

Item No: 5.1
Application No: 18/01397/FUL Author: Julie Lawson
Date valid: 15 October 2018 ☎: 0191 643 6337
Target decision date: 14 January 2019 Ward: Wallsend

Application type: full planning application

Location: Heraeus Quartz Uk, Neptune Road, Wallsend, Tyne And Wear, NE28 6DD

Proposal: Construction of storage barn, new gatehouse incorporating additional offices and welfare facilities building on part of existing car park. Additional car parking to eastern end of site. Change of use of building 3 from B8 Industrial (storage) to B2. Relocation of machines into building 3. Increase the height of part of the roof to the existing building 2 and extension of canopy to loading area. Installation of 5no additional glass furnaces on new internal steel platforms into building 2. Installation of relevant services infrastructure to support additional furnaces. Air Quality Report (21.02.19) (Additional arboricultural information 28.02.19)

Applicant: Heraeus Quartz UK, Mr Dave Wareing Heraeus Quartz Neptune Road Wallsend NE28 6DD

Agent: BT Bell, Brian Bell Burnside House Hexham Business Park Burn Lane Hexham NE46 3RU

RECOMMENDATION: Minded to grant on expiry consultation

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- The principle of the development;
- The impact on amenity;
- The impact on character and appearance;
- The impact on ecology and landscaping;
- The impact on highway safety;
- Other issues.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The site to which this application relates is an existing industrial site, Hereaus Quartz, located to the south-east of A187 Neptune Road and to the west of Benton Way, Wallsend. Industrial units are located to the north-east with the Hadrian's Wall path to the south east of the site with industrial land to the south-east and south-west of the site. Beyond the A187 is a tree belt with housing beyond including George Road, Wilberforce Street and The Avenue. The boundary with Newcastle City Council is to the south-east of the Hadrian's Wall Path.

2.2 The existing buildings on the site are of varying heights. The existing car parking is to the northern part of the site with an area of hard surfacing to the east of this which is also used for car parking but it is not formally laid out. There are existing trees to the northern and north-eastern boundaries of the site.

3.0 Description of the Proposed Development

3.1 Planning permission is sought for the construction of a storage building, a new gatehouse incorporating additional offices and welfare facilities building on part of the existing car park, additional car parking, use of an existing storage building for industrial purposes, an increase in the height of part of the roof to an existing building and an extension of a canopy to the loading area.

3.2 The proposed roof extension will allow an additional five furnaces to be installed in an existing building. The new furnaces are slightly larger than the other existing furnaces within this building. The new storage building is proposed on part of the existing car park. A canopy will be extended onto space currently occupied by the site security building. A new security gatehouse is proposed.

3.3 The applicant has provided the following supporting statement to accompany this planning application:

"The Heraeus site at Wallsend is used for the manufacture of quartz glass primarily used in semiconductor and some optical fibre applications. The current demand for quartz glass products from the semiconductor market is increasing significantly. In order to increase market share and supply into this increasing demand Heraeus plan to increase our site output and expand production facilities. Heraeus need to increase the number of furnaces which will mean Heraeus have a number of equipment, storage and office moves to take place and this also forms part of the development.

This requires several additional works, each being interdependent. The proposal is to install an additional 5 quartz furnaces. To allow this expansion, an existing machine shop is to be relocated to a stores area and that stores area to be relocated onto a new storage building located on the existing car park. Due to this the car park is planned to be extended.

To meet the increased output from the new furnaces additional processing equipment is required such as annealing oven, drill, band saw and parts washing equipment. In order to incorporate this new equipment an existing office and welfare facility and finished goods storage facility have to be relocated. The office and welfare is to be relocated onto the current car park and the storage is to be

located where the existing security building resides. The existing security facility will be demolished and located into the new office facility.

These works are required in order to maintain and expand the production facilities at the Wallsend works. This increased output should help to service the needs of Heraeus' customer base and to retain this valuable specialist industry within North Tyneside and the North-east region."

4.0 Relevant Planning History

The site has extensive property history. The most relevant are set out below:
17/01757/CLPROP: Erection of 4th tank and to replace 8no vapourisers with 6no slightly larger units, within same cryogenic plant plinth: permitted 08.03.18
13/01305/FUL: Proposed new natural MDP gas line which will cross the site boundary on the south eastern perimeter and connect to an existing gas main just outside the site: permitted 10.10.13
13/01127/FUL Change of Use to Vehicle dismantling and depolluting centre: permitted 02.10.2013
11/01765/FUL Installation of two fume extraction units to replace an existing system permitted 31.10.11
09/00508/FUL Proposed cryogenic plant to replace the existing facility located on another part of the site including gas storage tanks and vehicle hardstandings and proposed alterations to site entrance 29.04.2009
07/00977/FUL Extension to existing nitrogen, oxygen and argon vaporising facility to increase nitrogen storage and vaporization from 280cum to 420cum (26.4 to 39.6 tonnes) for internal distribution permitted 14.05.07
91/01161/FUL A production building for the manufacture of Silica Glass permitted 12.09.91

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policies

6.1 National Planning Policy Framework (NPPF) (2019)

6.2 National Planning Practice Guidance (NPPG) (As amended)

PLANNING OFFICERS REPORT

7.0 Detailed Planning Considerations

7.1 The main issues for Members to consider in this case are:

- The principle of the development;
- The impact on amenity;
- The impact on character and appearance;
- The impact on ecology and landscaping;
- The impact on highway safety;
- Other issues.

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

8.0 Principle of the development

8.1 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: an economic objective; a social objective; and an environmental objective. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

8.2 The NPPF paragraph 11 makes it clear that plans and decisions should apply a presumption in favour of sustainable development. However, the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The NPPF paragraph 12 states “Where a planning application conflicts with an up-to-date development plan permission should not normally be granted. Local Planning Authorities (LPA’s) may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

8.3 The NPPF paragraph 80 states “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both business needs and wider opportunities for development”.

8.4 Members are advised that the application site is allocated as an employment site under Policy S2.2 of the North Tyneside Local Plan. This policy seeks to ensure a sufficient supply, range and choice of land for development in class B1, B2 and B8 uses. Policy DM2.3 states that the Council will support proposals for employment development for used within use class B1, B2 and B8.

8.5 The site is in the River Tyne North Bank Area and the Wallsend and Willington Sub Area Strategic Policy Area. Policy AS8.1 states that in this area the north bank of the River Tyne will provide a location for a range of opportunities for investment and economic development and support growth in advanced engineering, research and development particularly in renewable and marine off-shore manufacturing and sub-sea technologies.

8.6 The proposed development is in keeping with the existing operations at the site and in accordance with the allocation in the Local Plan. The proposal is to allow the applicant to expand their operation at the site and this is encouraged and supported in both national and local planning policy. Regeneration have advised that they support the development because the additional buildings, alterations and car parking extension are to cater for the growing market in the manufacture of high-quality quartz glass and the developments proposed as part of this planning application will ensure that the site remains at the forefront of its industry. The operation currently employs a significant number of local people, including many apprenticeships, and the proposed works will create up to an addition 48 posts, which is vital for the Borough. It is therefore officer advice that the principle of this development is considered to be acceptable.

8.7 Members need to determine whether the principle of the proposed development is acceptable. It is the view of officers that the principle of the proposed development is acceptable.

9.0 Impact on amenity

9.1 Paragraph 180 of the NPPF states “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”.

9.2 Policy S1.4 “General Development Principles” states “ Proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan.” Amongst other matters this includes: be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses; and be accommodated by, and make best use of, existing facilities and infrastructure, particularly in encouraging accessibility and walking, cycling and public transport, whilst making appropriate provision for new or additional infrastructure requirements”.

9.3 Policy DM5.19 Pollution states “Development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity.

Development proposed where pollution levels are unacceptable will not be permitted unless it is possible for mitigation measures to be introduced to secure a satisfactory living or working environment.

Development that may be sensitive (such as housing, schools and hospitals) to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

Proposals for development should have regard to the noise impacts arising from the Newcastle International Airport flight path as shown on the Policies Map.”

9.4 There are existing residential properties to the north-west of the site beyond the A187 Neptune Road. Objections have been received to the proposal which raise concern about the impact on air quality and noise.

9.5 Environmental Health have been consulted on the application. The applicant has submitted air quality reports. Environmental Health have advised that they have concerns with regard to air quality impacts arising from the additional 5 stacks for the glass furnaces and noise arising from the additional warehouse and proposed alterations to the site. They have received complaints regarding silica white deposits from residents in the vicinity of this site. Emission monitoring and assessment of impact on air quality has been carried out with regard to the impact of the additional 5 furnace outlet points. The emission testing gives details on particulates emitted from stacks and this information has been utilised for the air quality modelling to consider the impact of particulates upon housing.

9.6 The modelling has considered the existing air quality and the impact of the proposed development. The results indicated that there would no exceedances of the air quality objectives for particulates with the development.

9.7 Health impact from the pollutants arising from the furnace has been considered. Particulates were assumed to be Silica which is the material used in manufacture of glass. The particulate levels if considered to be 100% silica would not be considered to cause a health impact based on the dispersion guidance.

9.8 The submitted calculations indicate current stack heights between 2.2m and 3m, and that the emissions monitoring based on the stack heights suggest that the air quality objective levels will not be exceeded. However in order to ensure best practice is applied for the stack heights and ensure good dispersal of emissions, Environmental Health recommended that a condition is attached to any approval for a minimum height of 3m for the new stacks. They also recommend a condition to control emissions from the stacks in order to protect residential amenity from dust and to minimise impact of development.

9.9 Environmental Health also have concerns regarding noise arising from the proposed development and intensification of the operations at the site. They note that the site is located in an industrial area but residential properties are very close to the site, within 43 metres of the boundary in Wilberforce Street, The Avenue, Union Street and George Road. They advise that the proposed new warehouse and expansion of the operation will give rise to potential noise from intensification of operation and associated activities such as access to external areas for waste.

9.10 They have recommended conditions to require the waste storage areas to be reviewed and if access is required during the night time period then a condition will be required for this area to be screened from the neighbouring residential properties. They also recommend restrictions on the times when the storage barn can be accessed by fork lift trucks for delivery and collection purposes.

9.11 Members need to determine whether the proposed development is acceptable in terms of its impact on residential amenity. It is the view of officers that subject to conditions the development is acceptable in terms of amenity.

10.0 Impact on character and appearance

10.1 Paragraph 124 of the NPPF encourages good design stating that “this is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the NPPF makes it clear that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

10.2 LP Policy DM6.1 ‘Design of Development’ makes it clear that applications will only be permitted where they demonstrate high and consistent design standards. Amongst other matters proposed developments are responsive to their location, including topography, wildlife habitats, site orientation and existing buildings; ensuring a positive relationship to neighbouring buildings and spaces; ensuring sufficient parking is well integrated into the layout; and a good standard of amenity for existing and future residents. Policy DM6.2 refers to extensions to existing buildings, stating that extensions should complement the form of the original building.

10.3 LDD11 ‘Design Quality’ applies to all planning applications that involve building works.

10.4 The proposed storage barn measures 30m by 15m and it will be approximately 7.5m from Neptune Road with a shallow pitched roof up to a height of approximately 8.5m to its ridge and 7m to its eaves.

10.5 The proposed gatehouse and office building will be 24m by 6m with a height of 5m and the canopy extension measures 12.5m by 16.5m. The proposed roof extension will increase the height of part of the roof of the building by 2m, taking the overall height of this part of the building to 18.1m. However, there is a part of this building which is 21.2m in height.

10.6 The proposed new buildings are lower in height than the existing buildings. With regards to the proposed roof extension, this raises the roof height of part of a building on the site, but it will still be lower than the overall height of this building. The site is set within an existing industrial area where there are a variety of existing industrial buildings therefore the proposed extensions and new buildings will be in keeping with the character of the area. The trees to the frontage of the site will assist in screening the site.

10.7 Members need to consider whether the impact on the character and appearance of the immediate surrounding area is acceptable. It is officer advice that the proposed development would not result in a significant visual impact on the character or appearance of the immediate surrounding area or significantly affect the outlook from nearby residential properties. As such, the proposed development accords with national and local planning policies.

11.0 Impact on landscaping and ecology

11.1 The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.

11.2 Paragraph 175 states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

11.3 Paragraph 177 states that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

11.4 Local Plan Policy S5.4 states that the Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance. Priority will be given to:

- a. The protection of both statutory and non-statutory designated sites within the Borough, as shown on the Policies Map;
- b. Achieving the objectives and targets set out in the UK Post-2010 Biodiversity Framework and Local Biodiversity Action Plan;
- c. Conserving, enhancing and managing a Borough-wide network of local sites and wildlife corridors, as shown on the Policies Map; and
- d. Protecting, enhancing and creating new wildlife links.

11.5 Policy DM5.5 of the Local Plan states that all development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.

11.6 Policy DM5.9 (Trees, Woodland and Hedgerows) supports the protection and management of existing woodland, trees, hedgerows and landscape features. It seeks to secure new tree planting and landscaping schemes for new development and, where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

11.7 Policy DM5.7 Wildlife Corridors states that development proposals within a wildlife corridor, as shown on the Policies Map, must protect and enhance the quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.

11.8 A wildlife corridor crosses the site. The works proposed are contained on existing areas of hard surfacing. There are existing trees to the northern boundary of the site. The location of the proposed storage building has been moved away from the northern boundary during the course of this application in the interests of the protection of the existing trees.

11.9 The Landscape Architect has advised that there are significant solitary groupings and avenues of mature trees within the grounds of the proposed application site. New works associated with the car parking and the construction of the new storage unit will potentially impact on the root protection areas of the trees located adjacent to the boundary. An Arboricultural Impact Assessment (AIA) is therefore required. The applicant has submitted additional information and the Landscape Architect has been re-consulted on this. Her views will be reported to planning committee.

11.10 Members need to determine whether the proposed development is acceptable in terms of its impact existing landscaping and biodiversity. It is the view of officers that subject to no objections from the Landscape Architect the development is acceptable.

12.0 Impact on highway safety

12.1 The NPPF paragraph 109 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.2 Policy DM7.4 of the Local Plan 'New Development and Transport' makes it clear that the Council will ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents health and well-being.

12.3 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

12.4 The proposal includes an extension to the existing car park in order to compensate for the loss of some spaces to allow for the proposed storage and gatehouse buildings.

12.5 The Highways Network Manager has been consulted. He has advised that the site has been in operation for several years and the access would remain unchanged. Parking is being provided to meet the needs of the site therefore conditional approval is recommended.

12.6 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network and existing parking provision. It is officer advice that it is.

13.0 Other Issues

13.1 Contaminated Land

13.2 NPPF paragraph 178 states “Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This include risks arising from natural hazards of former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from the remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments”

13.3 NPPF paragraph 179 states “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”.

13.4 LP Policy DM5.18 “Contaminated and Unstable Land” states: “Where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which:

a. Shows that investigations have been carried out to assess the nature and extent of contamination or stability issues and the possible effect it may have on the development and its future users, biodiversity, the natural and built environment; and

b. Sets out detailed measures to allow the development to go ahead safely and without adverse affect, including, as appropriate:

- i. Removing the contamination;
- ii. Treating the contamination;
- iii. Protecting and/or separating the development from the effects of the contamination;
- iv. Validation of mitigation measures; and
- v. Addressing land stability issues.

Where measures are needed to allow the development to go ahead safely and without adverse affect, these will be required as a condition of any planning permission”

13.5 The Contaminated Land Officer has been consulted. The site lies within 200m of the former Wallsend Colliery therefore conditions are recommended relating to contamination.

13.6 The Coal Authority has been consulted. They have advised that the site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area and they have recommended an informative be attached to any grant of consent.

13.7 Members need to consider whether the proposed development is acceptable in terms of its impact on ground conditions. It is officer advice that it is.

13.8 Archaeology

13.9 Policy DM6.7 of the Local Plan states that the Council will seek to protect, enhance and promote the Borough's archaeological heritage and where appropriate, encourage its interpretation and presentation to the public. Developments that may harm archaeological features will require an archaeological desk based assessment and evaluation report with their planning application. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in situ. The more significant the remains, the greater the presumption will be in favour of this.

13.10 The site is in the Hadrian's Wall military zone & buffer zone. Policy AS8.9 'Segedunum Roman Fort and Hadrian's Wall World Heritage Site' states that the Council will ensure that regeneration and development of the town centre and riverside protects and enhances the unique heritage and setting of the World Heritage Site (WHS). It states that proposal for development need to respect the status of the World Heritage Site.

13.11 The Tyne and Wear Archaeology Officer has advised that the proposed development site is within an area which may contain significant Roman archaeological features given its location west of Segedunum fort and immediately south of Hadrian's Wall. Previous archaeological evaluation has taken place on the site in 1991 and 2009. She does not consider it necessary for a watching brief to take place during these works. Historic England has advised no objections.

13.12 The proposal is therefore considered to be acceptable in terms of its impact on the World Heritage Site.

14.0 Flooding

14.1 The NPPF paragraph 163 makes it clear that "When determining planning applications, LPA's should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site specific flood risk assessment (FRA) following the sequential test."

14.2 Policy DM5.12 of the Local Plan "Development and Flood Risk" states that all major developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been taken to reduce overall flood risk from all sources, taking into account the impact of climate change over its lifetime.

14.3 The Local Lead Flood Authority (LLFA) has been consulted. They have advised that indicative drainage proposals have been provided, however a full drainage strategy will be required prior to works commencing on site therefore a condition is recommended regarding surface water.

14.4 Northumbrian Water has been consulted. They have advised no objections subject to a condition relating to surface water management.

14.5 Members need to determine whether the proposed development is acceptable in terms of flood risk. It is officer advice that it is and it would accord with both national and local planning policies.

15.0 Minerals

15.1 Local Plan Policy DM5.17 'Minerals' sets out guidance on minerals extraction. However, this development relates to an existing operational commercial site.

16.0 Local Financial Considerations

16.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive in payment of the Community Infrastructure Levy. The proposal would bring additional employment to the site.

17.0 Conclusion

17.1 Members need to determine whether the proposed development is acceptable in terms of the principle of the development and its impact on residential amenity, its impact on the character and appearance of the area and all other issues including its impact on highways, ground conditions and flood risk.

17.2 It is the view of officers that, subject to no objections from the Landscape Architect, the proposed development is acceptable and in compliance with local and national policies.

RECOMMENDATION: Minded to grant on expiry consultation

It is recommended that members indicate they are minded to approve the application subject to no objections being raised by the Landscape Architect, and subject to the conditions set out below and the addition or omission of any other considered necessary, subject to the receipt of any additional comments, and grant plenary powers to the Head of Environment, Housing and Leisure to determine the application providing no further matters arise which in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered which justify reconsideration by the Committee.

10. Materials External Surfaces to Match MAT001 *
11. Gas Investigate no Development GAS006 *
12. No other part of the development shall be commenced until:-

- a) A detailed site investigation has been carried out to establish:
- i) If the site is contaminated;
- ii) To assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the use of land;
- iii) To determine the potential for the pollution of the water environment by contaminants and;
- iv) The implication for development of the site and the quality of the environment for future occupiers.

Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and

- b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.

- c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.

- d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability (to include any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed form the planning application.

- e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

19. No deliveries shall be permitted to the storage barn between 23:00 hours and 07:00 hours via the access road.

Reason: In the interests of amenity and noise pollution prevention, having regard to Policy DM5.19 of the North Tyneside Local Plan (2017).

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

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

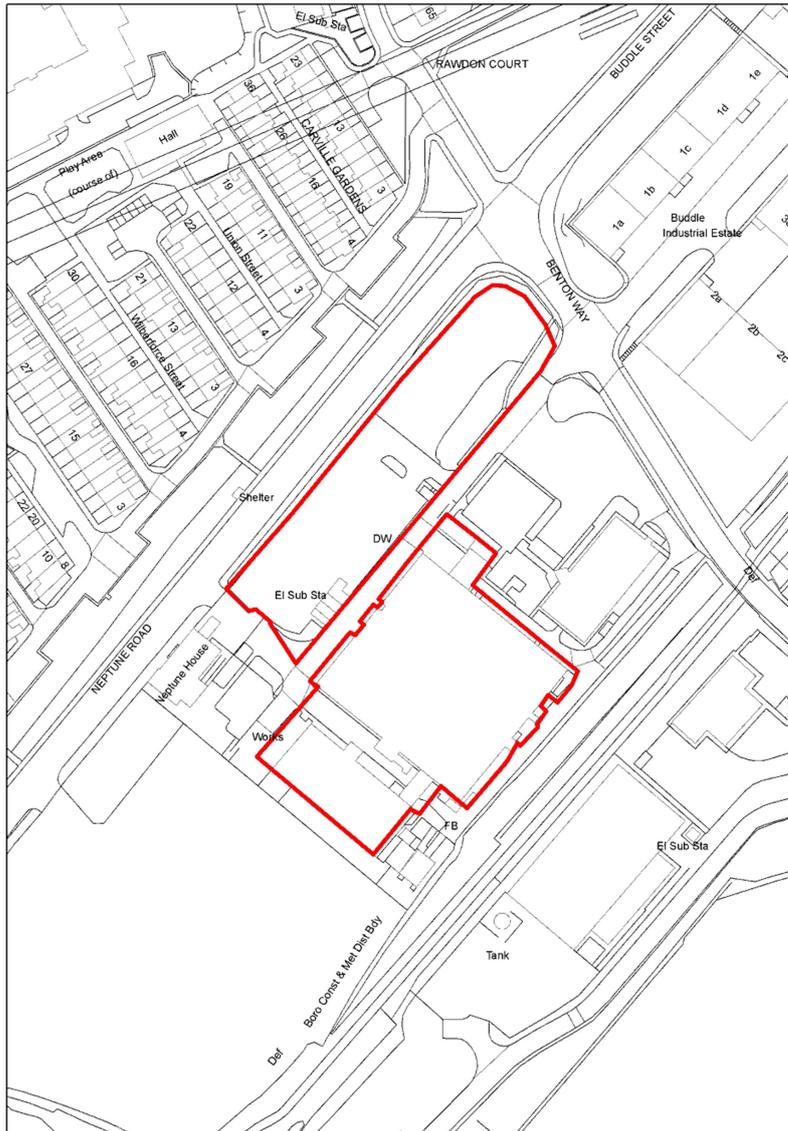
Informatives

Do Not Obstruct Highway Build Materials (I13)

Highway Inspection before dvlpt (I46)

Building Regulations Required (I03)

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



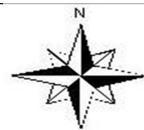
Application reference: 18/01397/FUL

Location: Heraeus Quartz UK, Neptune Road, Wallsend, Tyne And Wear
Proposal: Construction of storage barn, new gatehouse incorporating additional offices and welfare facilities building on part of existing car park. Additional car parking to eastern end of site. Change of use of building 3 from B8 Industrial (storage) to B2. Relocation of machines into building 3. Increase the height of part of the roof to the existing building 2 and extension of canopy to loading area. Installation of 5no additional glass furnaces on new internal steel platforms into building 2. Installation of relevant services infrastructure to support additional furnaces. Air Quality Report (21.02.19) (Additional arboricultural information 28.02.19)

Not to scale

Date: 07.03.2019

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**Appendix 1 – 18/01397/FUL
Item 1**

Consultations/representations

1.0 Internal Consultees

2.0 Highway Network Manager

2.1 The site has been operating for a number of years, access remains unchanged and parking is being provided to meet the needs of the site. Conditional approval is recommended.

Recommendation - Conditional Approval

Conditions:

ACC25 - Turning Areas: Before Occ

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT07 - Construction Method Statement (Major)

SIT08 - Wheel wash

Informatives:

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlpt

3.0 Local Lead Flood Officer

3.1 Indicative drainage proposals have been provided, however a full drainage strategy will be required prior to works commencing on site. Conditional Approval is recommended.

Recommendation - Conditional Approval

Conditions:

No development shall commence until details of a surface water management scheme have been submitted to and approved by in writing by the Local Planning Authority. This scheme shall include details of future maintenance. Thereafter the proposed scheme shall be implemented in accordance with the approved details and before the development is occupied.

Reason: In the interests of surface water management

No development shall commence until a scheme & methodology for pollution control during the construction period has been submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details and retained for the entire duration of the construction period.

Reason: In the interests of surface water management

4.0 Environmental Health (Pollution)

4.1 I have concerns with regard to air quality impacts arising from the additional 5 Stacks for the glass furnaces and noise arising from the additional warehouse and proposed alterations to the site. Environmental health have received

complaints regarding silica white deposits from residents in the vicinity of this site. I also have concerns regarding noise arising from the proposed development and intensification of the operations at the site. The site is located in an industrial area but residential properties are very close to the site, within 43 metres of the boundary in Wilberforce Street, The Avenue, Union Street and George Road.

4.2 Emission monitoring and assessment of impact on air quality has been carried out with regard to the impact of the additional 5 furnace outlet points. The emission testing has been based on the total weight of particulates measured and is considered worst case. The emission testing gives details on particulates emitted from stacks and this information has been utilised for the air quality modelling to consider the impact of particulates upon housing.

4.3 The modelling has considered the existing air quality and the impact of the proposed development. The air quality has reviewed particulate emission against air quality objective levels for particulates which looks at the very fine particulates of PM10 and PM2.5. The modelling assumed that all emissions were fine particulates. The results indicated that there would no exceedances of the air quality objectives for particulates with the development.

4.4 The very fine particulates PM2.5 has no England objective, however PM2.5 has been compared against the European objective annual mean objective of 25 ug/m³. The results indicated that total concentration with development would be 12.4 ug/m³ which is 50% of the European objective.

4.5 The highest predicted concentrations of fine dust particulates at the adjacent residential properties from all the furnaces shows the maximum annual mean for particulates of less than 10 microns (PM10) is 16.6 Ug/m³ and compared to annual mean air quality objective of 40 ug/m³, the predicted 24 hour mean for PM10 is 41.2 ug/m³ compared to 24 hour mean objective of 50 ug/m³.

4.6 Health impact from the pollutants arising from furnace has been considered. Particulates were assumed to be Silica which is the material used in manufacture of glass. The particulate levels if considered to be 100% silica would not be considered to cause a health impact based on the dispersion guidance.

4.7 Dispersion guidance on pollution advises that the standard for a specific pollutant is derived as 1/40th of the Health and Safety (HSE) occupational exposure level to ensure a no observed adverse effect level. The permitted standard at houses for silica is 150ug/m³ which is much greater than the air quality objectives. The D1 calculations indicate current stack heights between 2.2m and 3m, and that the emissions monitoring based on the stack heights suggest that the air quality objective levels will not be exceeded. However to ensure best practice is applied for the stack heights and ensure good dispersal of emission it is recommended that a condition is attached to any approval for a minimum height of 3m for the new stacks.

4.8 Complaints have been received with regard to white deposits in the area from the silica. The air quality report concluded that the development will have a moderate impact on the air quality with regard to 24 hour objective. I would

therefore recommend to protect the amenity from dust and to minimise impact of development a condition to control emissions from the stacks.

4.9 The proposed new warehouse and expansion of the operation will give rise to potential noise from intensification of operation and associated activities such as access to external areas for waste. Residents have raised concerns about alleged noise during the sensitive night time hours from waste being placed into the waste bins.

4.10 I would recommend conditions to require the waste storage areas to be reviewed and if access is required during the night period then a condition will be required for this area to be screened from the neighbouring residential properties. I would also recommend restrictions on the times when the storage barn can be accessed by fork lift trucks for delivery and collection purposes as the site operates on a 24/7 basis. It is recommended that access via the main access doors adjacent to the gas house is restricted during the night period.

4.11 If planning consent is to be given I would recommend the following conditions:

Prior to development details of the location and height of the new stack outlets for the glass furnaces shall be submitted to the local planning authority for approval. A minimum height of 3 metres above roof shall be provided for the glass furnaces flue terminal.

Prior to operation of the new furnace stacks, the applicant shall submit a dust suppression scheme with regard to the pre and post cleaning and monitoring of emissions for approval in writing to the planning authority and thereafter maintained. A record must be kept of monitoring and cleaning dates retained for a minimum of 6 months and available for viewing by environmental health. A review of dust mitigation will be required if there are any changes to the furnace operation or justified complaints as identified either by the company or in writing from the local authority within one month of notification.

Prior to operation a waste storage area management plan must be submitted to the planning authority for agreement in writing and thereafter implemented. The plan must provide details of the assessment of impact from accessing the area between 23:00 and 07:00 hours and any mitigation measures and management controls. The mitigation measures shall be implemented and thereafter retained.

No access shall be permitted to the storage barn via the access road and main entrance doors between 23:00 to 07:00 hours. Access may only be permitted between 23:00 hours and 07:00 hours via the single entrance door accessed via the car park.

No deliveries shall be permitted to the storage barn between 23:00 hours and 07:00 hours via the access road.

LIG01: for any new lighting provided at the site.

NOI02

HOU04

SIT03

5.0 Environmental Health (Contamination)

5.1 The site lies c 200m south west of the former Wallsend Colliery. Previous use may have led to contamination. The following must be attached:

Con 001

Gas 006

6.0 Landscape Architect

6.1 The current application site contains a number of industrial units, offices and associated car-parking and landscaped areas, principally featuring trees set within grassed areas. The current landscape assets border the southeast aspect of the site and also overlook the adjacent Neptune Road to the northwest. There are a number of large (hard-standing) areas interspersed with access roads, intervening grassed areas and semi-derelict compartments to the site. These collective areas are enclosed in the main by security fencing arranged along most of the perimeter. Along with the existing landscape assets, a number of self seeded trees, shrubs and dense general vegetation have arisen along the existing fence lines and adjacent land holdings bordering the site to the west. The site is currently accessed via Benton Way from Neptune Road through a gated entrance to the facility.

6.2 The submitted application document; *Design and Access Statement*, further describes details of the site area, within a historical and recreational context, as follows;

This site is within the buffer zone and course of Hadrian's Wall WHS, with the immediate area of archaeological interest The site boundary along Neptune Road and part of Buddle Road has been planted with trees which provide some screening. The rear of the site is screened by the landscaping alongside the Hadrian's Wall Path. There are no plans for additional landscaping on the site nor for any reduction in the existing landscaping.

6.3 The site is located within a wildlife corridor as defined by the North Tyneside Local Plan, therefore the following planning policies apply:

Policy S5.4 Biodiversity and Geodiversity

Policy DM5.5 Managing Effects on Biodiversity and Geodiversity

Policy DM5.7 Wildlife Corridors

Policy DM 5.9 Trees, woodland and hedgerow

Policy S5.1 Strategic Green Infrastructure

6.4 There are significant solitary groupings and avenues of mature trees, within the grounds of the proposed application site. Of particular concern is the row of existing trees along Neptune Road. New works associated with the car parking and the construction of the new barn will impact on the root protection areas of the trees. The works will require either the removal of trees or experience damage to the roots and/or canopies during construction.

6.5 As there is likely to be an impact on the trees, an Arboricultural Impact Assessment (AIA) will need to be submitted as part of this application so that the

impacts can be fully assessed. This should detail and identify the potential impacts of the development on the environmental assets (trees, hedgerows and shrubs) on site and also put forward a strategy for their retention and protection.

6.6 Furthermore, any development proposal should meet the requirements of the NPPF in terms of providing a suitable landscape scheme that provides net gains for biodiversity (NPPF section 170) and provide opportunities to incorporate biodiversity improvements in and around developments (NPPF section 175). As a regeneration project, there are also opportunities for supporting and/or extending the associated landscape (trees and hedgerows) of the existing site footprint, both along the existing perimeter areas and within the proposed new internal layout. This may manifest as additional tree and/or hedgerow planting along the collective perimeter and internal areas of the site, to either replace (tree failures) and/or extend the existing landscape structure. An indicative landscape scheme should be submitted that shows measures to improve the ecological biodiversity of the overall site area in relation to the green infrastructure of the immediate and wider area, promoting and attracting a more diverse range of flora and fauna within an otherwise industrialised environment.

6.7 Additional information to be provided:

- Arboricultural Impact Assessment (AIA) supported by a tree protection plan (TPP)
- Indicative landscape scheme

7.0 Regeneration

7.1 The Regeneration Team fully supports the various developments proposed at the long established Heraeus Quartz UK site on Neptune Road in Wallsend. The additional buildings, alterations and car parking extension are to cater for the growing market in the manufacture of high-quality quartz glass primarily used in semiconductor and some optical fibre applications.

7.2 The site is a market leader in the production of high-quality quartz glass and the

developments proposed as part of this planning application will ensure that the site remains at the forefront of its industry. The operation currently employs a significant number of local people, including many apprenticeships, and the proposed works will create up to an addition 48 posts, which is vital for the Borough.

8.0 Representations

2 letters of objection from residents of Wilberforce Street:

- Nuisance - dust/dirt
- Nuisance - noise
- My concerns are related to the 5 additional furnaces and new storage barn which are to be built on this site. There are currently noise and air pollution issues (white particles reaching my house). I have not seen anything in the application which gives any assurance that the problems will not worsen if the new larger furnaces are built.
- The storage barn will be nearer my property and in the absence of any detail of the goods to be stored and how frequently the barn will be accessed and more importantly when (24hours?) I fear that noise levels will increase.

- I would also welcome an assurance that the car park provision will be sufficient for the proposed (and future) expansion.
- What materials would be used to construct the new barn and what dimensions would the barn be?
- How near would the barn be located to my property?
- How often would access be needed during the day, in the evening and most importantly during the night?
- What materials would be stored in the barn?
- Would dumper trucks, fork lifts any other vehicles be used to access the barn?
- If yes, how often during the day, in the evening and again more importantly, through the night?
- Would the barn produce more noise, vibration? What is stored on the land at present where the new barn would possibly sit?
- More detail is required on the new furnaces.
- I believe I am the nearest neighbour directly over Neptune Road to the factory, so inevitably I suffer the most noise, particles vibration etc. the white particles are blown in my direction, depending on the weather wind etc.
- I would also request that the Environmental Health could test the white particles and confirm if they are in any way a risk to me my family and the wider community, Also is it possible to monitor the air quality at present before the application is considered.
- Neptune Road is in terrible state with pot holes etc. The proposals for the factory would create more noise from more employees, more lorries, deliveries etc.
- I already suffer from noise pollution due to the fact the factory operates 24 hours a day, 7 days a week. I believe the noise levels are excessive at present and this will increase when more furnaces are in operation.
- I believe the constant buzzing from the site will increase, glass being dumped in skips at all hours will increase, the number of delivery lorries arriving and departing at all hours will increase and the traffic of dumper trucks across the site dumping glass into the skips will also increase. In addition, the amount of smashed glass which is evident both inside and outside the boundary of the site will increase.
- There are white particles which I believe are silica which drift across from the site, some as large as a 20p piece. This is obviously a health concern for myself and family and neighbours. I can no longer sleep with the windows open for fear that I may be breathing in particles. The noise from the site is constant and has increased in recent years and interrupts our sleep.
- I raised the issue of the white particles with environmental health in 2017. They in turn raised this with Heraeus Quartz who wrote to me outlining procedures they were to implement to address the issue. This seemed to work for a few months but the problem has re-occurred and if anything is even worse than before.
- Living in Wallsend we are only too aware of past unsafe industrial practices such as the use of asbestos in the shipyards and the devastating consequences for some members of our community.

9.0 External Consultees

10.0 Historic England

10.1 With reference to archaeological issues, the revised information presented seems to consist of a (welcome) plan showing the location of excavations required to complete the development. Provided these excavations will still be of no greater than 1.5m in depth, as per previous assurances provided by the agent for this scheme, then in our view this would be very unlikely to have a harmful impact on archaeological remains, and we would not advise a need for any archaeological work in connection with any permission issued. Historic England has no objection to the application on heritage grounds.

11.0 Tyne and Wear Archaeology Officer

11.1 The proposed development site is within an area which may contain significant Roman archaeological features given its location west of Segedunum fort and immediately south of Hadrian's Wall. Previous archaeological evaluation has taken place on the site in 1991 and 2009. These investigations revealed that any surviving Roman deposits are situated below 1.5m and up to c.4m below ground level in some areas below colliery waste and the remains of Victorian housing. Stakeholes (possibly of Roman origin) were recorded in 1991 cut into natural clay in one part of the site at c.3m+ below ground level. These features were difficult to date as Roman pottery found during the evaluation may have come from night soil.

Given the expected depths of the proposals (up to 1m for furnace sump and foundations for extensions and plant to be constructed within the top 1.5m) I do not think it is necessary for a watching brief to take place during these works.

12.0 Newcastle Airport

12.1 The proposal has been assessed by the Aerodrome Safeguarding Team and given the location and indicated height of the scheme it is not considered that the proposal would result in any detriment to the safe operations of the Airport. NIA would not therefore offer any objection to this application.

13.0 The Coal Authority

13.1 The application site **does not** fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

13.2 In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

14.0 Northumbrian Water

14.1 The planning application does not provide sufficient detail with regards to the management of surface water from the additional car parking for

Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

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

The Developer should develop their Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010.

15.0 Newcastle City Council Planning

No comments.

16.0 Newcastle City Council Flood Management Team

16.1 Newcastle City Council Flood Management Team will only be commenting in respect of the potential for additional surface water runoff from the site to the neighbouring down gradient site within our authority area. There only appears to be a very marginal increase in impermeable area due to the site's development. The only impermeable surface area increase in this development appears to be generated by the extension of the canopy. This increase in impermeable area appears in the region of 40m², as such over the site's area the surface water runoff should not increase significantly. On this basis Newcastle City Council Flood Management Team will not be making any comments in respect to this development.

17.0 Police Architectural Liaison Officer

No comments.