 6.2 The Environmental Information contained with the Environmental Statement (ES submitted with this application has been taken into consideration by the Council in coming to its decision.
- 6.3 A range of mitigation measures have been identified which are capable of being provided through planning conditions and a planning obligation.
- 6.4 The ES concludes that negative residual effects remain for landscape/visual and noise in relation to some properties that are close to the site. The ES also concludes that all other effects are negligible, neutral or beneficial. Council officers agree with these findings and conclusions.
- 6.5 The negative impacts should however be balanced against the significant beneficial socio economic benefits of the development in terms of investment in the area and local employment opportunities and expenditure, as well as the benefits in respect of biodiversity and water quality along the River Don corridor. Overall the effect on the local community is considered to be a positive one.
- 6.6 The inclusion of some B2 uses as part of the development and the amount of floor space proposed (225,000m<sup>2</sup>) is not in accordance with policy KEA2 of the CSUCP and is therefore a departure to the Council's approved development plan. However the impact of introducing B2 uses as part of the development and the amount of floor space proposed has been fully assessed in the submitted ES and has been found to be acceptable.
- 6.7 Therefore taking into account all the relevant material planning considerations, including the environmental information contained with the Environmental Statement, the comments made by consultees and the representations received, it is considered that the proposal is acceptable and accords with the aims and objectives of both national and local planning policies.
- 6.8 It is therefore recommended that planning permission be granted subject to the planning conditions and planning obligation below.

## 7.0 Recommendation:

GRANT SUBJECT TO A SECTION 106 AGREEMENT

- 1) The agreement shall include the following obligations:

- the payment of £58,750 for off site ecology compensation at Shibdon Meadow and the payment of £75,000 for the upgrade and modification of the signal equipment at the Lingey Lane / Leam Lane Junction

2) That the Strategic Director of Legal and Corporate Services be authorised to conclude the agreement.

3) That the Strategic Director of Communities and Environment be authorised to add, delete, vary and amend the planning conditions (as set out below) as necessary.

4) And that the conditions shall include:

1

The development hereby permitted in outline shall not be carried out other than in complete accordance with the plan(s) accompanying the application as listed below :

Site Location	17072-0010 Rev B
Parameter Plan	17072 0014 Rev C
Green Infrastructure Zone	NT13312-100 Rev B
Green Infrastructure Fencing Plan	NT13312-101 Rev B
Detailed Sections Sheet 1 of 3	NT13312-102 Rev A
Detailed Sections Sheet 2 of 3	NT13312-103 Rev A
Detailed Sections Sheet 3 of 3	NT13312-104 Rev A
Typical Pond Sections	FOL BWB DDG XX DR C 560 S1 P5
Proposed Access Arrangements	2119-1500-P-001 Rev B
Access 1 General	2119-1600-P-001 Rev A
Access 1 Engineering	2119-1600-P-002 Rev A
Access 2 General	2119-1700-P-001 Rev B
Access 2 Engineering	2119-1700-P-002 Rev B
Access 3 General	2119-1800-P-001 Rev B
Access 3 Engineering	2119-1800-P-002 Rev B
Access 4 General	2119-1900-P-001 Rev B
Access 4 Engineering	2119-1900-P-002 Rev B
Access 5 General	2119-2000-P-001 Rev A
Access 5 Engineering	2119-2000-P-002 Rev A
Access 6 General	2119-2100-P-001 Rev A
Access 6 Engineering	2119-2100-P-002 Rev A

and with such further details for each phase of the development that shall be submitted to prior to the commencement of development on that phase for the Council's approval in writing in relation to the following reserved matters, namely:

- (1) appearance
- (2) landscaping
- (3) layout
- (4) scale

Reason

This condition is imposed pursuant to article 4 (1) of the Town and Country Planning (General Development Procedure) Order 2010 (as amended) to ensure development is carried out in accordance with the approved details as submitted.

2

Application for approval of the reserved matters referred to in condition 1 above shall be made to the Local Planning Authority within 5 years of the date of this permission.

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

3

The development to which this permission relates shall be begun not later than two years from the approval of the reserved matters referred to in condition 1 above.

(N.B. if the reserved matters are approved on different dates, the two-year period is calculated from the approval of the last such matter to be approved.)

Reason

This condition is imposed pursuant to the requirements of section 92 of the Town and Country Planning Act 1990.

4

The buildings on the site shall not exceed a maximum height of 28 metres above the finished floor level with the maximum finished floor level being 55 metres (above AOD).

Reason

To ensure an appropriate form of development in the interest of good design to accord with the NPPF, saved policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

5

No development shall commence on site until a phasing plan which includes details of the elements of the development which are included in each phase and the order of the phases has been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of good design and to ensure a comprehensive, phased and co-ordinated approach to the site development to accord with the aims and objectives of the NPPF, saved policy ENV3 of the Council's Unitary Development Plan and Policy CS15 of the Council's Core Strategy and Urban Core Plan.

6

The development shall be carried out in accordance with the phasing plan approved under condition 5 unless otherwise subsequently updated and first approved in writing by the Local Planning Authority.

Reason

In the interest of good design and to ensure a comprehensive, phased and co-ordinated approach to the site development to accord with the aims and objectives of the NPPF, saved policy ENV3 of the Council's Unitary Development Plan and Policy CS15 of the Council's Core Strategy and Urban Core Plan.

7

The development hereby approved shall not provide more than 225,000 m<sup>2</sup> gross external floor space and shall only be used/occupied for the following uses and for no other purpose :

- (a) B2 general industry (which shall not exceed more than 27,000m<sup>2</sup> of gross external floor space)
- (b) B8 storage and distribution

of the Town & Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

To ensure that the primary function of the site is for B8 in accordance with the NPPF and policy KEA2 of the Core Strategy and Urban Core Plan.

8

No development shall commence on each phase of the development until details of the existing and proposed site levels for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure an appropriate form of development in the interest of good design and to accord with the NPPF, saved policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

9

Each phase of the development shall be implemented in accordance with the site levels approved for that phase at condition 8.

Reason

To ensure an appropriate form of development in the interest of good design and to accord with the NPPF, saved policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

10

Notwithstanding the submitted drawings, no development shall commence on the wildlife observation area until a revised scheme for the wildlife observation area including its location, design, size and materials has been submitted to and approved in writing by the Local Planning Authority.

Reason

To improve opportunities for biodiversity in accordance with the NPPF, saved policies ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CS18 and KEA2 of the Core Strategy and Urban Core Plan.

11

The wildlife observation area on the site shall be provided in accordance with the scheme approved under condition 10.

Reason

To improve opportunities for biodiversity in accordance with the NPPF, saved policies ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CS18 and KEA2 of the Core Strategy and Urban Core Plan.

12

A Landscape and Ecology Monitoring and Management Strategy (LEMS) for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to that phase of the development being brought into use. The Landscape and Ecology Monitoring and Maintenance Strategy shall include the following :

- (a) description and evaluation of features to be managed
- (b) ecological trends and constraints on site that influence management

- (c) aims and objectives of the management
- (d) appropriate management options for achieving aims and objectives
- (e) details of initial aftercare
- (f) details of long term maintenance
- (g) a work schedule including annual work plan
- (h) details of the body or organisation responsible for implementation of the plan
- (i) ongoing monitoring and remedial measures

Reason

To ensure that the landscape and ecology provision at the site is well established and is satisfactorily maintained in accordance with the NPPF, saved policies ENV3, ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CS15, CS18 and KEA2 of the Core Strategy and Urban Core Plan.

13

Each phase of the development shall be monitored and managed in accordance with the Landscape and Ecology Monitoring and Management Strategy for that phase of the development approved at condition 12.

Reason

To ensure that the landscape and ecology provision at the site is well established and is satisfactorily maintained in accordance with the NPPF, saved policies ENV3, ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CS15, CS18 and KEA2 of the Core Strategy and Urban Core Plan.

14

The landscaping scheme for the green infrastructure zone hereby approved as shown on drawing (NT13312-100 Rev B) shall be carried out in accordance with the approved details prior to the first unit on the site being occupied or the first available planting season thereafter.

Reason

To ensure that the approved landscaping scheme is completed in the interests of the visual amenity of the area and in accordance with the NPPF, saved policy ENV3 of the Unitary Development Plan and policy CS15 of the Core Strategy and Urban Core Plan.

15

No building hereby approved shall be occupied until a detailed car park management plan (CPMP) for that building has been submitted to and approved in writing by the Local Planning Authority. The CPMP should follow the principles set out in the framework CPMP (reference : 23584/FCPMP) approved as part of this application, providing suitable detail to demonstrate how the use of the final car park zones together with the individual access points will be utilised to minimise the impact on the local highway during the peak periods including shift change over.

Reason

To ensure suitable site access arrangements in the interest of highway safety in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

16

All buildings within the site shall operate in accordance with the Car Park Management Plan approved at condition 15.

Reason

To ensure suitable site access arrangements in the interest of highway safety in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

17

No building hereby approved shall be occupied until a servicing management plan for that building has been submitted to and approved in writing by the Local Planning Authority. The servicing management plan shall provide a strategy on how the use of the servicing areas together with the individual access points will be utilised to manage inbound HGV movements to minimise the impact on the local highway.

Reason

To ensure suitable site access arrangements for HGV's and the free flow of traffic in the interest of highway safety in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

18

All buildings within the site shall operate in accordance with the servicing management plan approved at condition 17.

Reason

To ensure suitable site access arrangements for HGV's and the free flow of traffic in the interest of highway safety in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

19

HGV's shall only use access points 1, 4, 5 and 6 as shown on the approved access drawing (2119-1500-P-001 Rev B).

Reason



In the interest of highway safety and the free flow of traffic on the local highway in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

20

No building hereby approved shall be occupied until a public transport strategy has been submitted to and approved in writing by the Local Planning Authority.

The Public Transport Strategy shall include details of the duration, routing, frequency, and delivery of bus services serving the development together with any review mechanisms as may be appropriate and how these tie in with the shift patterns of the occupier of the building. It should also consider the needs of the other buildings already occupied at the site.

Reason

To improve and promote access to the site by bus in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

21

The public transport strategy approved at condition 20 shall be provided in accordance with the approved details and approved timetable for implementation and retained thereafter.

Reason

To improve and promote access to the site by bus and for pedestrians, cyclists in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

22

No development hereby approved shall commence on site until a detailed scheme for the improvement of the Follingsby Lane / Follingsby Avenue junction (as illustrated in principle on Fore drawing 2500-100-P-001 revision D dated 3 April 2018) has been submitted to and approved in writing by the Local Planning Authority.

The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and the free flow of traffic on the A194(M) and its junctions in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

23

The Follingsby Lane/ Follingsby Avenue junction improvement scheme approved at condition 22 shall be provided in accordance with the approved details prior to any building on the site being occupied.

The completed works shall be subject to a Stage 3 (completion of construction) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and the free flow of traffic on the A194(M) and its junctions in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

24

No building hereby approved shall be occupied until an Operational Management Plan for that building has been submitted to and approved in writing by the Local Planning Authority. Each Operational Management Plan shall specify the proposed shift patterns and predicted trip generation for the building giving full consideration to the figures within the Transport Assessment which have been assessed and accepted. It shall also consider the trip generation of all buildings already in operation on the site.

Reason

In the interest of highway safety and the free flow of traffic on the A194(M) and its junctions in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

25

All buildings within the site shall operate in accordance with the approved Operational Management Plan approved at condition 24. No deviation shall be made from the approved Operational Management Plans, including the shift patterns, without the prior written approval of the Local Planning Authority.

Reason

In the interest of highway safety and the free flow of traffic on the A194(M) and its junctions in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

26

No buildings hereby approved shall be occupied until a detailed scheme for the following highway works and improvements along with a timetable for their implementation has been submitted to and approved in writing by the local planning authority:

- (a) Widening of Follingsby Lane with associated works including lighting, drainage and signage details
- (b) Site access including details of gradients and visibility
- (c) Shared footway/cycleway detail to tie in with existing infrastructure and site access's
- (d) The provision of a new signalised crossing across Follingsby Lane east of access 2
- (e) The provision of a new bus stop and layby along the southern side of Follingsby Lane east of access 5
- (f) The provision of a new bus stop and layby along the southern side of Follingsby Lane east of access 1
- (g) The provision of loading / waiting restriction along both sides of Follingsby lane
- (h) Reduction in the speed limit along Follingsby Lane from 60mph to 40mph.

The design for the above highway works and improvements shall include the consideration and inclusion of measures to minimise impacts on biodiversity and enhance ecological connectivity (principally for amphibians including great crested newt and foraging and commuting bats).

#### Reason

To provide suitable access and improve and promote access to the site by bus and for pedestrians, cyclists in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

#### 27

The off site highway works approved at condition 26 shall be provided in accordance with the approved details and approved timetable for implementation unless otherwise approved in writing by the Local Planning Authority.

#### Reason

To provide suitable access and improve and promote access to the site by bus and for pedestrians, cyclists in accordance with the NPPF and policies CS13 and KEA2 of the Core Strategy and Urban Core Plan.

#### 28

No cycle parking facilities shall be provided on each phase of the development until a scheme for the provision of cycle parking facilities for that phase of the development has been submitted to and approved

in writing by the Local Planning Authority. The cycle parking facilities shall include :

- secure cycle parking provision for visitors
- secure and weatherproof cycle parking provision for staff
- secure motor cycle parking for staff and visitors

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

29

The cycle parking facilities approved at condition 28 shall be provided on each phase of the development in accordance with the approved details prior to that phase of the development being brought into use and/or the buildings on that phase being occupied and be retained thereafter.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

30

No electric vehicle charging points shall be provided on each phase of the development until details of the number, location and specification of the charging points for that phase of the development have been submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 and KEA2 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

31

The electric vehicle charging points approved at condition 30 shall be provided on each phase of the development in accordance with the approved details prior to that phase of the development being brought into use and/or the buildings on that phase being occupied and be retained thereafter.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 and KEA2 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

32

No development shall commence on each phase of the development until a Construction Management Plan (CMP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include :

- a dust management plan
- a noise management plan
- pollution prevention measures
- contractor parking
- details of delivery arrangements
- measures to limit and manage transfer of debris on to the highway

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

33

Each phase of the development shall be implemented in accordance with Construction Management Plan (CMP) measures approved for that phase of the development at condition 32.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

34

No buildings hereby approved shall be occupied until a revised Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The revised Framework Travel Plan will include:

- (a) Details to employ or engage a site-wide travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Framework Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority
- (b) Clearly defined objectives and indicators.
- (c) Indicative targets based on trip generation figures.
- (d) Details of proposed measures to address the objectives.

- (e) Detailed timetable for implementing measures, travel surveys and monitoring.
- (f) A summary of costs associated with the measures, monitoring and management of the Travel Plan over its lifetime together with details on how this will be funded.
- (g) Details of the governance that will be in place to ensure measures are implemented effectively.
- (h) Commitment to use the Council's preferred monitoring system

Evidence of the travel plans implementation over a minimum period of 12 months from first implementation shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

The travel plan will be in place for a minimum of 5 years after occupation of the final building on the site.

At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

#### Reason

To promote sustainable travel choices to accord with the NPPF and policies KEA2 and CS13 of the Core Strategy and Urban Core Plan.

#### 35

Three months after each building hereby approved being occupied either in part or in full the owner and/or the occupier of each building shall submit a user specific travel plan to the Local Planning Authority for written approval.

The user specific travel plan shall demonstrate how they will engage with the measures set out in the Framework Travel Plan and accord in full with the details set out in the approved Framework Travel Plan at condition 34.

Evidence of the travel plans implementation over a minimum period of 12 months from first implementation shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition.

At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

#### Reason

To promote sustainable travel choices to accord with the NPPF and policies KEA2 and CS13 of the Core Strategy and Urban Core Plan.

36

All external works in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0700 hours and 1830 hours on Mondays to Fridays, only between 0800 hours and 1400 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason

To safeguard the amenities of nearby residents in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

37

The operational noise levels from the site at free field locations representing nearby sensitive properties shall not exceed absolute levels of LAeq (1 hour) 45 dB during the daytime hours of 0700 - 2300 and LAeq (5 minute) 40 dB or LAFmax of 55dB (15 minute period) during the night time hours of 2300-0700.

Reason

In the interest of the amenity of adjacent properties and to accord with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

38

No development or any other operations shall commence on each phase of the development until a scheme for the protection of the existing trees and hedges that are to be retained on that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the trees/hedges to be retained and the location and specification of the protective fencing to be used.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

39

The tree protective fencing for each phase of the development approved at condition 38 must be installed prior to the commencement of development for that phase and thereafter retained intact for the full duration of the construction works on that phase of the development and there shall be no access, storage, ground disturbance or contamination

within the fenced area without the prior written approval of the Local Planning Authority.

Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, saved policy ENV44 of the Unitary Development Plan and policy CS18 of the Core Strategy and Urban Core Plan.

40

In the event that contamination is found at any time when carrying out the development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination.

Where required by the Local Authority an investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and implemented. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risk from land contamination are minimised in accordance with the NPPF, saved policies DC1 (p) and ENV54 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

41

Any buildings on the site shall only be located within flood zone 1, as defined by drawing number 0014 of the submitted Flood Risk Assessment (dated March 2018) by BWB consultancy.

Reason

To ensure that the buildings are located outside of flood zones 2 or 3 to prevent the increased risk of flooding to accord with the NPPF and saved policy CS17 of the Core Strategy and Urban Core Plan.

42

No development shall commence on site until a scheme for the provision of a 10 metre safeguarding zone alongside the River Don (within the application site boundary) and its protection has been submitted to and approved in writing by the Local Planning Authority.

The River Don safeguarding zone scheme shall be free from built development including lighting and formal landscaping and shall include :



- (a) Scaled plans showing the extent and layout of the 10 metre safeguarding zone measured horizontally from the top of the bank on the landward side of the river
- (b) Details demonstrating how the safeguarding zone will be protected during all development works except river restoration works.
- (c) A maintenance strategy

Reason

To ensure that ecology along the River Don is protected to accord with the NPPF, saved policies ENV47 and ENV51 of the Unitary Development Plan and policies CS18 and KEA2 of the Core Strategy and Urban Core Plan.

43

No development shall commence on site until the scheme for the safeguarding of the River Don approved at condition 42 has been provided in accordance with the approved details. Thereafter the River Don safeguarding scheme shall be retained, and maintained in accordance with the details approved at condition 42 unless otherwise approved in writing by the Local planning Authority.

Reason

To ensure that ecology along the River Don is protected to accord with the NPPF, saved policies ENV47 and ENV51 of the Unitary Development Plan and policies CS18 and KEA2 of the Core Strategy and Urban Core Plan.

44

No buildings hereby approved shall be occupied until a river restoration scheme to restore the River Don (within the application site boundary) has been submitted to and approved in writing by the Local Planning Authority.

The river restoration scheme shall include :

- (a) A restoration/mitigation plan including proposals for the River Don
- (b) Details of habitat linkages between the river restoration scheme and the wildlife/ ecology/ SuDS buffer zone features.
- (c) Measures to safeguard/conservate existing ecology
- (d) Demonstration that the river restoration scheme will not compromise the intended hydrological performance of the SuDS scheme serving runoff from the development site.

- (e) A construction management plan including programme schedule, pollution control measures and timetable of works
- (f) A monitoring strategy
- (g) A maintenance and management strategy

Reason

To improve and restore the River Don in accordance with the Water Framework Directive and policy KEA2 of the Core Strategy and Urban Core Plan.

45

The river restoration scheme approved at condition 44 shall be provided in accordance with the approved details and the approved timetable of works, unless otherwise approved in writing by the Local Planning Authority.

Thereafter the river restoration scheme shall be monitored, maintained and managed in accordance with the details approved at condition 44.

Reason

To improve and restore the River Don in accordance with the Water Framework Directive and policy KEA2 of the Core Strategy and Urban Core Plan.

46

No development shall commence on each phase of the development until a foul and surface water drainage scheme including a detailed assessment and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage shall comprise surface level vegetated SuDS components wherever possible, shall provide a variety of functioning aquatic and riparian habitats within the wildlife buffer, sensitively designed outfall(s) arrangements, and shall be in compliance with DEFRA Non-Statutory Technical standards for SuDS, Local and National Policy, and the Water Framework Directive. The surface water drainage shall also comprise of measures to protect existing utilities (pylons and gas pipe network) and Leamside Line.

All phases of the development shall discharge the foul flows to the existing foul sewer at manhole 0202 and discharge the surface water directly to the River Don watercourse via an indirect connection into the surface water sewer close to either manhole 3801 or 3802.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policy CS17 of the Core Strategy and Urban Core Plan.

47

Each phase of the development shall be implemented in accordance with the foul and surface water drainage scheme for that phase of the development and the timetable for implementation approved at condition 46.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policy CS17 of the Core Strategy and Urban Core Plan.

48

No development shall commence on each phase of the development until a Drainage Construction Method Statement (DCMS) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The Drainage Construction Method Statement shall include :

- (a) Details of how construction site runoff will be detained and treated to avoid risk of flooding and/ or pollution or sedimentation to the River Don.
- (b) Details of how SuDS components will be protected during construction to ensure correct functioning without sediment build up at completion of the works.
- (c) Consideration of access for inspections

Reason

To protect the river environment of the River Don and to ensure correct functioning of the drainage system at completion to accord with the NPPF, saved policy DC1 of the Unitary Development Plan and policy CS17 of the Core Strategy and Urban Core Plan .

49

Each phase of the development shall be implemented in accordance with the Drainage Construction Method Statement for that phase of the development approved at condition 48.

Reason

To protect the river environment of the River Don and to ensure correct functioning of the drainage system at completion to accord with the NPPF, saved policy DC1 of the Unitary Development Plan and policy CS17 of the Core Strategy and Urban Core Plan .

50

Prior to each phase of the development being brought into use and/or the buildings on that phase being occupied (whichever comes first) a Drainage Management Plan (including the SuDs features) for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

The Drainage Management Plan shall co-ordinate with the Landscape Management Plan and shall include :

- (a) confirmation of who will be responsible for the maintenance of the drainage system
- (b) description of the system and how each element is expected to work
- (c) management objectives for the site
- (d) inspection and maintenance schedules and specification
- (e) confirmation of maintenance access points, easements and outfalls
- f) health and safety guidance for maintainers of drainage and landscape, and also utility companies.

**Reason**

To ensure to correct functioning of the drainage system for the lifetime of the development and to prevent the increased risk of flooding and pollution of the water environment in accordance with the NPPF, saved policies DC1 (h) and (j) of the Unitary Development Plan and policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

**51**

The drainage scheme including SUDS features provided for each phase of the development shall be managed and maintained in accordance with the Drainage Management Plan approved at condition 50.

**Reason**

To prevent the increased risk of flooding and pollution of the water environment in accordance with the NPPF, saved policies DC1 (h) and (j) of the Unitary Development Plan and policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

**52**

No development shall commence on each phase of the development until an Ecology Method Statement(EMS) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The EMS shall include the following measures and a timetable for their provision, implementation and retention:

- (a) details (local and specification) of the protective fencing to be installed on site to avoid impacts on habitats and species
- (b) the timing of works
- (c) proposed working methods
- (d) measures to prevent the spread of invasive species on site
- (e) details of how excavations will be covered during construction
- (f) details of how materials will be safely stored during construction
- (g) the provision of an ecological clerk of works

Reason

To prevent / minimise harm to ecological features during the construction phases of the development in accordance with the NPPF, saved policies DC1 and ENV47 of the Unitary Development Plan and policies KEA2 and CS18 of the Core Strategy and Urban Core Plan.

53

The ecology method statement approved at condition 52 shall be provided for each phase of the development in accordance with the approved details and the approved timetable for implementation and retention.

Reason

To prevent / minimise harm to ecological features during the construction phases of the development in accordance with the NPPF, saved policies DC1 and ENV47 of the Unitary Development Plan and policies KEA2 and CS18 of the Core Strategy and Urban Core Plan.

54

No development shall commence on each phase of the development until an Ecology Enhancement Plan (EHP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

The EHP shall include details of the on site habitat creation, restoration and enhancement measures including bird boxes, bat boxes and barn owl boxes with a timetable for their provision.

Reason

To provide replacement and improved opportunities for biodiversity in accordance with the NPPF, saved policies ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CC18 and KEA2 of the Core Strategy and Urban Core Plan.

55

Each phase of the development shall be implemented in accordance with the Ecology Enhancement Plan and timetable for implementation approved for that phase of the development at condition 54.

Reason

To provide replacement and improved opportunities for biodiversity in accordance with the NPPF, saved policies ENV46, ENV47 and ENV51 of the Unitary Development Plan and policies CC18 and KEA2 of the Core Strategy and Urban Core Plan.

56

No external lighting shall be provided until details of the number, type, position, design, dimensions and lighting levels of the lighting has been submitted to and approved in writing by the Local Planning Authority.

Reason

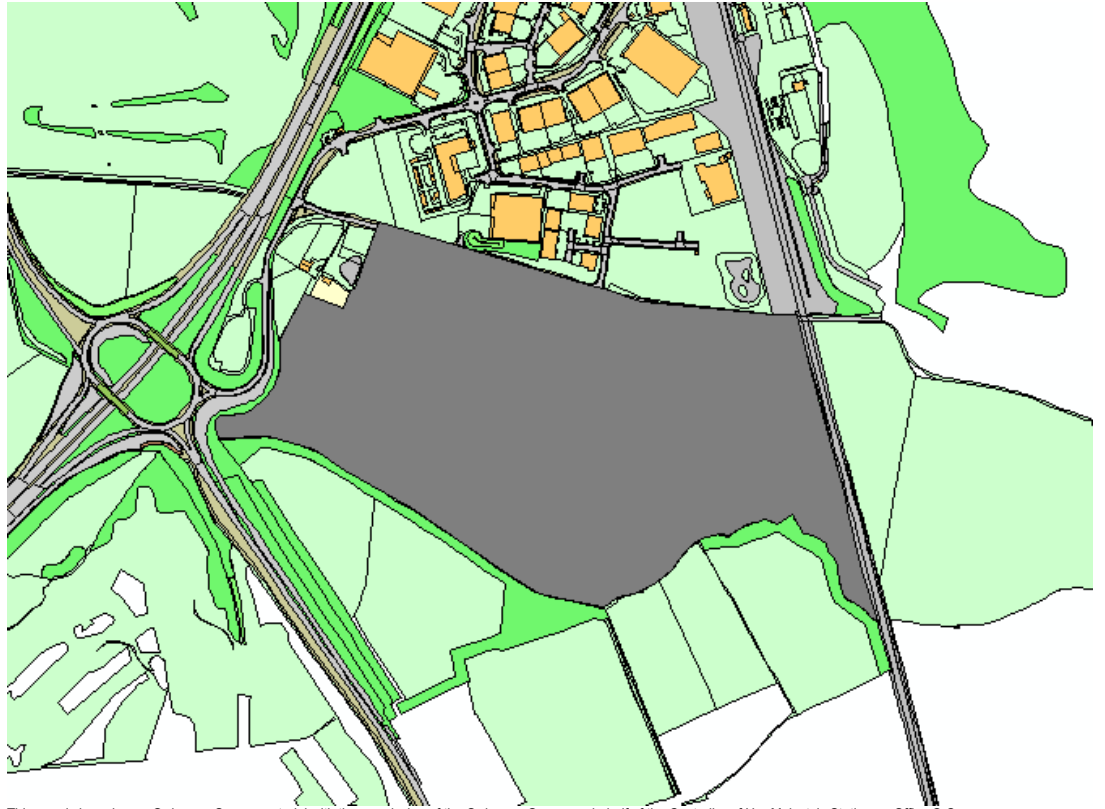
To ensure an appropriate form of development in the interest of good design, residential amenity and ecology to accord with the NPPF, saved policies ENV3, DC2, ENV47 and ENV51 of the Unitary Development Plan and policies CS14, CS15 and CS18 of the Core Strategy and Urban Core Plan.

57

The external lighting at the site shall be implemented in accordance with the external lighting details approved at condition 56.

Reason

To ensure an appropriate form of development in the interest of good design, residential amenity and ecology to accord with the NPPF, saved policies ENV3, DC2, ENV47 and ENV51 of the Unitary Development Plan and policies CS14, CS15 and CS18 of the Core Strategy and Urban Core Plan.



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