

**Former Swan Hunter Ship Yard
Local Development Order**

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1. Introduction

- 1.1 In 2011 the Government announced 24 Enterprise Zones (EZs), with the North Bank of the River Tyne being declared an EZ in 2014. The EZ for the North Bank of the River Tyne covers three sites, the former Neptune and Swan Hunter Ship Yard sites and the designated Port of Tyne area.
- 1.2 The North East Local Enterprise Partnership (NELEP) has produced a Strategic Economic Plan (SEP) that identifies four key areas of growth. These are Digital, Advanced Manufacturing, Health and Life Sciences and Energy. To achieve the SEPs ambition it identifies five programmes of delivery:

Business growth

Innovation

Skills, employment, inclusion and progression

Transport connectivity

Investment and infrastructure

- 1.3 Enterprise Zones (EZ) are hosted by their Local Enterprise Partnership (LEP), which for the North East is the North East Local Enterprise Partnership (NELEP). A business within an EZ can access time limited financial incentives (which have now expired on the three North Bank sites) such as business rate discounts and also benefit from simplified planning decisions through a Local Development Order (LDO).
- 1.4 The LDO was revised by North Tyneside Council in 2022.

2. Rationale

- 2.1 The Enterprise Zone initiative is intended to support and attract investment in key sectors which have been identified as having potential for growth. In North Tyneside the Former Swan Hunter Ship Yard site has been identified as appropriate for Enterprise Zone status,.
- 2.2 The Former Swan Hunter Ship Yard LDO extends beyond the boundary of the Enterprise Zone, in order to facilitate greater flexibility for businesses and encourage the development of supply chain companies within existing buildings.

- 2.3 The Council and is committed to tackling climate change and the NELEP is seeking to support investment in sub-sea technologies, energy generation and zero carbon transport. The LDO will aim to support these industries as a low carbon Enterprise Zone.
- 2.4 Advanced manufacturing, especially the automotive sector and the energy sectors are the key areas identified by NELEP. The LDO would also support sectors involved in the servicing of existing oil and gas markets whilst developing future growth in offshore renewable energy and sub-sea technology that are seen as key areas of future growth with the Dogger Bank Wind Farm Operation and Maintenance Base locating on the Tyne.
- 2.5 The North East's strong industrial base and wide-ranging engineering skills are key factors in supporting industries in these developments. This includes research expertise in the marine sector; excellent port facilities for survey work and the sub-assembly and servicing of offshore sites. The site is a suitable size, with river frontage access that allows the assembly of large components. The aim is to capitalise on the potential of the site for the needs of the energy sector and boost international trade.
- 2.6 As such, the following key opportunities have been identified in relation to businesses directly operating on the site in the following sectors and for companies directly within the supply chain of these sectors:
- Energy industries (included but not limited to oil and gas and renewables);
 - Offshore, technology, marine and sub-sea;
 - Manufacturing, construction and engineering; and/or
 - Research and Development related to any of the above sectors.

3. Simplifying Planning on Enterprise Zones

- 3.1 A requirement of the EZ designation is that planning controls are 'simplified' and provide an added incentive for the area.
- 3.2 An LDO will enable development that supports the aims and objectives of the EZ to be undertaken without the need to apply for planning permission providing the development is carried out in accordance with established design guidance and conditions.

- 3.3 The conditions listed in the LDO provide a high degree of certainty to developers and investors who can understand from the outset what issues need to be addressed when delivering development on site and reducing costs through planning.
- 3.4 LDOs do not remove the need to obtain other statutory consents such as Building Regulations approval, consents under Highways Legislation, Listed Building or Scheduled Monument Consents, Health and Safety Executive consents etc.
- 3.5 LDOs are an established part of the planning system having been introduced through the Town and Country Planning Act (1990). Their roles and functions have been revised through subsequent legislation as follows:
- Sections 61A-D and Schedule 4A to the Town and Country Planning Act, 1990, (as amended);
 - Planning and Compulsory Purchase Act 2004;
 - Section 188 of the Planning Act 2008; and the
 - Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).
 - Town and Country Planning (Development Management Procedure)(England) Order 2015
- 3.6 Developments within the LDO area that do not fall within the specified criteria or do not meet the conditions or development requirements may still be suitable but will be subject to the normal planning process.
- 3.7 The LDO does not affect permitted development rights that exist under the General Permitted Development Order (GPDO) 2015 (as amended) nor any local or private Act of Parliament.

4. The Swan Hunter Enterprise Zone Proposed Land Uses

- 4.1 The site is allocated within the North Tyneside Local Plan (2017) for the following uses
- (B1) Offices, research and development of products and processes,
 - light industry appropriate in a residential area;
 - (B2) General Industry
 - and;
 - (B8) Storage and Distribution

4.2 In September 2020, the Government updated the Town and Country Planning (Use Classes) Order 1987 (as amended) with The Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020. Whilst B2 and B8 uses have remained the same; B1 use classes has been updated to the following:

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes,
- E(g)(iii) Industrial processes

4.3 Proposed Business Sectors of the revised LDO replicates the sectors in the previous LDO and has a focus on manufacturing and engineering: Energy Industries (included but not limited to Oil & Gas and Renewables);

- Offshore, technology, Marine and Sub-Sea;
- Manufacturing, Construction and Engineering; and/or
- Research and Development related to any of the above sectors:

5 History of the Site

5.1 Swan Hunter and the surrounding land have been subject of a long history of different industrial uses linked with coal mining and chemical works since at least the late eighteenth century. Swans was first recorded as being used for ship building in 1873. It was officially taken over by the CS Swan and Hunter ship building company in 1880 and was the centre of a successful ship building industry in Wallsend for the next 100 years.

5.2 Wallsend itself was originally centred around the Roman Fort of Segedunum which formed the final defensive emplacement along Hadrian's Wall and forms part of a UNESCO World Heritage Site. The line of the Branch Wall to the Hadrian's Wall and other Roman features have been identified on the Swan Hunter site from previous archaeological investigations.

5.3 As a result of a decline in ship orders the yards were closed in 2007 and subsequently purchased by North Tyneside Council with support from One North East in 2009. The surrounding buildings have been used for a range of industrial purposes originally associated with Carville Station and other river related activities.

5.4 After acquiring the site, the Council secured funding from the European Regional Development Fund, Homes and Communities Agency and North East Local Enterprise Partnership to assist with demolition, new roads and utilities and quay improvements.

- 5.5 The works included junction improvements to Hadrian Road and Buddle Street and a new, stronger bridge at Benton Way. Internal roads were also constructed along with a heavy load link road to the Oceana Business Park. Extensive demolition was carried out to provide cleared development plots across the site.
- 5.6 At the quay, phase one repairs to the West Quay were completed and the river berths were dredged to between 7.5m and 9.1m deep.
- 5.7 Part of the Swans site has been sold to WD Close Engineering Limited in 2013 who subsequently developed fabrication units and has grown as a fabricator to the offshore energy and other sectors.
- 5.8 The completion of the deep-water dredge and road infrastructure that has enabled local businesses to use the quay for load outs of offshore energy structures and machinery, such as subsea ploughs.
- 5.9 The Swans Centre for Innovation (CFI) opened in 2016 and now provides five floors of office floor space plus meeting space targeting the offshore energy, subsea and marine sectors.
- 5.10 In December 2020 the Council sold the site to Shepherd Offshore Limited, which intends to bring forward redevelopment of the site as Swans Energy Park and attract businesses in the offshore, subsea, marine and energy sectors to the site. At the same time the Council also sold the East Quay to WD Close Engineering Limited enabling the business to directly manage load outs from this quay.

6. Description of the Site and Surrounding Area

- 6.1 The LDO site forms part of the River Tyne North Bank corridor stretching from the Offshore Technology Park in Walker to the International Ferry Terminal in North Shields (covered in Policy S2.1 and AS2.5 of the North Tyneside Local Plan., 2017). The corridor is currently characterised by a variety of land-uses including pockets of strategic employment uses, adjacent to under-utilised land, quayside and infrastructure uses.
- 6.2 The site has direct access to the A187 road. This provides a heavy load route linking directly to the north – south A19 (T) and the Tyne Tunnel river crossings located close to the east. The site has excellent public transport links, located immediately adjacent to the Tyne and Wear Metro Wallsend Station and bus interchange. The site lies approximately 350 metres to the south of the Wallsend shopping centre. The Hadrian's Way cycle path runs east - west along the Hadrian's Cycleway (NCNR72) and lies immediately to the north of the site.

- 6.3 Immediately adjacent on the south west boundary of the site (which also forms the Borough boundary with Newcastle City Council) is the former Neptune Ship Yard now the Neptune Energy Park. The Neptune Yard is another designated Enterprise Zone of the NELEP. To the north east along the river bank, is the Oceana Business Park which consists of a variety of industrial and commercial units accommodating a range of small scale office and manufacturing uses.
- 6.4 To the north of the A187 are residential properties in Carville Road, Praetorian Drive and Station Road. There is also a small terrace of Victorian houses located to the north east of the site known as Carville Station Cottages. There is a small retail park located to the north of these cottages and to the north east lies Newcastle College's Energy Academy.
- 6.5 The site of the Former Swan Hunter Ship Yard is comprised of four relatively distinct parcels of land (see Diagram 1).
- 6.6 **Carville Works and Old Jointing School** - The eastern portion of the Former Swan Hunter site, which includes the group of buildings formerly known as the Carville Works and Carville Electricity substations, the Old Jointing Schools and land to the north west of the Old Jointing School. This is now mostly occupied by WD Close Engineering, a fabricator serving the offshore energy sector.
- 6.7 **Segedunum Business Centre and Former Carville Goods Yard** - Land to the north of Swan Hunter and beyond the Hadrian Way cycle path includes the former Carville Station Goods Yard and the Segedunum Business Centre. (This site fronts onto Buddle Street and abuts the small terrace of houses of Carville Station Cottages on the east, west and south).
- 6.8 **Davy Bank River Frontage** - The Workshops and offices sited at the river frontage for Davy Bank is largely occupied by SMD.
- 6.9 **Main Swan Hunter's Site** - The main portion of the Former Swan Hunter site has two distinct levels created by infill, on which the upper terrace has been built over. There is a general shallow fall towards the River Tyne which lies to the immediate southeast of the site. The areas surrounding the site fall at a steeper angle towards the River Tyne, suggesting earthworks have taken place on the site to form a suitable flat and level working area. The river frontage includes the west quay and the heavy loadout 'steel quay'.

- 6.10 The Segedunum Business Centre and adjoining land is a two storey temporary office building. The adjoining land to the east is hard surfaced and has been previously used as an overflow car park for Swan Hunters.
- 6.11 The Carville Works site is occupied by a range of single two and three storey industrial buildings, workshops and electricity substation buildings. It is mostly occupied by WD Close Engineering. The site is enclosed to the north by a steep wooded embankment probably created as a consequence of land fill.

7 Planning Policy Context

- 7.1 Planning authorities have a statutory requirement to prepare development plans covering the whole of their area. The North Tyneside Local Plan (NTLP), was formally adopted by the Council in July 2017.
- 7.2 North Tyneside Local Plan The land identified for the LDO is allocated within the NTLP for B1 (Office, Light Industrial and Research and Development) (now part of the wider definition of the E class), B2 (General Industrial) and B8 (Storage and Distribution) uses within Policy S2.2 Provision of Land for Employment Development (the LDO includes sites E034, E037 and E039).
- 7.3 Policy AS2.5 River Tyne North Bank draws upon the evidence of the River Tyne North Bank Strategic Framework that would support and encourage development and investment in the advanced engineering, manufacturing and renewables sector with particular focus upon the Former Swan Hunter shipyard, part of the North East Low Carbon Enterprise Zone.
- 7.4 Policy AS2.5 and AS8.1 stress the importance of retaining the River Tyne frontage as this is a valuable resource enabling economic growth, investment and regeneration to support advanced engineering, research and development particularly in renewable and marine off-shore manufacturing and sub-sea technologies.
- 7.5 Policy AS2.5 is identified in the Local Plan as having the potential to cause adverse impacts on internationally protected wildlife sites and the conditions listed in Table 2 would need to be implemented where appropriate.

8 Potential Constraints

- 8.1 Flood Risk - The Environment Agency have confirmed that the majority of the proposed development is within Flood Zone 1 with a 'low risk' (less than 1 in 1000 annual probability) of river or sea flooding.

- 8.2 However, the areas immediately adjacent to the River Tyne are within Flood Zone 2, an area at 'medium risk' of flooding and Flood Zone 3 an area of high risk flooding. It is noted there are no existing flood defences in the vicinity of the site.
- 8.3 NWL have also confirmed that there is no risk of flooding from these existing drainage runs thorough the site.
- 8.4 Contaminated Soils and Ground Gas - As a result of the previous uses on the site and following investigations it is known that there are concentrations of contamination within some of the underlying ground. Remedial measures may be required and further assessments necessary with remediation being agreed with the Local Authority, the Environment Agency and Historic England.
- 8.5 The existence of made up ground on the site means that gas protection measures are likely to be required on at least part of the site. Further gas monitoring will need to be undertaken to give a better indication of potential risks.
- 8.6 Residential Amenity - The nearest residential properties lie to the north east at Carville Station Cottages on Hadrian Road, and there is further housing on the northern side of Buddle Street beyond Segedunum Fort. Conditions may limit noisier activities close to the northern boundary of the Former Swan Hunter Former Ship Yard.
- 8.7 Archaeology - Due to its proximity to Segedunum Roman Fort it is possible that archaeological remains may be present which could be uncovered during future development. Archaeological conditions for excavations will apply to the site. They will require that pre-development works are undertaken to ensure that nationally important archaeological remains are protected and retained on site. Other investigations will be necessary to evaluate, excavate and record other remains as appropriate.

9 Justification for Creating and Revising the LDO

- 9.1 The following paragraphs outline the required justification for extending and updating the LDO.
- 9.2 As part of its commitment to economic recovery and growth, the Government introduced Enterprise Zones to stimulate private sector investment and support business development. Two key components of Enterprise Zones are the provision of financial incentives to support investment and simplifying the

planning system. An LDO is considered to be the most appropriate mechanism for the Former Swan Hunter Ship Yard.

- 9.3 This amended and updated LDO will allow sustainable development to be undertaken without the need to apply for planning permission provided it complies with specified development requirements and conditions.
- 9.4 The revised LDO reflects changes in legislation, such as permitted development rights and extends the timeframe until 2032. In exempting certain development from the need to apply for planning permission, developers will save on planning application costs and the time required to process applications. Developers will also benefit from receiving a greater degree of certainty that they can proceed, as permission is granted provided they meet the agreed conditions and development requirements. An overriding objective of the LDO is to deliver new economic growth rather than result in the 'displacement' of existing businesses onto the site. It is for this reason that the LDO will specifically seek and facilitate the relocation of companies that are actively seeking to increase their existing businesses or expand and develop into the designated business sectors. A condition to achieve this objective is set out within the Order itself.
- 9.5 The associated Enterprise Zone initially benefits from Business Rate Discounts for a limited period and 100% enhanced capital allowances, which is tax relief to tax relief to businesses making large investments in plant and machinery.
- 9.6 The business sectors proposed for the LDO will attract investment, in areas identified as growth sectors; contributing towards the aim of creating a more diversified and inclusive economy. Ultimately it will be to the discretion of the Local Planning Authority as to whether a proposed business is deemed to fall within one of the four business sectors.
- 9.7 The types of businesses identified in the LDO are restricted to the following specific business sectors:

The manufacture and maintenance of plant and machinery and parts for:

- Energy Industries (included but not limited to Oil & Gas and Renewables);
- Offshore, technology, Marine and Sub-Sea;
- Manufacturing, Construction and Engineering; and/or
- Research and Development related to any of the above sectors.

10 Description of Development Granted Planning Permission

10.1

The Local Development Order (LDO) grants planning permission, exclusively for buildings and associated development relating to:

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes,
- E(g)(iii) Industrial processes

Certain (B2) General Industry (excluding incineration purposes, chemical treatment or landfill of hazardous or inert waste),

Specifically related to the following business sectors:

Energy Industries (included but not limited to Oil & Gas and Renewables);
Offshore, technology, Marine and Sub-Sea;
Manufacturing, Construction and Engineering; and/or
Research and Development related to any of the above sectors.

10.2 Providing that:

The development falls into one or more of the business types identified in Table 1, and;

The Development Requirements and Conditions identified in Table 2 are satisfied,

Submissions are made to the Local Planning Authority by 19th November 2032.

The LDO would apply to the land identified in Diagram 1.

10.3 The LDO does not permit changes of use between use classes or from a different land use within the same use class to any use which is not

specifically identified in the LDO. If a change of this nature is proposed a planning application would be required. The purpose of the restriction is to support development in these key growth sectors and to restrict any uses which may be detrimental or inappropriate to this location.

11 Statement of Policies that the LDO will implement

- 11.1 The LDO supports the implementation of existing strategies, plans and policies at a national, regional and local level. The relevant policies are listed below:

National Planning Policy

National Planning Policy Framework (2021, as amended)

Local Planning Policy

All Relevant policies within the North Tyneside Local Plan 2017

12 Lifetime and Monitoring of the LDO

- 12.1 The LDO has been in place since the 20th November 2012 and was due to expire on the 19th November 2022. The Council is exercising its right to revise the LDO and modify the criteria and conditions. The LDO will now expire on the 19th November 2032 as a result of the amendments.

- 12.2 Once the LDO expires on the 19th November 2032, the Local Planning Authority will have three options available:

Extend the LDO under the same criteria and conditions;
Revise the LDO and modify the criteria and conditions; or
Revoke the LDO and return to the established planning system.

- 12.3 Any development which has commenced under the provision of the LDO will be allowed to be completed within a reasonable time period (no less than two years unless otherwise agreed in writing with the Local planning Authority), in accordance with the terms and conditions of the LDO.

- 12.4 The LDO will be subject to continuous annual monitoring to assess its effectiveness in achieving economic growth objectives; ensuring development is appropriate. The full details of the monitoring framework are set out in

Appendix 1. The monitoring information will be incorporated in the Annual Monitoring Report.

13 Development Requirements

13.1 Taking into consideration the location of the site, existing and proposed users and also the need to take into account existing constraints including the impact of any heritage assets and the protection of the amenity of nearby residential areas, it is imperative that any new development be in accordance with the requirements and conditions set out in Tables 1 and 2 identified for the LDO.

13.2 In summary these seek to secure:

- Appropriate surface water and sewer drainage infrastructure;
- Adequate access, parking and road infrastructure;
- Development that does not generate inappropriate levels of noise and disturbance;
- Development that effectively deals with any on-site contamination;
- Adequately protect, evaluate or record any heritage assets;
- Protect and reinforce landscape planting along the Hadrian Way cycle path.

13.3 Some uses and businesses may not be appropriate on the Former Swan Hunter Ship Yard site due to the nature of the development in relation to identified constraints on the site. Uses that are not named in the four business sector definition criteria would need to seek planning permission in the usual manner. The business type criteria are defined in Table 1 in the LDO

14 Other Statutory Requirements

14.1 Whilst the LDO grants planning permission for certain types of development at the Former Swan Hunter Ship Yard, it does not grant other consents that may be required under other legislation. It will remain the responsibility of the developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to.

14.2 Although not an exhaustive list, particular attention is drawn to the following relevant legislation:

14.3 European

Directive 92/43/EEC (Habitats)

Directive 85/337/EEC (amended by Directive 97/11/EC) (Environmental Impact Assessment)

14.4 National

Factories Act 1961

The Health and Safety at Work etc. Act 1974 and associated regulations;

Ancient Monuments and Archaeological Areas Act 1979

Wildlife and Countryside Act 1981

The Conservation (Natural Habitats, &c.) Regulations 1994

Building Regulations Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

The Planning Act 1990 (Hazardous Substances) Environmental Protection Act 1990 and associated regulations

Control of Major Accident Hazards Regulations 1991

The Planning Regulations 1992 (Hazardous Substances)

The Highways Act 1980 and associated regulations

Control of Substances Hazardous to Health Regulations 2002 (COSHH)

The Town and Country Planning Act 2007 (Control of Adverts) (England)

The Environmental Permitting (England and Wales) Regulations 2010

The Conservation of Habitats and Species Regulations 2010

- 14.5 Failure to comply with all applicable and relevant statutory requirements could result in any development being unlawful and may result in appropriate enforcement action being taken by the Borough Council and/or other agencies. It is the responsibility of the developer/development to be in accordance with all relevant legislation.

15 Submission and Notification process

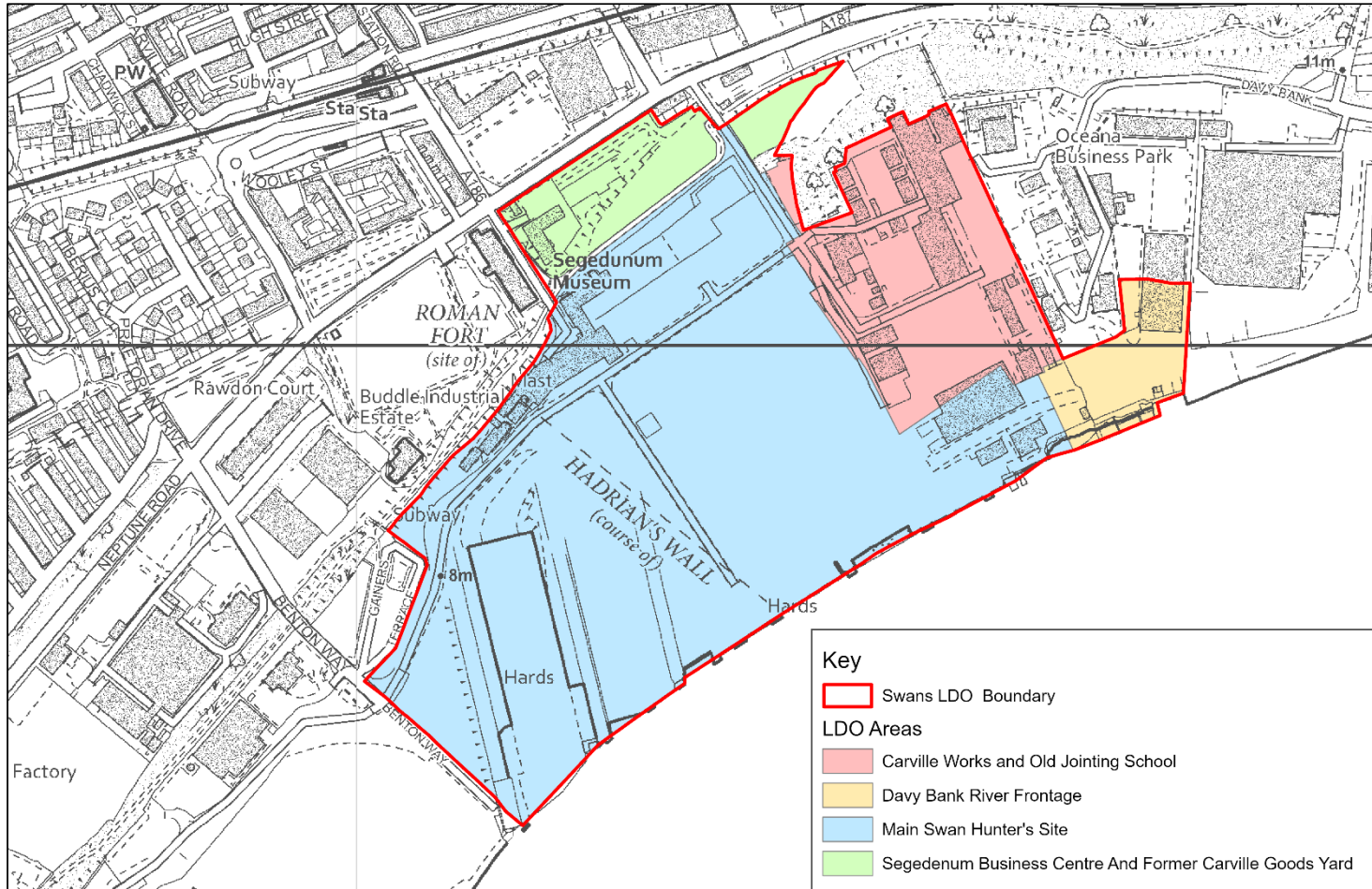
- 15.1 Prior to the commencement of development on site, all relevant plans and information will be required to be submitted to the Local Planning Authority in order to make an assessment of conformity with the LDO. The Local Planning Authority reserves the right to request a fee for consideration of this submission. A form clarifying the submission requirements can be found in Appendices 2 and 3. Within 28 days of valid receipt of all necessary information the Local Planning Authority will provide a response in writing, this response will state whether:

- a) the proposed development is in conformity with the Local Development Order;
- b) further information is required to determine whether the proposed development is in conformity with the Local Development Order; or

c) the proposed development is not in conformity with the Local Development Order

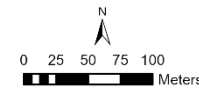
- 15.2 If further information is required to make an assessment and a decision cannot be reached within 28 days, the Local Planning Authority will seek to agree an extension of time with the applicant. Should minor changes be required to ensure compliance with the LDO, where feasible the Local Planning Authority will endeavour to seek amendments with the applicant, rather than issue a response of non-conformity. Again, this may require an extension of time which will be agreed with the applicant.
- 15.3 Should it be agreed in writing that development complies with the Local Development Order; the developer will be required to satisfactorily discharge any outstanding planning conditions contained in this LDO to be agreed in writing by the Local Planning Authority. The developer is also required to notify the Council in writing of their intention to start works on site 28 days prior to commencement; in order to monitor progress, ensure continued compliance and evaluate outcomes.
- 15.4 A developer submission form relating to this LDO can be found in Appendices 2 and 3.

Diagram 1 - The Former Swan Hunter Ship Yard Local Development Order



**SWANS (former Swans Hunter Shipyard)
Local Development Order**

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Table 1

Former Swan Hunter Ship Yard Local Development Order

Within the Former Swan Hunter Ship Yard site identified on the attached plan (Diagram 1), planning permission is granted, exclusively for the following land use, buildings and associated development for:

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes,
- E(g)(iii) Industrial processes

(B2) General Industry (excluding incineration purposes, chemical treatment or landfill or hazardous or inert waste),

Providing that:

The development falls into one or more of the following business sectors;

Energy Industries (included but not limited to Oil & Gas and Renewables);
Offshore, technology, Marine and Sub-Sea;
Manufacturing, Construction and Engineering; and/or
Research and Development related to any of the above sectors.

and;

The Development requirements and conditions identified in Table 2 are satisfied,

and;

the proposed business use/occupier does not represent a “Displaced” * operator/business/occupier.

and;

The submission of details for any necessary conditions are made to the Local Planning Authority by 19th November 2032.

*** “Displaced” in this context excludes any operator business or occupier which is a new business;**

or

**a) It is an existing business from outside the region of Tyne and Wear;
or**

iii) The operator business or occupier provides a business case for, evidencing growth of the business over the previous years, projecting growth over the coming years and demonstrating why and how additional floor space and staff requirements are needed and how they will be utilised on the Former Swan Hunter Ship Yard site.

Table 2

	Justification
<p>Condition 1 Any proposed development shall two months prior to the commencement of that development, make a request for an Environmental Impact Assessment (EIA) screening opinion under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and a screening opinion under The Conservation of Habitats and Species Regulations 2017 (or any subsequent amended legislation) to the Local Planning Authority. Should the screening opinion find the proposed development is EIA development, or is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects); no development shall be commenced and a planning application and an appropriate Environmental Assessment will be required.</p> <p>Details of the information required is set out in Appendix 2</p>	<p>Reason In order to comply with Part 1 Section 3 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 The Conservation of Habitats and Species Regulations 2017, which prohibit the granting planning permission or subsequent consent, for development without consideration of environmental information or which has a significant affect upon a European Site or a European Offshore Marine Site (As defined by The Conservation of Habitats and Species Regulations 2017.)</p>

Development Requirements	Justification
Scale	
<p>Condition 2 Height No development shall exceed 40 metres above O.D.</p> <p>No development shall exceed 25 metres above O.D. (approximately 2 storeys above existing ground level) at the northern boundary of the Main Swan Hunter's Site identified on Diagram 1 adjacent to Segedunum Fort and Museum.</p> <p>No development shall exceed 30 metres above O.D. (approximately 3 to 4 storeys above existing ground level) in height within 18 metres of the northern boundary of the Main Swan Hunter's Site identified on Diagram 1 as Segedunum Business Centre And Former Carville Goods Yard, adjacent to Segedunum Fort and Museum.</p> <p>No development shall exceed 36 metres above O.D. (approximately 5 storeys above existing ground level) within 31 metres of the boundary with the properties at Carville Station Cottages or exceed 31 metres above O.D. (approximately 3 storeys above existing ground level) in height within 21 metres of the boundary with those properties.</p> <p>No development within the area identified as the Segedunum Business Centre and Former Carville Goods Yard on Diagram 1 shall exceed 32 metres above O.D. (approximately 3 storeys above existing ground level) in height.</p>	<p>Reason In order to limit the impact upon the adjoining World Heritage site, protect the amenities of the adjacent residents and respect the scale, character and appearance of the existing area.</p>
Transport and Highways	Justification

Condition 3**Parking and Access**

For any development where the provision of access vehicular, pedestrian and cycling parking and transport facilities are not in accordance with the North Tyneside Council's Supplementary Planning Document LDD12 "Highways and Transportation", (or any adopted document revoking or re-enacting that document), an evidence base demonstrating that accessibility and parking management proposed will not have a detrimental affect on the adjacent highway safety, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. The development will also comply with the guidance contained in the publications Transport in the Urban Environment and Design Manual for Roads and Bridges and any departure from these standards will require the approval in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Condition 4**Transport Assessment**

For any development in excess of the gross internal floorspace thresholds below, a Transport Assessment including an agreed timetable for the implementation of any mitigation measures considered necessary, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

Thereafter the measures identified within that Transport Assessment shall be undertaken in accordance with the agreed timetable.

Floor Space**Reason**

In the interest of highway safety and to minimise danger, obstruction and inconvenience to users of the adjoining highway.

<p>E(g)(i)(ii)(iii) >2,500m² B2 >4,000m²</p> <p>The Transport Assessment shall be undertaken in accordance with North Tyneside Council’s Supplementary Planning Document LDD12 “Highways and Transportation”, (or any adopted document revoking or re-enacting that document)</p>	
<p>Archaeology</p>	<p>Justification</p>
<p>Condition 5 Archaeological Evaluation and Mitigation Prior to the commencement of any groundworks or development, a programme of archaeological evaluation works shall be completed in accordance with a specification provided by the Local Planning Authority. The work shall be undertaken by a suitably qualified archaeologist who will supervise those works on site.</p> <p>The programme shall set out those measures to be undertaken if during any excavation or development works any archaeological assets are identified, including notification of the Local</p> <p>Planning Authority and Historic England, and measures for the interim protection of those archaeological assets.</p> <p>Following the preliminary archaeological evaluation set out above, one of the following mitigation measures shall be undertaken fully and only in accordance with a detailed scheme that must be submitted to and agreed in writing with the Local Planning Authority.</p> <p>A If nationally important heritage assets* are found, the developer shall submit a scheme</p>	<p>Reason In order to ensure that developers submit sufficient information to enable the authority to properly assess the archaeological interest of the site, to conserve any heritage assets identified in a manner appropriate to their significance, and to comply with National Planning Policy Framework (NPPF).</p>

for the necessary protection of those assets, detailing the design of any pilings or foundations and including a timetable for the implementation of the protection measures. Thereafter the works on site shall be undertaken only be in accordance with the programme previously agreed in writing by the Local Planning Authority.

B. If heritage assets of less than national importance* are found, the developer shall submit to, and agree in writing with the Local Planning Authority, a detailed programme. This programme will identify a written scheme of Investigation drawn-up by the developer for the prior archaeological excavation and recording of those assets and detailing the design of any pilings or foundations of any development. Thereafter the archaeological investigation and the construction details for the development shall be undertaken only in accordance with the approved programme.

C. If heritage assets of local importance are encountered then the following measures shall be taken; prior to further works being undertaken, the developer shall submit to, and agree in writing with the Local Planning Authority, a detailed scheme of Investigation of those assets by means of a Watching Brief or further excavation/investigation. The watching brief and written scheme of investigation shall be undertaken in full and only in accordance with the agreed scheme.

Condition 6

Archaeological Post Excavation Report
Following the undertaking of the archaeological investigations as set out in condition 6, which are to be undertaken to the

satisfaction of the Local Planning Authority in consultation Historic England, the building(s) structures hereby allowed shall not be occupied/brought into use until the final report of the results of all phases of the archaeological fieldwork has been submitted to and approved in writing by the Local Planning Authority.

Condition 7

Archaeological Publication Report

Within six months of the occupation of the development hereby allowed, a report at the expense of the developer, detailing the results of the archaeological fieldwork undertaken shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced in a form suitable for publication in an appropriate and agreed journal, prior to submission to the editor of the journal.

*Nationally Important Heritage Asset as prescribed in Annex 1: Criteria for assessing the national importance of monuments within DCMS "Scheduled Monuments" March 2010

Flood Risk

Condition 8

1 in 200 year flood level risk event
Any development within the area designated as flood zone 3 (as shown on the Environment Agency's flood map) shall incorporate finished floor levels set at the 1 in 200 year flood risk event level, including an allowance for climate change for the lifetime of the development and 600mm freeboard.

Prior to the use of any development in flood zone 3, flood emergency procedures shall be submitted to and agreed by North Tyneside Council. This should demonstrate that safe access and egress route(s) can be provided

Justification

Reason

This will ensure that that threat as a result of potential flood risk is properly addressed and takes into account the requirements of government advice contained within National Planning Policy Framework (NPPF)

<p>from the site in a flood event, and should include an emergency evacuation plan.</p> <p>(For Information Only) It is strongly recommended that other flood resilient construction measures, such as barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels, are included within any development.)</p>	
Sustainable Urban Drainage	
<p>Condition 9 SUDs The Surface Water Drainage will utilise Sustainable Drainage methods and where possible incorporate habitat creation in the design. All new drainage will be designed to protect and accommodate any existing drainage and sewer infrastructure, including provisions for physical inspection and maintenance. All new drainage will be designed and constructed to a standard to allow adoption by the relevant infrastructure body.</p> <p>(For Information Only) Early consultation with Northumbrian Water Ltd, the Environment Agency, Historic England Heritage and North Tyneside Council, as a minimum, is essential in to arrange appropriate drainage infrastructure as part of any development. The Surface Water Drainage Solutions should work through the hierarchy of Preference contained within the Revised Part H of the Building Regulations)</p>	<p>Reason To ensure adequate drainage is provided in accordance with the advice in National Planning Policy Framework (NPPF)</p>
Contamination	Justification

Condition 10

Risk Assessment

Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing by the local planning authority.

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors (including heritage assets)
 - potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason

The needs to be pre-commencement as the land has been subject of contamination as a result of previous uses and there is a requirement to protect the Tyne river from further contamination and comply with European Directives on water pollution. This condition will ensure that the risks

posed by the site to controlled waters are assessed and addressed as part of the redevelopment.

<p>Condition 11 Unidentified Contamination If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.</p>	<p>Reason Contamination may be discovered during development that may pose a risk to controlled waters.</p>
<p>Amenity</p>	<p>Justification</p>
<p>Condition 12 Noise Generation Unless otherwise agreed by the Local Planning Authority no noise generated by the development must exceed the rating level measured in accordance with BS 4142:2014+A12019 at nearest residential premises to the rear façade of Carville Cottages:</p> <p>The rating level between the hours of 23:00 hours and 07:00 hours measured over a five minute period must not exceed 51dB. The rating level between the hours of 07:00 hours and 23:00 hours measured over a one hour period must not exceed the 61 dB.</p>	<p>Reason To protect the amenity of the adjacent residents.</p>
<p>Appearance</p>	
<p>Condition 13 Materials No building works above ground level shall take place until a schedule and/or samples of the materials and finishes for the development</p>	<p>Reason To secure a satisfactory external appearance.</p>

has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall not be carried out other than in accordance with the approved details.

Condition 14

Landscaping

- a) Prior to any development within 10 metres of the Hadrian Cycle Path a landscaping scheme indicating the treatment of the boundary with that Path shall be submitted to and agreed in writing by the Local Planning Authority.

- b) Full details of other hard and soft landscaping works within the site to be developed shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

- c) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species. The landscaping shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure a satisfactory standard of landscaping.

Proposed Uses

<p>Condition 15 Use Class Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the land and/or building(s) shall be used only for the purpose of the businesses sectors identified within Table 1 and for no other purpose including any other purpose within Use Class E(g)(i)(ii)(iii) or B2.</p>	<p>Reason To enable the Local Planning Authority to retain control over the use and to target development to those industries best suited to the North Tyne site.</p>
Refuse	
<p>Condition 16 Refuse Storage Prior to construction above ground level details of facilities to be provided for the storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. The facilities which should also include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.</p>	<p>Reason To ensure that satisfactory provision is made for the storage of refuse on site</p>

Appendix 1

Monitoring

Indicator	Annual Review	Review	Potential Further Action
1	No of Businesses Created by Land Use Type	E(g)(i)(ii) Offices Research and E(g)(iii) Development of products and Processes B2 General Industrial	Consider Council's role as a landowner to assist development of site.
2	Area of Land Developed by Business Sector	Off Shore/Wind Generation Tidal/Wave Oil Gas Exploration Advanced subsea manufacturing	Consider expanding /amending business sector types
3	No of Full Time Equivalent Jobs Created	E(g)(i)(ii)(iii) B2	Establish the nature and type of employment Consider Council's role as a landowner to assist development of site.

4	No of Full Time Equivalent Jobs Created by Sector	Off Shore/Wind Generation Tidal/Wave Oil Gas Exploration Advanced subsea manufacturing	Possible review of the LDO to allow more/different Business sectors other than those already identified.
5	No of Enquiries from Businesses which do not meet with requirements of LDO	Significant No of Enquiries	Possible review of the LDO to allow more/different Business sectors other than those already identified.
6	No. of enforcement actions required due to non-compliance	No of Actions	Establish greater pre development controls/requirements

Appendix 2

SCREENING OPINION

1 Two months prior to commencement of any works all developers/businesses shall submit to the Local Planning Authority a screening opinion under both The Town and Country Planning Environmental Impact Assessment Regulations 2017 and under The Conservation of Habitats and Species Regulations 2017.

The request shall be accompanied by

- (a) a plan sufficient to identify the land;
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and
- (c) such other information or representations as the person making the request may wish to provide or make.

Appendix 3

SUBMISSION FORM

Before completing and submitting this notice please ensure that you have read and understood all the limitations and conditions that apply to your proposed development, including the requirements regarding occupancy and displacement.

1. Applicant Name and Address

Title

First Name

Last Name

Company (optional)

Address Line 1

Address Line 2

Address Line 3

Town

County

Country

Postcode

Telephone numbers

Country Code National number Extension Number

Country Code Mobile number (optional)

Country Code Fax number (optional)

Email address

2. Agent Name and Address

Title

First Name

Last Name

Company (optional)

Address Line 1

Address Line 2

Address Line 3

Town

County

Country

Postcode

Telephone numbers

Country Code National number Extension Number

Country Code Mobile number (optional)

Country Code Fax number (optional)

Email address

3. Site Address Details

4 . Description of the Proposal

Please describe the proposed development, including any change of use:

5. Plans demonstrating that the development will not exceed the height restrictions imposed by the LDO

6. Plans demonstrating that the Parking and Access will accord with North Tyneside Council's Supplementary Planning Document LDD12 Highways and Transportation (or any document or revoking or re-enacting that document)

7. For Eg(i-iii) development greater than 2,500m² and B2 development greater than 4000m² a Transport Assessment undertaken in accordance with the North Tyneside Council's Supplementary Planning Document LDD12 Highways and Transportation (or any document or revoking or re-enacting that document)

8. Details of a suitably qualified archaeologist(s) who will be responsible for supervision of archaeological works on site. (This archaeologist(s) will be present on site at all necessary times during works, unless a suitable replacement is agreed with the Local Planning Authority.)

9. Confirmation that development is outside the area defined as flood risk zone 3.

10. For development within the area defined in flood risk zone 3 as shown (on the Environment Agency's flood map) details of flood emergency procedures to be provided under such circumstances.

11. Details of the contaminated land assessment.

12. Details of any external materials to be used.

13. Details of landscaping proposed within 10m of the Hadrian Cycle path and details of other hard and soft landscaping proposed.

14. Details of wheeled refuse bins and storage of refuse at the premises

15. Landowners Consent

The landowner’s consent must have been sought prior to submitting this scheme.
Please provide details below:

Name of owner	Address	Date Notice Served on Owner

16. Site Area by Sector

Use class/ Type of use	Total gross external floorspace proposed (sqm)	Total gross internal floorspace proposed (sqm)	Off Shore/ Wind Generat- ion Tidal/ Wave	Oil Gas Exploration	Advanced subsea manufacturing
Total Site Area					
E(g)(i) Offices to carry out any operational or administrative functions					
E(g)(ii) Research and development of products or					

processes ,					
E(g)(iii) Industrial processes					
B2 General Industrial					
Total					

17. Employment

Employment by Sector	Full Time	Part Time	Total FTE
Off Shore Wind Tidal/Wave Generation			
Existing employees if transferring from another site			
Proposed employees			

Oil Gas Exploration			
Existing employees if transferring from another site			
Proposed employees			
Advanced Subsea Manufacturing			
Existing employees if transferring from another site			
Proposed employees			

18. Evidence to demonstrate that the proposed business use/occupier does not represent a “Displaced” * operator/business/occupier.

Please make sure you have sent all the information in support of your proposal:

19. Declaration

I confirm that the information provided in this notice and shown on the associated plans are to be the best of my knowledge correct at the time of completion and that, with the exception of any minor variations agreed in writing by the Local Planning Authority, I consider the proposed works to be permitted development under the permissions given notice by the above LDO.

Signed – Applicant:

Or

Signed – Agent:

Date (DD/MM/YYYY):