

**Committee Report**

<b>Application No:</b>	<b>DC/16/00722/COU</b>
<b>Case Officer</b>	<b>Graham Stephenson</b>
<b>Date Application Valid</b>	<b>30 September 2016</b>
<b>Applicant</b>	<b>SEVCON Ltd</b>
<b>Site:</b>	<b>Skills Academy For Construction Kingsway South Team Valley Gateshead NE11 0JL</b>
<b>Ward:</b>	<b>Lamesley</b>
<b>Proposal:</b>	<b>Change of use from education and training facility (use class D1) to office, workshop and research facility (sui generis) including provision of additional car parking and other associated external works and facilities.</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Change of Use</b>

**1.0 The Application:****1.1 DESCRIPTION OF THE APPLICATION SITE**

1.2 The 1.1 hectare application site is located on the corner of Eighth Avenue and Princesway, within the Team Valley Trading Estate which is designated as a Primary Employment Area (PEA). It forms part of a wider site that is occupied by Gateshead College as a learning centre. The use as a learning centre was granted planning permission in 2007 DC/07/00167/COU. In 2010 planning permission (DC/10/00290/FUL) was granted and subsequently implemented, for an extension (size 1,790sqm) to the existing learning centre and the erection of a 2-storey teaching and training facility (size 2,832 sqm) (use class D1) with associated car parking and ancillary outdoor recreation space. It is these later additions which are no longer in use by the College and are subject to this planning application.

1.3 The two-storey building forms an L shape which is set back between 7-8 metres from the site boundaries. It measures 50 metres long along Eighth Avenue, 44 metres along Princesway and 18 metres deep by 7.8 metres in height. The materials include metal sheet cladding and aluminium curtain walling with grey tinted double glazing for the walls with polished granite to the main entrance and a single ply polymeric flat roof.

1.4 There is a central landscaped courtyard outside the building, to the north. There is also a Multi Use Games Area (MUGA) within the site. The site also benefits from attractive hard and soft landscaping and screened refuse stores.

1.5 Vehicle access to the site is at the north west corner of the site off Princesway. There is currently parking on site for 34 cars, 6 motorcycles and 24 cycles.

There are two new pedestrian access points. One off Princesway, closer to the junction with Eighth Avenue, and one off Eighth Avenue.

1.6 The site, as expected is surrounded by other commercial uses including offices, manufacturing and warehousing although there is a Giants Den, children's soft play centre to the west.

#### 1.7 DESCRIPTION OF THE APPLICATION

1.8 The application proposes a change of use from education and training facility (use class D1) to office, workshop and research facility (sui generis), including provision of additional car parking and other associated external works and facilities. The additional car parking would be accommodated on the existing MUGA and would take the total number to 96 spaces, an increase in 62. The associated external works include a covered walkway from the existing two-storey building to the workshop.

1.9 The two storey building would provide office and research and development facilities for Sevcon who are planning on relocating from their existing premises on Kingsway South. The business currently employs 97 people and this is predicted to increase to 130 by 2018 as a result of the re-location.

1.10 The workshop would be used to build prototypes for testing by the applicant (Sevcon) who are an electrical engineering company based in Gateshead that designs and markets controls for electrically powered vehicles.

1.11 The following documents have been submitted with the application:

Design and Access Statement  
Flood Risk Assessment  
Transport Assessment

#### 1.12 RELEVANT PLANNING HISTORY

DC/10/00290/FUL - Planning permission approved for the erection of an extension (size 1,790sqm) to existing learning centre (Gateshead College Construction and Vocational Learning Centre) and erection of 2-storey teaching and training facility (size 2,832 sqm) (use class D1) with associated car parking and ancillary outdoor recreation space (amended 22/06/10). 08.07.2010

DC/10/00393/OUT - Outline planning permission approved for a revised outline planning application for the erection of industrial units on the application site for either B2 or B8 uses. 07.07.2010

DC/09/00625/OUT - Outline planning permission withdrawn for a new business unit (use class B2 general industry / B8 storage and distribution). 17.08.2009.

DC/07/00167/COU - Planning permission approved for the conversion of existing office and warehouse to college teaching/training facility. 05.07.2007

## **2.0 Consultation Responses**

None Received

## **3.0 Representations:**

- 3.1 Neighbour notifications, press and site notices were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) (England) Order 2015. No representations have been made.

## **4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS5 Employment-Economic Growth Priorities

CS6 Employment Land

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS16 Climate Change

CS17 Flood Risk and Waste Management

JE1 Primary Employment Areas

JE4 Sustainable Economic Development

ENV3 The Built Environment - Character/Design

ENV54 Dev on Land Affected by Contamination

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

- 5.1 The main planning issues in this case are considered to be the principle of development and the impact on amenity, highways, flood risk as well as other material planning considerations.

### **5.2 PRINCIPLE**

The application site is situated within the Team Valley Primary Employment Area. Saved Policy JE1 of the Council's Unitary Development Plan (UDP) states that to protect and maximise employment uses and development

opportunities, within Primary Employment Areas (PEA), changes of use to B2 (general industry) and B8 (storage and distribution) uses are normally considered to be acceptable. Policy JE1 also states that changes of use to other non-employment uses will not normally be permitted. Therefore on face value, the proposal does not comply with policy JE1 of the Unitary Development Plan.

- 5.3 However policy CS6 of the more recently adopted Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne (CSUCP) does allow for a limited amount of office development on the Team Valley where business needs and office specifications cannot be accommodated within the Urban Core and where economic growth is not compromised by limited site availability.
- 5.4 In this case the submitted information states the business comprises a mix of uses that requires office/desk based research and development space, in close proximity to a workshop and testing facility where prototypes can be built and developed. This requires high spec office/desk based research and development facilities as well as an industrial type building and a site within the Urban Core that has both these elements is understandably hard to come by. In addition although offices (B1a) are a town centre use, it is not the sole use of the development, and a large area of floorspace is provided for research and development use (B1b) and manufacturing and testing (B1(c)). It is also important to note that Sevcon would be re-locating from elsewhere on the Team Valley where they have established key links with other businesses and occupiers, such as Gateshead College Automotive Centre on Kingsway South (50m away) and the change of use would not result in the loss of a primary employment use i.e. a B2 or a B8 use. It would also free up another site on the Team Valley for employment uses. Therefore it is accepted that the requirements of the business cannot be accommodated in the Urban Core and site availability will not be compromised by this development.
- 5.5 On its own merits the proposal will also be an employment generator with over 30 new jobs created. This will bring with it economic benefits for the area which is encouraged by the National Planning Policy Framework (NPPF) and policy JE4 of the UDP. The proposed development would also complement advanced manufacturing and engineering activities at the Team Valley Trading Estate, in accordance with objectives set out in CSUCP policy CS5.
- 5.6 Therefore whilst this proposal is not in strict accordance with the Policy JE1 of the Council's UDP, the economic benefits the development will have for the Team Valley ensures that it does not conflict with the aims and objectives of the NPPF, policies CS5 and CS6 of the CSUCP or policy JE4 of the UDP.
- 5.7 Subsequently subject to all other material planning considerations being satisfied the principle of development is considered acceptable.
- 5.8 **AMENITY**  
The existing building is modern in appearance and the proposed development even with some external additions, would not compromise the visual amenity of

the site or the surrounding area. As such it is considered the proposed development does not conflict with the aims and objectives of the NPPF, policy CS15 of the CSUCP or policy ENV3 of the UDP.

#### 5.9 PARKING AND HIGHWAYS

The proposed development would increase parking on the site from 34 spaces to 96, although this figure includes 4 disabled spaces, 7 visitor spaces and 6 electrical charging points. Analysis of traffic movements has been carried out but given that the business currently employs 97 staff, with expansion to 130 planned by 2018, the number of parking spaces proposed, as well as the on street parking that is available, does appear to suggest the likely scenario is that staff travel to the site by private car as single occupants.

5.10 The submitted Transport Statement does attempt to justify the level of parking proposed by indicating that traffic generated at peak periods, will not be significant. The Statement does not expand on this further but verbal discussions have suggested flexible work patterns and the demographic of where people live in relation to the Team Valley, will account for a more even distribution off traffic.

5.11 These discussions have given officers confidence that there is a reasonable explanation and that impact on the highway network will be acceptable, especially as the application is for a sui-generis use so any change of occupier would require planning permission. However surveys have been requested to confirm the staff travel patterns and these are in the process of being carried out. The results of the surveys and any mitigation measures that are required, for example improvements to the cycle network across the Team Valley, will be presented in an update report. A Travel Plan will also be required, so where practical staff will be encouraged to use more sustainable modes of transport. This can be conditioned (CONDITIONS 10 AND 11).

5.12 The retention of 24 cycle parking spaces are proposed and this is welcomed. The retention of the spaces can be conditioned (CONDITION 9).

5.13 The tracking for the refuse vehicle and cars within the proposed car park are still outstanding and these can be conditioned (CONDITIONS 12 AND 13).

5.14 Therefore it is considered that based on the information that has been submitted and discussed so far, as well as the predicted survey results, the impact the proposed development will have on the highway network is acceptable. Consequently subject to conditions, the proposed development is not considered to conflict with the aims and objectives of the NPPF or policy CS13 of the CSUCP.

#### 5.15 DRAINAGE

Historic sewer flooding has been recorded on Eighth Avenue and the site is also identified to be at high risk of surface water flooding based on the Environment Agency's Updated Flood Map for Surface Water (1 in 30 year and 1 in 100 year events). The site also appears to be at risk of surface water

flooding based on the Environment's Agency's Integrated Team Valley flood model and the sites inclusion in a Critical Drainage Area (CDA).

- 5.16 As a consequence regard is given to Policy CS17:1v of the CSUCP which requires a flood risk assessment for sites over 0.5ha in CDAs. Within a CDA, an increase in the rate of surface water runoff and /or volume from new development may exacerbate the degree of flood risk to areas downstream or to the surrounding area. In this case it is acknowledged that the buildings and hardstanding already exist but the NPPF in paragraphs 100 and 103 is quite clear that opportunities offered by new development to reduce the impact of flooding and any new development should not increase the risk of flooding elsewhere.
- 5.17 Since the existing development was approved, the planning policy context has changed with the adoption of the NPPF as well as the Core Strategy; the knowledge of the flood risk on the Team Valley has changed; the Team Valley Integrated Flood Study has been prepared by the Environment Agency and the Environment Agency's Updated Flood Map for Surface Water has been published which identifies that the site is at high risk of surface water flooding during a 1 in 30 year event.
- 5.18 As a result this application for a change of use which constitutes development is required to look at what measures can be introduced to reduce the impact of flooding as well the impact it could have on flood risk elsewhere, resulting from any increase in surface water runoff from the development. This could be by the replacement of the MUGA with a car parking area. The impact this change from a MUGA to a car park would have on water quality also needs to be taken into consideration as do flood resilience measures and emergency planning that could be introduced into the development in accordance with paragraph 103 of the NPPF.
- 5.19 In response to these requirements a Flood Risk Assessment (FRA) has been submitted and does address most of the issues raised, including a proposal to provide permeable paving in the car park. However final details are still required with regards to the car parking area and how this will be drained as well as any retrofit flood resistance/resilience measures. This additional information can be conditioned (CONDITIONS 4,5,6,7 AND 8) to ensure the development does not conflict with the NPPF and policy CS17 of the CSUCP.
- 5.10 **CONTAMINATED LAND**  
As the site is identified as being potentially contaminated further investigations were carried out as part of application DC/10/00290/FUL and the appropriate remediation carried out. Therefore it is not considered necessary to undertake any further investigations at this stage. However should any new contamination be discovered during ground breaking, a remediation strategy will be required and this can be conditioned (CONDITION 3) in accordance with the NPPF, policy CS14 of the CSUCP and policy ENV54 of the UDP.
- 5.11 **SUSTAINABILITY**

The buildings subject to this application are modern constructions and a number of measures are incorporated to reduce energy consumption including mono-draught sun pipes and wind catchers on the roof to draw more natural light and ventilation into the building, a solar collector on the roof to store energy from the sun which will then be used within the building and a polymeric insulated roofing system. As a result it is considered this development which is a change of use does not conflict with the aims and objectives of policy CS16 of the CSUCP.

#### 5.12 CIL

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. As such no CIL charge is liable.

### 6.0 CONCLUSION

6.1 Taking all relevant issues into account it is recommended that planning permission is granted, subject to conditions as the impact on the Primary Employment Area and Town Centre as well as the impact on amenity, highways, flood risk and other material planning considerations are considered to be acceptable and in accordance with national and local planning policy.

### 7.0 Recommendation:

That permission be GRANTED subject to the following condition(s):

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

200-01 Rev 5, 200-02 Rev 6, 200-03 Rev 6, 200-04 Rev 1, 200-05 Rev 1, 200-06 Rev 2, 200-7 Rev 3,

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority prior to works re-commencing on that part of the site.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS14 of the Core Strategy and policy ENV54 of the Unitary Development Plan.

4

Prior to the existing Multi Use Games Area being brought into use as a car park, final details of the car park drainage system including cover levels, inverts, pipe sizes, manhole and flow control as well as a maintenance specification and schedule for the car park drainage system and permeable paving surface and a copy of the electronic drainage model shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent increased flood risk in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

5

The car park drainage details shall be implemented in complete accordance with the details approved under condition 4, prior to the car park being first brought into use.

Reason



To prevent increased flood risk in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

6

Within 2 months of planning permission being granted final details of any retrofit drainage or flood resistance / resilience measures to be installed on the site, along with a timetable for installation shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent flooding in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

7

The flood resistance and resilience measures shall be implemented in accordance with the details and timescales approved under condition 6.

Reason

To prevent increased flood risk in accordance with the NPPF and Policy CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

8

The emergency flood warning and flood evacuation measures as shown on plan reference 200-10 Rev 1, shall be implemented in the event of a flood.

Reason

To ensure the safe evacuation of the development in the event of a flood incident in accordance with the NPPF.

9

The cycle parking already installed on site shall be retained for the life of the development hereby approved.

Reason

In order to ensure adequate provision for cyclists and in compliance with policy CS13 of the Core Strategy and the Gateshead Cycling Strategy.

10

Within 3 months of planning permission being granted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the following measures:

1) Reduction in car usage and increased use of public transport, walking and cycling;

- 2) Minimal operational requirements for car parking
- 3) Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 4) More environmentally friendly delivery and freight movements;
- 5) A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Reason

In order to accord with policy CS13 of the Core Strategy.

11

The development hereby approved shall be operated in accordance with the Travel Plan approved under condition 10.

Reason

In order to accord with policy CS13 of the Core Strategy.

12

Prior to the service yard and the new car parking area being brought into use, accurate autotracking details shall be provided to demonstrate the safe use of the service yard and car park. Any amendments required to these areas will need to be submitted to and approved in writing by the Local Planning Authority prior to them being brought into use.

Reason

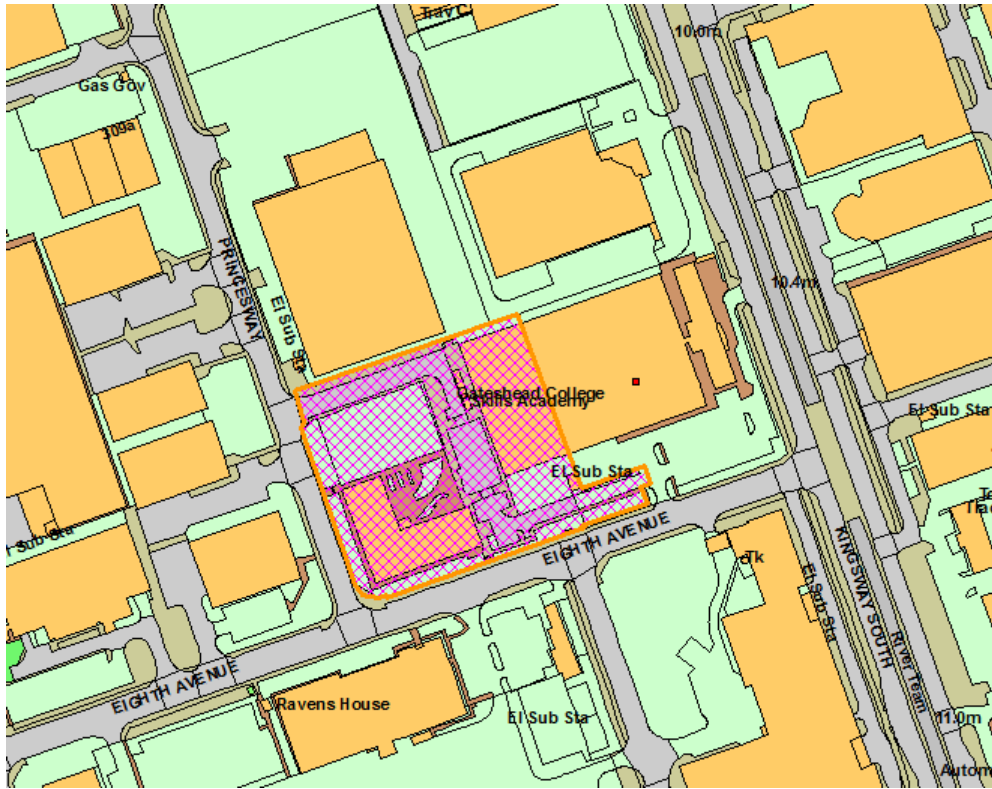
In the interests of highway safety and having regard to the requirements of policy CS13 of the Core Strategy.

13

Any amendments to the service yard and new car parking that are required as a result of condition 12 shall be implemented prior to those areas being brought into use.

Reason

In the interests of highway safety and having regard to the requirements of policy CS13 of the Core Strategy.



This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Gateshead Council. Licence Number LA07618X