

- Financial contribution of £ 1,688,400 towards off site Ecological Compensation and Net Gain to be attributed to the Potland Burn site
- The provision of Highways works including suitable sustainable connectivity along Brock Lane and the entering into of a Highways Agreement
- A Construction Local Supplier Employment Strategy
- An Employment Plan and
- A Training Skills Plan

1. Introduction

1.1 This application is being referred to the Strategic Planning Committee in accordance with the County Council's scheme of delegation as it is a major development of significant scale. By virtue of its scale, the application was screened as being subject to the Environmental Impact Assessment regulations and was accompanied by an Environmental Statement.

2. Description of the Proposals

2.1 Planning permission is sought for the erection of a battery manufacturing plant with ancillary offices, together with associated development and infrastructure works (including site preparation works, ground modelling, drainage, landscaping, vehicular access, cycle and pedestrian access, parking provision, substation and other associated works). The proposed Gigaplant will produce world class lithium-ion batteries with the first phase of the facility intended to be operational by 2023 and at full capacity by 2028. Once at full capacity, the Gigaplant will have a production capability of 30GWh, equating to approximately 300,000 electric vehicle battery packs each year intended primarily for the automotive industry.

Existing site

2.2 The application site comprises an area of approximately 92.2 hectares and is a vacant brownfield site previously used as a former coal stacking yard as part of the former Blyth Power Station. It is identified as being within the Cambois Zone of Economic Opportunity in current planning policy. In the Draft Local Plan, it is located within the Blyth Strategic Employment Area.

2.3 The site is a former coal stocking yard, which was previously used as part of the former Blyth Power Station which closed in 2001. The power station was demolished and the site cleared in 2003. Trees to the western slopes of the pulverised fuel ash mounds located to the north east of the site were planted approximately 20 years ago and are well established and currently screen much of the site from the coast to the east. These trees are proposed to be retained and with additional landscaping works implemented.

2.4 Along the eastern boundary beyond the railway line is Cambois Primary School together with a small number of dwellings to the south east of the site. The railway line is used occasionally for freight with a bridge running over the railway to the east of the site. There are also a number of points where access is provided to the beach

and coastline. The Northumberland Shore SSSI and Northumbria Coast and Northumberland Marine SPA run along this coastline.

2.5 To the north of the site, and on the opposite side of the road (Wembley Gardens), there is an existing parcel of land currently used for wader mitigation, together with a small number of dwellings with an access road leading to the beach.

2.6 To the south of the site runs Brock Lane which is the key access into the site from the A189. Beyond the south west boundary of the site are a small number of residential dwellings. On the southern side of Brock Lane is the site known as NEP1, which was the location of the former Blyth Power Station. This area is currently the subject of remediation works. Beyond this is the River Blyth and to the south of the river is the town of Blyth.

2.7 There are four access points to the site, three along the southern boundary and one in the north west corner of the site. The main access is in the south east corner of the site, with a further access close to the dwellings on Wilson Avenue, and an alternative off the mini roundabout on Brock Lane (currently blocked off). There are two public footpaths which run close to the site, one along the eastern boundary and one which runs close to the western boundary of the site and through part of the site.

2.8 Also to the southern boundary of the site are bus stops which provide a limited service between Bedlington Station, Ashington and Linton.

2.9 The town of Blyth is located to the south of the site; the settlement of Bedlington is located to the west beyond the A189 and Ashington is located to the north of the site.

Proposed development

2.10 The development is planned to be constructed over 3 phases, with Phase 1 opening in 2023, and scaling up capacity and output in Phase 2 in 2025 and finally Phase 3 due to be operational in 2028. When fully built out, the site is anticipated to employ a total of 2910 workers based on Britishvolt's anticipated operational requirements within the current business plan. Of these, 300 are to be office workers (120 of the office workers will work on a shift pattern), with 2610 operational workers (operative, supervision, quality, reliability, and maintenance roles) operating over three shifts of 870 operational workers per shift plus office staff. In addition, there will be a significant number of indirect jobs created through the supply chain for the development. Operational facilities are proposed to work on a three-shift pattern over a 24-hour period, designed to avoid shift change-over during the traditional AM and PM peak periods on the local highway network. Of the office-based staff, 180 are support staff, and 120 are operational office workers. The office-based support staff are anticipated to work within the standard 07:00 to 18:00 timeframe with flexible working hours. The operational office workers will work on the same three-shift pattern as identified above, over a 24-hour period.

2.11 The manufacturing plant will comprise of a main building approximately 256,000sqm in footprint with supporting ancillary buildings and structures for the

production of cutting edge and green battery cells. The wider application site comprises an area of approximately 92.2 hectares and is a vacant brownfield site previously used as a former coal stacking yard as part of the former Blyth Power Station.

2.12 The external facades of the building will be constructed of insulated composite panel comprising a dark band at ground level with a lighter band above. Within the eastern part of the main manufacturing building is a front of house area and visitor entrance. This will provide staff offices and ancillary spaces. At this stage it is proposed to erect some PV panels on the roof of the main building. These are shown indicatively on the Proposed Roof Plan.

2.13 The Gigaplant comprises of two separate buildings, although the buildings are proposed to be linked. The Gigaplant will be constructed in three distinct phases moving from east to west across the site and will allow Britishvolt to fit out the building as battery production increases across the site. This is set out in more detail within the Environmental Statement.

2.14 The logistics zone is proposed to the north of the building. This consists of a 50-metre-wide concrete service yard adjacent to the inbound and outbound areas of the building. The HGV unloading process is both dock levellers and side unloading. With dock leveller the external levels will be lowered to provide level access from trailers. For the side unloading, high speed vehicular doors are provided for forklift access. To the north of the logistics yard is a service area containing the waste and recycling building and sprinkler tanks. The waste and recycling building will process the commercial waste from the factory. Front of house waste will be dealt with at a local bin store for scheduled collection within the front of house area.

2.15 An HGV gatehouse is provided for the logistics entrance. This consists of a gatehouse building located between incoming and outgoing vehicular lanes. Two lanes are proposed in either direction. A rejection turnaround area is provided adjacent the entry lanes. Pit mounted weigh bridges are proposed on 1 inbound and 1 outbound lane. These will be linked to the gatehouse to allow security staff to validate vehicle contents.

2.16 A visitor gate house is located adjacent to the staff/ visitor vehicle entrance. An area of parking is provided to allow visitors to sign in and collect a pass before proceeding through the gates. Members of staff will have a priority lane to ensure that they are not delayed getting onto site.

2.17 The proposed gate houses will be constructed of grey composite panels.

2.18 A sub-station to serve the development is located close to the southern boundary of the site, adjacent to the visitor gate house and forms part of a separate application. This forms part of a separate application which will be considered alongside this application at Strategic Planning Committee on 6th July 2021.

2.19 Having regard to The Town and Country Planning (Environmental Impact Assessment) Regulations (2017), the proposed development relates to Schedule 2 Part 10 (a) (Infrastructure projects) of which the proposal would fall under 'industrial estate development projects'. Category 10 (a) sets out the threshold as an area of the development exceeding 0.5 hectares. For these developments, EIA is required where significant environmental effects are likely. An Environmental Impact Assessment has been carried out. The application is supported by Environmental Statement (May 2021).

2.20 The application has been considered under the provisions of The Town and Country Planning (Environmental Impact Assessment) Regulations (2017).

Vehicular access

2.21 Three vehicular entrances are proposed into the site. To the south of the site, there is a logistics entrance proposed which would come off the existing roundabout serving Brock Road located in the south west corner of the site. An internal access road would run along the western boundary of the site, and this would be the key access for HGV vehicles accessing the logistics yard for the delivery of materials and collection of products. A HGV gate house and weighbridge are proposed within the site to control the delivery of goods and ensure a level of security within the site. An internal one-way system within the site ensures that there is no need for HGVs to turn within the site.

2.22 The south east corner of the site is the proposed visitor and staff entrance which is accessed off Brock Lane. This proposes a visitor check in area, with a dedicated staff lane to enable access into the site. This leads to the parking areas close to the proposed building. In the north west corner of the site, is a proposed emergency access point. This will be secured by a gate to ensure that vehicles do not use this access unless it is an emergency.

2.23 The internal arrangement of the roads has been carefully designed and includes segregation of HGV and cars, and a one-way system in order to minimise likely conflicts between HGV's, visitor/ staff cars and pedestrians.

Pedestrian access

2.24 There are three pedestrian accesses proposed into the site. The main access will be from the visitor/ staff entrance in the south east corner of the site. A walkway/ cycle lane is proposed to run adjacent to the access road providing a clear and direct access to the front of house area. The second pedestrian access is over the existing bridge and former railway line to the east of the site. A pedestrian gate will be provided and a clear footpath link to the front of house area. The final access will be from the north west corner of the site, where a pedestrian/ cycle link is proposed. This will be access controlled.

Cycle access

2.25 Two cycle access are proposed into the site. The main route will be from the visitor/ staff entrance in the south east corner of the site. A walkway/ cycle lane is proposed to run adjacent to the access road providing a clear and direct access to the front of house area. In addition to this, a cycleway is proposed into the site from the north west entrance with a cycle path provided for the front of house area. The front of house area will have a secure bike store for both staff and visitors. Furthermore, cycle improvements are proposed along Brock Lane which will ensure continuous provision for pedestrians and cyclists who use the site, as well as nearby residents.

Parking

2.26 A total of 1,124 vehicle parking spaces are proposed as part of the development. These are located to the east and south of the main building. At least 6% of the parking spaces, (68 number) will be dedicated for disabled use. 6% of the parking spaces, (68 number) will have active electric charging points and a further 182 spaces will have passive charging points. A total of 75 car parking spaces will be dedicated for visitors to the site. In addition, there will be 24 motorcycle spaces and 122 secure cycle parking spaces when the development is fully operational.

Servicing

2.27 In terms of servicing, HGV's will enter the site via the logistics entrance. Waiting areas are proposed close to the gate house, where all deliveries/ vehicles will be checked in. The access road continues along the western boundary of the site to the logistics yard where goods can be loaded/ unloaded. Vehicles then continue round the one-way system through the centre of the site and exit onto Brock Lane via the logistics entrance. The logistics yard also provides an area for waste and recycling.

Public Rights of Way

2.28 There are two Public Rights of Way (PROW) which run through the site. The first is along the eastern boundary of the site. It is proposed to retain this in its current position, with a fence to the west to ensure a secure line into the site.

2.29 The second PROW is located in the south west corner of the site and leads from the residential dwellings on Sandfield Road through the site before exiting approximately halfway along the western boundary. It is proposed to retain the footpath in its current position, with the existing fence being retained. There is one point where the PROW will need to cross the logistics access and it is proposed to incorporate dropped kerbs and tactile paving at this location. Any temporary footpath closures will be adequately managed during the construction process.

Landscaping

2.30 A comprehensive landscaping scheme is proposed across the site, and this is set out in detail within the submitted Landscape Strategy Document. Landscaping and Ecology matters will be discussed in greater detail within the body of the report.

3. Constraints

- Airport Zone
- Archaeological Areas
- Coal Advice Area
- Coal Working Area
- Coastal Mitigation Zone
- Floodzone 2
- Historical Landfill Sites
- Impact Risk Zone SSSI
- Public Right of Way
- Smoke Control Orders

4. Supporting Information

The Environmental Statement (May 2021) and Environmental Statement Addendum (June 2021) considers the following effects:

- Ecology and Nature Conservation
- Transport and Access
- Noise
- Air Quality
- Climate Change
- Major Accidents and Disasters
- Socio-Economics

The aim of Environmental Impact Assessment is to protect the environment by ensuring that the local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this, along with the proposed mitigation into account in the determination of the application.

Within the application are also the following reports:

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Coal Mining Risk Assessment
- Desk Based Assessment/Heritage Assessment
- Flood Risk Assessment
- Lighting Impact Assessment
- Mechanical Building Services Extraction
- Mineral Resources Study
- Sustainability Framework
- Landscape Strategy
- Noise Impact Assessment

- Arboricultural Impact Assessment
- Phase 1 Geo-Environmental Desk Study
- Final Geoarchaeological Report

4. Planning History

Reference Number: 79/F/0425

Description: Erection of an aluminum storage shed.

Status: Approved

Reference Number: 84/F/71

Description: Installation of 3 steam autoclaves on necessary foundations & erect steel framed lean to with enclosed sides

Status: Approved

Reference Number: 85/F/121

Description: 25no. Concrete piles for research

Status: Approved

Reference Number: 85/F/0122

Description: Boilerhouse storage compound, bunker and chimney

Status: Approved

Reference Number: 87/0088

Description: Extension to provide 2 No autoclaves, transporter bays and holding area, with provision of enclosed cavity at Southern end of building

Status: Approved

Reference Number: 88/0057

Description: Extension to provide cement silo, dust canopy and enlarged holding bay

Status: Approved

Reference Number: 89/0170

Description: Extension to provide lab, office and first aid room

Status: Approved

Reference Number: 89/0081

Description: Extension to provide office, storeroom/office and rest room

Status: Approved

Reference Number: 89/0343

Description: Extension to provide shower room modification to existing changing room

Status: Approved

Reference Number: 90/0293

Description: Extension to provide covered steel framed building for packing area

Status: Approved

Reference Number: 91/F/GD1

Description: construction of a new ash disposal scheme on land forming part of the site of the existing Blyth power stations

Status: Approved

Reference Number: 07/00456/FUL

Description: Erection of 2.4m high palisade fencing on boundary of former coal stocking area as amended by plans DS3288 and DS3289 dated 23//5/2008.

Status: Approved

Reference Number: 08/00311/FUL

Description: Installation of two 400kV/275kV Supergrid electricity transformers, busbars and circuit disconnectors within a secure operational compound surrounded by steel palisade and electrified security fence, including layout of modified access road.

Status: Approved

5. Consultee Responses

Choppington Parish Council	Strongly support this application.
West Bedlington Parish Council	Support the application.
Ashington Parish Council	No response received.
Newbiggin-By-The Sea Town Council	No response received.
East Bedlington Parish Council	Fully supportive of the application and in particular welcomes the creation of jobs, the development of derelict former industrial land and the potential to develop rail links into Cambois for both commercial and passenger rail use.
Blyth Town Council	Full support from Blyth Town Council.
Natural England	Further information was submitted to determine impacts on designated site. No objection from NE, subject to conditions.
Marine Management Organisation	"Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark."
Network Rail	No objection, subject to conditions.
Newcastle International Airport	No objections.

Highways England	Prior to the development being brought into use, a Highways Operational Management Plan will be required. This will manage the morning and evening highway peaks. This will be agreed by NCC in consultation with Highways England. On the success of that, the application can move forward for determination.
Health and Safety Executive	HSE has no comment to make.
Fire & Rescue Service	No objection in principle to the above proposals.
Architectural Liaison Officer - Police	Recommendations made to improve security strategy.
Historic England	No comments to make.
Highways	No objection in principle subject to conditions.
Countryside/ Rights of Way	No objection to the application on the condition any necessary temporary footpath closures are in place, prior to work commencing on site. Also, no action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
Lead Local Flood Authority (LLFA)	Original objection on grounds of flood risk and drainage has now been resolved. No further objections subject to conditions.
Public Protection	No objection subject to conditions.
County Ecologist	Following additional information being submitted, no objections subject to conditions and S106 Agreement for off-site mitigation.
County Archaeologist	No objections subject to 1no. Condition.
Building Conservation	The application preserves and sustains the setting and significance of the identified designated and non-designated heritage assets (Coal Staithes, Cambois War Memorial, St. Andrew's Church, Mechanic's Institute, Blyth Conservation Areas and surviving components of the former mineral railway) situated within proximity to the proposed development site. The application represents an opportunity to meet the requirements of NPPF, Paragraph 127 (a-f). Building Conservation supports the application and recommends that details relating to the design and treatment of new structures (footpaths, recreation space, lighting, signage, furniture, artwork etc.) are conditioned to ensure continuity and quality in the appearance and design of the scheme.
South SE Tree and Woodland Officer	No response received.
Strategic Estates	No response received.
The Coal Authority	No objection to this planning application.
Environment Agency	No objections subject to 1no. Condition.

Northumbrian Water Ltd	Further information required; interim condition suggested.
National Grid Plant Protection	No response received.
Seaton Valley Parish Council	No response received.
Cramlington Town Council	No response received.
North Tyneside Council	No response received.
Newcastle City Council	No response received.
Secretary of State	No response received.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	515
Number of Objections	9
Number of Support	55
Number of General Comments	2

Notices

Site notice -LBC, EIA and PROW, 30th March 2021

Northumberland Gazette 1st April 2021

News Post Leader 1st April 2021

Summary of Responses:

Comments in support summarised:

- Project is transformational for the region
- Ideal location and would provide employment in local region
- Will support highly skilled jobs
- A critical project not only for the UK automotive industry but the local area too
- Would help generate a sense of pride for the local community
- Great way to make use of this brownfield site that would bring money and jobs to the region.
- Direct and indirect job creation
- The proposal would maintain the industrial heritage of the region
- The development could make a significant contribution to the prosperity of the area.
- Would support the development of green energy and our young people.

- Would transform industrial wasteland and create new green jobs
- Provides opportunities to improve transport links
- Would support local communities
- Will make a significant contribution to a greener and more environmentally sustainable economy
- Would bring jobs, an economic stimulus and support decarbonisation
- Would help transform North East economy for the current and future generations

General comments summarised:

- Concerns on traffic generation and questions about rail connectivity
- If proposal goes ahead, will the Council also promote and actively assist in the regeneration of housing in the area.
- Concerns on funding of the proposal, concerns project could be abandoned before completion and implications this would have
- Concerns about access routes that used by locals

Objection comments summarised:

- Would support the proposal on the basis that the site's rail connection can once again be used in distribution and the use of the reopened Northumberland Line can be actively encouraged for workers
- More traffic passing by our homes
- The company have no track record of delivering a project of this magnitude
- Choice of location seems ill advised, Cambois is a small coastal village for those who enjoy the quiet
- The scale of the building is questionable
- Height of the building will be seen from the rear of my property, interfering with the enjoyment of my home
- Additional light pollution will affect the rear of my property, lighting up the rear bedrooms
- Noise pollution affecting residential amenity
- Environmental impact, proposal could drive wildlife away
- Lot of comments in support tend to be from people who don't live locally
- Speed and volume of traffic concerns
- Factory would look like a HMP
- Concerns regarding fumes and emissions
- Better suited to the Teesside area where there's vast brownfield land better infrastructure
- Proposal would affect majority of residents
- Existing road network can not cope with regular local traffic, proposal would exacerbate the problem

The above is a summary of comments. The full written text of responses from Consultees and the Public is available on our website at:

7. Planning Policy

7.1 Development Plan Policy

Wansbeck District Local Plan Policies:

- EMP 3 Cambois Zone of Economic Development
- REC 1 Strategically important parks and open spaces
- GP1 Settlement limits
- GP4 Accessibility
- GP5 Landscape character
- GP6 Trees and hedgerows
- GP10 Protection of sites of national importance for nature conservation
- GP11 Protection of site of local or regional nature conservation significance
- GP13 Biodiversity and wildlife networks
- GP16 Setting of listed buildings
- GP20 Protection of archaeological sites
- GP21 Archaeology
- GP22 Flood risk and erosion
- GP23 Development causing pollution and nuisance
- GP24 Development in proximity to sources of pollution
- GP25 Noise generating development
- GP26 Development exposed to noise
- GP27-28 Hazardous substances
- GP29 Land contamination
- GP30 Visual Impact of Development
- GP31 Standards of urban design
- GP32 Landscaping and the public realm
- GP34 Resource conservation and integrated renewable energy
- GP35 Crime prevention
- GP36 Comprehensive development
- T2 Provision for buses
- T3 Provision for cyclists
- T4 Provision for walking
- T5 Access for people with reduced mobility
- T6 Traffic implication of new development
- T7 Parking provision in new developments
- CF6 Water supply and drainage
- CF7 Planning conditions and obligations

Wansbeck Design Guide 2007

7.2 National Planning Policy

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (2019, as updated)

7.3 Emerging Policy and Other Documents/Strategies

Northumberland Local Plan Publication Draft (January 2019):

Policies:

- ECN 1 Planning strategy for the economy (Strategic Policy)
- ECN 2 Blyth Estuary Strategic Employment Area (Strategic Policy)
- INF 5 Open space and facilities for sport and recreation
- STP 1 Spatial strategy (Strategic Policy)
- STP 3 Principles of sustainable development (Strategic policy)
- STP 5 Health and wellbeing (Strategic Policy)
- STP 6 Green infrastructure (Strategic Policy)
- WAT 3 Flooding
- WAT 4 Sustainable Drainage Systems
- QOP 2 Good design and amenity
- QOP4 Landscaping and trees
- QOP 5 Sustainable design and construction
- QOP6 Delivering well-designed places
- TRA 1 Promoting sustainable connections (Strategic Policy)
- TRA 2 The effects of development on the transport network
- TRA 3 Improving Northumberland's core road network
- TRA 5 Rail transport and safeguarding facilities
- POL 2 Pollution and air, soil and water quality
- MIN 4 Safeguarding mineral resources (Strategic Policy)
- ENV1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
- ENV2 Biodiversity and geodiversity
- ENV3 Landscape
- ENV7 Historic environment and heritage assets

Neighbourhood Plans

Neighbourhood Plans can be prepared by local communities and, if made, become part of the development plan. To confirm there is no neighbourhood plan covering the area in question.

8. Appraisal

8.1 Having regard to the requirements of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning consideration, including representations received, it is considered that the main planning issues raised relate to:

- Principle of development
- Design and visual impact
- Impact on residential amenity
- Highways and Public Rights of Way

- Landscaping matters
- Ecology and biodiversity
- Flooding and drainage
- Heritage assets
- Ground conditions and pollution
- Archaeology
- Sustainability and climate change
- Education and training
- Planning obligations

8.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the 'saved' policies of the Wansbeck District Local Plan (July 2007) and, to a lesser extent, the Northumberland Minerals Local Plan (March 2000) and the Northumberland Waste Local Plan (December 2001). The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application. However, the NPPF advises that whilst existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF, local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.

8.3 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF.

8.4 The County Council has drawn up the Northumberland Local Plan, covering the whole County, with a view to this replacing existing Local Plans. The Publication Draft of this Local Plan (January 2019) as amended by the Schedule of Proposed Minor Modifications (May 2019), was submitted to the Secretary of State in 2019. It is currently undergoing an Examination in Public.

8.5 The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process. On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

8.6 A blanket weighting cannot be applied to the plan as a whole. While Main Modifications are proposed to some policies or parts of policies, changes are not proposed to others. Likewise, while certain elements of the draft plan received a large number, and significant objections, few comments were received on other parts. Assuming consistency with the NPPF (see above), the amount of weight to be attributed to emerging policies (or parts thereof) is likely to be determined whether that part of the plan is subject to Main Modifications, and the extent and significance of unresolved objections. Policies may be given little weight if there are significant or fundamental unresolved objections and there are also proposed modifications; limited weight if one of these two situations apply to the policy; moderate weight where there are no main modifications proposed and remaining objections are minor in nature; and significant weight if there are no proposed main modifications and no unresolved objections. The advice is that all objections are unresolved until we receive the Inspector's report, even if issues have not been raised, or appear to have been addressed through the examination.

8.7 It is important, therefore, that relevant policies are outlined here. Even at the current point, where these new policies have not yet replaced the Wansbeck Local Plan, certain aspects more fully reflect recent Government policy, the latest evidence, or changes on the ground.

Principle of Development

8.8 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

8.9 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.

8.10 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles. The following sections assess the key issues in relation to the economic, social and environmental roles of the scheme as well as identifying its potential impacts and benefits in planning terms.

The Northumberland Waste Local Plan

8.11 The Northumberland Waste Local Plan contains a number of saved policies but needs to be considered in the context of many, more recent changes in how waste is minimised and managed. The scale of this project means that considerable waste could be generated including during construction.

8.12 Policy S1 seeks the general reduction in, and reuse of waste, while Policy RE5 sets out an approach for the recycling of construction/demolition waste.

Wansbeck Local Plan Policies

8.13 Policy GP1 of the Wansbeck District Local Plan (WDLP) states that provided that the proposals are in accordance with other policies of the Plan, development on previously-developed sites and buildings within settlement limits, as defined on the Proposals Map, will be permitted.

8.14 The application site falls within the Cambois Zone of Economic Opportunity for development by businesses requiring large sites in non-estate location, under saved Policy EMP3 of the WDLP. Part (a) of Policy EMP3 sets out the type and range of development envisaged within the zone, stating that it should fall into the traditional employment use classes (current B2 and B8, and former B1) and not be capable of being accommodated “in a designated general employment area elsewhere in the [then] District.” As the proposal is for a very large-scale manufacturing concern, it meets this overarching development plan requirement.

8.15 While the Wansbeck Local Plan dates from 2007, it remains the statutory development plan for the area and should continue to be given considerable weight in making planning decisions, sitting fully with the wider spatial strategy for the economy.

8.16 The explanatory text of Policy EMP 3 sets the strategic context, which still applies today, includes the following:

“The proximity to existing centres of population in South East Northumberland and Tyneside and the good access to the A189 Spine Road and other parts of the strategic highway network are the major strengths of Cambois. There are also operational freight rail lines in the area which could be used by new industries and the area is adjacent to the Port of Blyth. The reintroduction of passenger rail services on the freight line and the creation of a station at Bedlington Station, as proposed, will enhance accessibility further.”

and...

“It is important that the special potential of the Cambois area to accommodate larger companies is not squandered by permitting development which could easily be located elsewhere on other employment sites in the District. It is appropriate, therefore, to reserve the area for development by larger firms seeking a non-industrial estate or business park location or for other uses which could have major benefits to the District and cannot be accommodated elsewhere.”

8.17 The supporting text also refers to studies and other evidence available at the time. Understandably, these will have been overtaken by more recent evidence, but it is considered that the Policy remains entirely valid, as explained here:

- There is nothing in Government policy that would suggest that this general approach - i.e. identifying an area to set aside for particular and/or large-scale industrial needs - is outdated or invalid. Such an approach is being continued in the emerging plan, which as stated above, is currently undergoing Examination.

- In terms of new evidence, it is considered that the approach is considerably bolstered by this. It is certainly the case that the range of uses identified as likely to have large scale land requirements has evolved; however the need for this scale of site, with good port and maritime access, remains.

8.18 In terms of 'events on the ground', certain ways in which the area has evolved need to be kept in mind when assessing the application, including:

- The considerable (and ongoing) investment in land preparation and enhanced port facilities, which have added value to the site as a strategic Wansbeck Local Plan allocation;
- The increased potential of the Cambois area as a place to live since the power station closure; and
- The likely development of brownfield natural habitats within the application site in the time since the power station closed.

These points will be explored in greater detail within the report.

8.19 Part (b) of policy EMP3 gives preference to development, within the allocation, taking up brownfield land ahead of greenfield land. It is considered that the area shown is almost entirely previously developed land and so this part of the policy has been met.

8.20 Part (c) seeks to ensure that "the development will be carried out in a well-planned and coordinated manner". The proposed development is to be phased and the proposals demonstrate how the development will relate to surrounding area. As such, it is considered that this part of the policy is met – i.e. that the development potential of surrounding sites will remain. This opinion would also apply to saved Policy GP36, which makes clear that development should not prejudice the future comprehensive development of other development land.

8.21 Part (d) of the Policy requires proposals to include large amounts of tree planting and other forms of landscaping. Some existing trees are within the footprint of the proposed factory. The landscape strategy confirms that compensatory planting will be incorporated in other parts of the site as part of the themed landscaping areas but defer to the opinion of any landscape expertise that the Council may have engaged to scrutinise the plans.

8.22 In a similar vein, the final section of Policy EMP 3 looks for “major environmental improvements ... to enhance the environment for local residents and create new areas for recreation and wildlife as well as improving the attractiveness of the area to investors.” While some such improvements have been part of past remediation of the area, following the removal of the former Blyth Power Station, off-site provision is in the early stages of the process of being secured at the Potland Burn site in Ashington. Details of which are provided later in the report.

8.23 As well as off-site ecological mitigation, the proposal includes highways improvements, (including cycleways), and a commitment towards local jobs and skills (details provided later in the report). In doing this, the proposal complies with all the requirements of Policy EMP 3 of the WDLP.

8.24 Saved Policy REC 1 refers to areas of designated open space. A small triangle of land, immediately north of the Northfield in the East Sleekburn housing area, is separately allocated as a strategically important park and open space functioning as amenity green space and play area. The site sits along the southern boundary of the application site. Located next to an area of existing housing and close to new housing potentially being developed nearby, it is clear that the site will continue to have value for these purposes; indeed, its value to the local community may increase as more households come to rely on it. As such, it is noted, from the landscape masterplan accompanying the application, that the area is shown as a “retained area of open space”. Policy REC1 requires that the “predominantly open character ... is maintained”. Indeed, the area would be absorbed within a wider landscaped area. Therefore, the policy is met.

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8.25 Turning to the emerging Local Plan, this is currently undergoing Examination and whilst the Plan itself carries limited weight, depending on the level of objections received, that weight can be greater. However, it is important to outline the policies within the Local Plan that are relevant to this proposal site in this section to highlight the direction of travel of future development within Northumberland, and to understand if the proposal aligns with that direction of travel.

- Employment and economic growth

8.26 Policy ECN 1 sets out an intention of ambitious job growth and seeks to deliver sufficient employment land and premises of the necessary range and quality, located to meet forecast requirements of the key growth sectors and to assist regeneration. As part of the Council’s economic strategy, there is an aim to achieve an upskilling of the workforce. This means that if new high-skill, advanced manufacturing industries can be established in the County and the local labour pool could be upskilled to meet the needs of the new employers, then this would greatly assist with the policy’s aims. More detail on this is provided later in the report.

8.27 Policy ECN 2 of the draft Local Plan is specific to the Blyth Estuary strategic site allocation, of which the proposal site will occupy a significant proportion. The text that precedes the policy explains the strategic role of the allocated area, including:

- Its importance for the regional economic strategies mentioned above;
- The Enterprise Zone (EZ) designation that covers some of the land;
- The site's proximity to key rail freight routes and the 'Northumberland Line' on which the reintroduction of passenger services has reached a detailed planning stage.

8.28 Although the wording of the Policy ECN 2 is under Examination and some modifications are proposed, it is certain that the Policy, once adopted, will give preference to “low carbon and related environmental goods and services”; “offshore and sub-sea engineering”; “energy generation sectors with special emphasis on renewable and low carbon”; and other development “which will support and strengthen the economic role of the Port of Blyth.” This ‘list’ part of the policy is not the subject of any outstanding objection and no modifications to the list are proposed. It can therefore be given at least moderate weight.

8.29 The production of rechargeable batteries for electric vehicles, would fall clearly within one or more of these categories set out in Policy ECN 2.

8.30 Part 3 of Policy ECN 2 sets out the locally distinctive criteria that will need to be met, including that there would be no adverse impact upon:

- Sites of biodiversity importance, including the Northumbria Coast Special Protection Area (SPA) and Ramsar Site, the Northumberland Marine SPA, the Northumbria Shore Site of 12 Special Scientific Interest (SSSI), and the Blyth Estuary Local Wildlife Site, including the Mount Pleasant Peninsula; and
- The Grade II listed Coal Staithes at the former Blyth Power Station site.

8.31 These assets are nearby but not directly adjacent to the proposal site.

8.32 Policy ECN 2 also recognises (in part 4) that the scale of industry that might locate here will need to be directly or indirectly supported by other industrial and service uses and makes clear that favourable consideration will be given to these needs across the other sites in SE Northumberland. Relevant associated infrastructure improvements are also supported through the policy. Again, this part of the policy is not the subject of any outstanding objection, and no modifications are proposed. It can therefore be given at least moderate weight.

- Protected Open Space

8.33 As with Policy REC1 of the Wansbeck Plan, Policy INF 5 of the emerging Local Plan, equally allocates Northfield Playing Field, Cambois, (a triangle of land at the southern end of the application site) as a protected open space, the loss of which is resisted under the Policy. The proposal to retain this part of the site as open space is therefore in accordance with the allocation / designation. The same policy would

support any enhancement of the function of the open space as a resource for the local community. In any case, while this particular open space protection is not objected to, the policy as a whole remains the subject of unresolved objections and modifications and criteria therein can be afforded little weight.

- Location of development

8.34 The overarching locational strategy for all development is set out in draft Policy STP 1. The policy remains the subject of numerous unresolved objections and proposed modifications and, so, carries little weight. However, the Policy's aim that the main focus for employment, (as well as housing, retail and services), should be the twelve 'Main Towns' is not a matter of dispute. It is the case that the proposal site is not directly part of any town's continuous built-up area, being cut off from Blyth by the River Blyth and from Bedlington by the A189 Spine Road. However, the site is in the heart of SE Northumberland; it has long been accepted that this location is strategically central in this populated area and provides an opportunity for employment development on a scale that is not possible within or immediately adjacent to any of the constituent towns. In short, there is no alternative location for an employment development on this scale that could serve and draw from the labour pool cascade of Northumberland administrative area, the North of Tyne Combined Authority Area and beyond to the LA7 areas.

- Principles of sustainable development

8.35 Draft Policy STP 3 lists principles of sustainable development that will be applied through the new Plan. It provides a suitable template of headings, so that the proposal can be assessed against the full array of emerging policies. It can be given significant weight as it is not the subject of any main modifications or strong objection.

8.36 Policy STP 3 principle (a) is that development should "contribute to building a strong, responsive and competitive economy across Northumberland [and] support more and better jobs.". This principle is, as already outlined, met through the proposal meeting emerging Policy ECN 2 which allocates the strategic site.

- Health, social and cultural wellbeing

8.37 Policy STP 3 principle (c) looks to support and provide opportunities to improve health, social and cultural wellbeing for all, and provide the infrastructure which is required to enhance the quality of life of individuals and communities. Apart from the obvious health and safety considerations associated with a plant of this size (operationally and during construction), it is clear that the applicants have considered the place of an employer of this size within the wider community (more on this later in the report), the significant employment opportunities generated, including throughout the construction period, and in the wider area via supply chains; also, the opportunities to form partnerships with the local community, particularly through skills, training and education are mentioned. Ongoing community engagement during construction and beyond is a clear intention. It is also clear that the new workforce will itself be looked upon as a community of sorts whose health and wellbeing needs

to be looked after, as manifested by the themed landscape areas around the site, for example.

- Conservation and enhancement of the natural, historic, water and built environment

8.38 Policy STP 3 principle (d) states that development should “contribute to increasing the natural capital resource”, and criterion (f) promotes net gain for biodiversity and establishing “a coherent and resilient ecological network”. Policy ENV 2 covers all aspects of biodiversity. While the indirect impacts on national and international designations must be addressed in accordance with part 1 of the Policy, it is part 4 that covers some of the issues that relate to the site itself and immediate environs and that will serve the purpose of contributing to increasing the natural capital resource.

8.39 Draft Policy STP 6 on ‘green infrastructure’ sets out an overarching approach to green infrastructure. It is clear that such an approach is being taken within the site, via the landscape strategy and masterplan. Offsite enhancements to the wildlife network are to be achieved at the Potland Burn site in Ashington. Further details of this are listed later in the report.

- Amenity considerations

8.40 Policy STP 3 principle (e) looks to minimise the development’s impact upon local amenity for residents and businesses. Criteria in Policy QOP 2, which can only be given little weight at present, also seek to protect the amenity of nearby residents. This has been catered for with the design proposals.

- Sustainable design

8.41 Policy STP 3 principles (g), (h) and (i) relate to the prudent use of resources, including land, water, building materials etc., as well as minimising waste and the quality of the design. These matters have been given careful thought in the overall design of the static and dynamic elements within the site.

8.42 Draft Policy QOP 1, which can only be given little weight at present, gives a series of design principles to be considered. Details of design can be important despite the scale of the building. While the scale is such that it cannot fully blend into local character, it is clear that care has been taken to integrate the structure into the landscape as much as possible and to consider its consequences for local wildlife and microclimatic effects.

8.43 Policy QOP 5, which can only be given little weight at present, gives additional guidance on sustainable design and construction, many of which have been incorporated in this proposed development.

- Sustainable transport

8.44 Policy STP 3 principle (j) promotes accessibility by public transport, walking or cycling to reduce dependence on car travel, while principle (l) concerns minimising the impact of development on the highway network and utilities infrastructure.

8.45 Policy TRA 2, which can only be given little weight at present, makes it clear that the impact of large scale development on the surrounding transport network will be a key consideration and it is to be welcomed that this has been thoroughly considered. Policy TRA 3 points to areas of the strategic road network where improvements are promoted as far as possible through the planning system. This includes certain points on the Trunk Road network such as the A19 Moor Farm and Seaton Burn roundabouts. Even though these are several kilometres from the site, the level of traffic generated through a development with the proposed level of employment and likely freight movements, makes it inevitable that there will be a need to demonstrate that these key junctions will be capable of absorbing the increased levels of traffic.

8.46 Policy TRA 1, on sustainable connections, enshrines the need to steer people away from the private car and seeks travel plans where significant journeys are generated. It is noted (and welcomed) that a travel plan has been prepared and that strong measures have been taken to encourage the necessary modal shift. At present, Policy TRA 1 can only be given little weight. Moderate weight can be given to draft Policy TRA 5 part 2 which promotes the reintroduction of passenger rail services on the Northumberland Line (once running), which will run north-south some distance west. The intention of using shuttle buses to link to the new stations on this line is welcomed as a potentially big contributor towards the minimisation of car use to and from the site.

- Energy efficiency and climate change

8.47 Policy STP 3 principle (m) looks to maximise energy efficiency and the use of renewable and low carbon energy sources. Emerging Policy REN 1 gives general support to proposals for decentralised renewable / low carbon energy development that would supply a particular development. The proposed extensive use of solar panels will be a positive contribution in this respect.

8.48 Policy STP 3 principles (n) and (o) cover issues of climate change. In line with the Council's Climate Change Action Plan 2020 - 2023, Policy STP 4 sets out how a development, especially on this scale will need to demonstrate that it has adequately mitigated adverse climate change effects, as well as sufficiently adapting to them where appropriate. The Policy is being modified for clarity and in response to representations and to ensure consistency with NPPF but can be given some limited weight. Again, many of the criteria have been addressed.

8.49 The development as a whole seeks to achieve all of the criteria mentioned above, details of which are set out throughout this report.

Conclusion on Principle of Development

8.50 The proposal is strongly supported in principle, from a planning policy viewpoint, as it has the potential to delivery some of the core economic aspirations of the existing and emerging development plans. The scheme is not a speculative and generic inward investment proposition, It's sector strategic context, and specific market context enable the asserted quantifiable economic impact - direct, indirect and supplier chains, to be accepted as realistic. It is therefore not unreasonable to place significant weight on the scheme having the potential to be hugely beneficial to the Northumberland, sub-regional and regional economy.

8.51 The proposal aligns with the development plan allocation. The strategic spatial planning considerations which led to the Wansbeck Local Plan allocation continue to apply today and have led to the intention to continue to allocate the land for strategic employment purposes. While this policy is under Examination and does not yet carry full weight, it reflects up to date evidence and strategic thinking and meets aims set out in the North East Strategic Economic Plan and the Northumberland Economic Strategy. The type of use proposed is within the range that the Policy seeks to promote and encourage.

8.52 The principle of development is therefore acceptable.

Analysis of Specific Potential Impacts and Proposed Mitigation

8.53 This is an extremely large and complex proposal, and the range and scale of potential impacts and suggested mitigation measures are correspondingly significant. Technical reports provided as part of the EIA and conventional planning application process have been triangulated with the understanding/positions/evidence held by the County Council and external bodies with specialist responsibilities, including but not limited to the Environment Agency, Natural England and Highways England.

8.54 The following sections describe how the conclusions of the EIA work and other submitted information has been used to evaluate the proposal against a range of standards, national / local policy requirements and the positions of consultees. While the final position on the EIA related/other information is that it is robust and fit for purpose, a consequentially significant range of planning conditions and legal agreements are proposed to secure the scheme and mitigation in an acceptable manner.

Design and Visual Impact

8.55 The Government attaches great importance to the design of the built environment and, through the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. The NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. 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.

8.56 WDLP Policy GP30 advises that all proposed development will be assessed in terms of its visual impact. Developments which in visual terms would cause significant harm to the character or quality of the surrounding environment will be refused.

8.57 Policy GP31 states that when considering any proposed development the authority will require high standards of urban design to a) promote character in townscape and landscape and establish local identity; b) clearly define public and private spaces; c) encourage accessibility; d) make places with a clear image that is easy to understand, by providing recognizable routes, intersections and landmarks; e) encourage adaptability through development that can respond to changing social, technological and economic conditions; and f) promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.

8.58 Policy GP35 states that Development proposals will be expected to have regard to the objectives of 'planning out crime' through the incorporation of measures such as: promotion of mixed use development and other schemes that increase the range of activities that maximize the opportunities for surveillance; maximizing the amount of defensible space which is controlled, or perceived to be controlled, by occupiers and a high standard of street lighting.

8.59 Emerging Local Plan Policies QOP1, 2, 4 and 6 reflect the above design Objectives seeking to development to make a positive contribution to local character and distinctiveness; protects general amenity; makes provision for efficient use of resources; respects the natural and built environment. The Policies also seek to ensure that new development respects building heights and form, scale and massing.

8.60 Having regard to the above planning policies it is considered that the proposed Gigaplant provides a high-quality landmark building. While part of the positive economic impact of the scheme will be associated with the "statement" made by the building, the Site Strategy was developed following a study of the site and its context, with consideration given to the building massing, footprint and complexity in order to develop the most efficient solution.

8.61 The design concept was informed by the surrounding landscape and built environment. To preserve this the building massing is as light as possible, enhanced by two main materials of composite panels and glass panels around its façade, which help define the overall appearance. A dark band will sit at ground level with a lighter band above it. The two bands contrast with each other, which has the benefit of reducing the massing of the building from and stemmed from the initial intention to wrap the building to provide a coherent design language around all sides of the building.

8.62 The roofscape has been designed to accommodate a solar PV array that will provide clean energy to power the building and battery manufacturing process. Rooflights will be provided to allow natural daylight into the deep plan space where factory staff and office employees are located within the facility. The glazed offices

at second floor level benefit from views out towards the North Sea. External terraces and balconies are provided to give staff access to fresh air, connection to the natural environment and expansive views of the surrounding site. Gym and exhibition spaces will also be provided to promote staff wellness and communal experiences.

8.63 The parking layout is woven into the landscape and cycle shelters with access from the north west and south east site entrances provided at the main building entrance.

8.64 Notwithstanding the measures in place to reduce the appearance of the scale and massing of the building, it is acknowledged that the building will be of significant proportions and one of the largest in footprint within the south east area of Northumberland. However, the mitigation techniques have been applied in their fullest and most complementary form to help minimise the visual impact a building of this size will inevitably bring. As such, it is considered that the proposed design of the building is acceptable and satisfies the relevant national and local plan policies.

Impact on residential amenity

8.65 Relevant planning policy regarding character and residential amenity matters is set down in Wansbeck Local plan Policies GP23 and GP30. Policy GP23 seeks to ensure the amenity of local residents and other land users will not be subjected to noise or pollution or any other harm as a consequence of a new development. Issues of such harm are discussed in general terms throughout this report, and more specifically within the paragraphs under the title of 'Pollution issues and ground conditions', which concludes that no harm will arise to the amenity of the closest neighbouring residents as a consequence of the development.

8.66 The rear garden of the nearest property to the Gigaplant at Wembley Terrace is located some 193m to the north. To the south, the nearest residential garden at Northfield is some 388m away.

8.67 Visually, the Gigaplant will of course be visible from some residential properties to a some degree given the scale and massing of the building. However, in view of the distances between the residential properties and the building itself, there will be no sense of encroachment or of feeling overpowered by the presence of a building of such proportions. Equally, particularly from the south side of the development, the presence of mature trees and hedges will contribute to obscured views of the Gigaplant.

8.68 The functions and operations of the building that generate any level of noise or other sources of pollution or potential nuisance have been assessed and mitigated where necessary to reduce impact further. It is inevitable that a development of this size and nature will generate a level of activity that is not present now given that it is currently a derelict site. The planning test is to ensure that activity is kept to a level in the long term that will not disturb the neighbouring residents to an unreasonable degree, which has been satisfied. It is therefore concluded that the residential amenity will not be unreasonably affected by this proposal.

Highways and Public Rights of Way

8.69 The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.70 Policy GP4 of the Wansbeck District Local Plan states that new development should be located to reduce the need to travel and to minimise journey length. It should be accessible to all users by a choice of means of transport including buses, walking and cycling.

8.71 Policy T2 advises that improvements to bus service provision in the District and the introduction of measures to make bus travel more attractive will be sought. Planning permission for developments which are likely to generate a significant number of journeys will not be permitted unless proposals include new or improved access by bus to the development including the provision of appropriate infrastructure and/or financial support for services. Developments which affect existing facilities for bus users will not be permitted unless the facilities are retained or enhanced as part of proposals.

8.72 Policy T3 states that improved facilities for cycling in the District will be sought. Cyclists will be provided for as part of highway and traffic management schemes and by developers as part of new developments. Provision will include the development of safe and convenient routes and cycle parking facilities. Developers will be required as a condition of planning permission to provide cycle parking as part of their developments.

8.73 Policy T4 advises that measures to assist and encourage walking will be sought including the development of a comprehensive network of footpaths and footways. Developers will be required to provide safe, convenient and pleasant routes for pedestrians.

8.74 Policy T6 states that when planning applications are determined, the volume and character of traffic likely to be generated by and attracted to the proposed development will be considered. Proposals will only be permitted if:

- a) the existing highway network is adequate to cope with any additional traffic resulting from the development or necessary improvement works will be carried out before the development goes ahead;
- b) the proposed arrangements for access and egress will allow the safe and efficient movement of vehicles;
- c) internal circulation arrangements will be able to absorb vehicular traffic entering the site without queues forming on existing roads and will include measures to achieve safe traffic speeds; and
- d) adequate provision is made, in terms of safety and operating efficiency, for servicing and deliveries and for other heavy vehicles such as buses and emergency vehicles. A Transport Assessment, including a travel plan and an assessment of accessibility where appropriate, will be required to be submitted with proposals for development that will have significant transport implications.

8.75 Policy T5 advises that an environment which is accessible to all will be sought. Developers will be required to make appropriate provision for those with reduced mobility as part of their developments.

8.76 Finally Policy T7 of the Local Plan states that developers should make appropriate provision in their developments for the parking of motor vehicles and motorcycles. The appropriateness of proposed provision will be assessed in terms of the following: a) the scale and type of development; b) accessibility by public transport, on foot and by cycle; c) the potential for road safety and environmental problems as a result of increased parking demand in the area; d) the extent and nature of any parking restrictions in force on highways in the area; and e) county-wide maximum parking standards as set out in Appendix T3 (or any local standards published in a future Supplementary Planning Document).

8.77 With regards to the Northumberland Plan Policy STP 3 principle (j) promotes accessibility by public transport, walking or cycling to reduce dependence on car travel, while principle (l) concerns minimising the impact of development on the highway network and utilities infrastructure.

8.78 Policy TRA 2 makes it clear that the impact of large-scale development on the surrounding transport network will be a key consideration. A Transport Assessment has been prepared and submitted to the application that reviews the impact of additional traffic of the development on the highway network. This assessment concludes that the development will not have an adverse impact upon the operation and safety of the Local Highway Network based upon the proposed shift patterns for the development. No assessment has been made for any alternative shift pattern and therefore a condition has been requested by the Highway Authority to fix the shift patterns assessed in the Transport Assessment. Draft Policy TRA 3 points to areas of the strategic road network where improvements are promoted as far as possible through the planning system. This includes certain points on the Trunk Road network such as the A19 Moor Farm and Seaton Burn roundabouts. Even though these are several kilometres from the site, the level of traffic generated through a development with the proposed level of employment and likely freight movements, makes it inevitable that there will be a need to demonstrate that these key junctions will be capable of absorbing the increased levels of traffic.

8.79 Highways England have been consulted on the proposal and have concluded that the application can move forward for determination subject to a condition being imposed in relation to the development's operation. As such a Highways Operational Management Plan (HOMP) shall be submitted to and approved in writing by the LPA in consultation with Highways England. The HOMP is to be an in-perpetuity requirement for the operations arising from the proposed development; changes to the HOMP shall only be permitted if firstly submitted to and approved in writing by the LPA in consultation with Highways England.

8.80 As well as helping with aims such as combatting climate change, modal shift away from the private car will also help to minimise traffic on surrounding roads. Policy TRA 1, on sustainable connections, enshrines the need to steer people away from the private car and seeks travel plans where significant journeys are generated. A travel plan has been prepared and strong measures have been taken to

encourage the necessary modal shift. Draft Policy TRA 5 part 2 promotes the reintroduction of passenger rail services on the Northumberland Line, which runs north-south some distance west. The intention of using shuttle buses to link to the new stations on this line (once running) is welcomed as a potentially big contributor towards the minimisation of car use to and from the site. Branching off the Northumberland line is a line skirting the northern edge of the site that links to the port facilities at North Blyth. While this line may be used for the purpose of maintaining the passenger trains, Policy TRA 5 makes clear that the introduction of passenger trains should not prevent the continued rail freight use of this and other branch lines. In terms of what has been submitted, it is of note that some of the documentation, such as the Environmental Report summary, makes mention of rail, including the fact that two rail spurs actually enter the site from the aforementioned loop of. Whilst there is no firm commitment to rail at this time the highway authority is satisfied that even without the inclusion of rail the development as proposed would be acceptable and will be secured with a Travel Plan. Further opportunities to explore modal shift would be supported should the applicant endeavour to make any firm commitments to rail.

8.81 The proposal shows that access to the site as a whole will be restricted with a perimeter fence and gated access control. It will be an accessible environment to meet the needs of all potential users comprised of new build Gigaplant, offices, car parking, plaza and amenity, entrance footpath and will incorporate suitable means of access for all people from entrance points. There will be other benefits such as clearly marked routes, priority crossing points, step and ramp free routes, clear signage and canopy weather protection.

8.82 The Gigaplant proposals aim to encourage sustainable travel behaviour and minimise traffic associated with the development. The main entrance to the site for employees and visitors will be from the existing junction off Brock Lane at the south-east, while logistics will access the site from a separate access on the south-west via the existing roundabout. An emergency access is proposed at the north western corner of the site to Wembley Gardens which will also act as a controlled pedestrian and cyclist access for staff accessing the development from the north. A site wide security strategy will be applied with multiple layers of security. The existing perimeter fence will be largely retained and new locations of fencing will be introduced at the staff and visitor entrance as well as the HGV gatehouse. All entrances will have access controls. Additionally, CCTV will be placed in a number of locations around the site, both on the building elevations and also mounted on poles. The exact location and number of these is being considered as part of the design development.

8.83 A Transport Assessment has been undertaken and concludes that safe and suitable access will be provided to the proposed development and that the traffic impacts will not be significant in the context of the National Planning Policy Framework.

8.84 The Council's Highway Development Management have been consulted on the proposal and have concluded that the proposals are acceptable with regards to national and local policies, subject to a number of amendments and conditions,

which are listed later in the report. The off-site highways works will be included in the S106 agreement requiring the applicant to enter into a separate highway agreement.

Landscaping

8.85 The NPPF sets out its core planning principles to be applied in plan-making and decision-taking, outlining steps to harbour good design as a key aspect of sustainable development, create better places in which to live and work and help make development acceptable to communities. Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance, the natural and local environment.

8.86 Wansbeck Policy GP30 relates to necessary visual impact assessment. Early consideration of this will be essential for a development on this scale. This issue overlaps with Policy GP5, which places emphasis on landscape character.

8.87 Policy GP6 seeks to protect trees, woodlands and hedgerows in the district and will encourage new planting, particularly of native species. Development which would result in the loss of healthy trees which make an important contribution to the quality of the environment will not be permitted unless there are overriding social or economic benefits to the community and compensatory off-site provision of landscape infrastructure is made.

8.88 Policy GP32 requires developers to incorporate a high standard of landscape treatment in their developments. When submitting their planning applications, developers will be required to demonstrate that: a) any existing landscape features of value including trees, shrubs, hedgerows and ponds, will be retained, protected and used to advantage as part of the development; b) new landscape features will be introduced which enhance the visual quality of the development, reduce its impact and provide habitat for the district's wildlife; c) new landscape features to be introduced will be appropriate to the use and character of the development and its location; d) opportunities to create new public spaces and improve existing ones have been considered; and e) arrangements will be made for the future management and maintenance of all landscaped areas, whether public or private

8.89 Draft Emerging Policy QOP 1 gives a series of design principles many of which will apply to a development on this type, where certain details can prove to be important despite the scale. For example, buildings on this scale could lead to unintended consequences on microclimate or visual impact, unless thought is given to these aspects in advance.

8.90 Draft Policy QOP 5 gives additional guidance on sustainable design and construction and factors such as such as making space for waste; (it is noted that the initial layout includes a recycling compound).

8.91 Draft Policy QOP 2 on good design and amenity is also relevant as it is important to protect the amenity of nearby residents in particular.

8.92 Despite the absence of notable landscape features in the immediate vicinity of the site, the development will be highly visible from areas further afield, some of which may well have more vulnerable landscape assets and be more sensitive to visual impact. To address this, a Landscape and Visual Impact Assessment (LVIA) has been submitted which takes account of the study area, receptors and viewpoints and standards of visualisation. The LVIA concluded that from a landscape point of view, the location of the development can readily absorb the presence of a large building thereby in accordance with Policies GP5 and GP30 of the Wansbeck Local Plan.

8.93 To support this, advice was taken from the Council's Landscape Architect who advised that the original planning masterplan drawing showed some encouraging element, whilst others required further work. Further work was done around this, and all outstanding matters have been resolved. As such, the submitted LVIA and amendments are now acceptable.

Ecology and biodiversity impacts

8.94 Despite the former industrial nature of the site, local ecological and biodiversity interests are extremely significant. A key role of the EIA process is to identify impacts and to assist with the formulation of mitigation proposals. Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

8.95 Wansbeck Policies GP10 to GP13 relate to protecting habitats and species. Draft emerging plan policy ECN Part 3 is also relevant and sets out the locally distinctive criteria that will need to be met, including that there would be no adverse impact upon sites of biodiversity importance.

8.96 Policy GP10 considers sites of national importance for nature conservation and sets out that development proposals likely to affect sites designated will be subject to special scrutiny. Development which is likely to have an adverse effect will not be permitted, unless the authority is satisfied that:

a) The reasons for the development clearly outweigh the nature conservation value of the site including its importance in relation to the national network of sites; and
b) There are no reasonable alternatives of meeting this development need.
Where development affecting a site is permitted, the use of conditions and/ or planning agreements will be used to ensure the protection and enhancement of the site's nature conservation interest or to provide compensatory measures for any harm.

8.97 Policy GP11 sets out that development likely to have an adverse effect on a site designated of local or regional importance to nature conservation will not be permitted unless the authority is satisfied that the benefits of the development clearly outweigh the nature conservation value of the site including its importance in relation to the local or regional network of sites. If development is permitted which would

cause damage to the nature conservation interest of a site, such damage should be kept to a minimum. Planning conditions and/ or agreements will be used to ensure compensatory measures are undertaken.

8.98 Policy GP13 sets out that the value to biodiversity of all sites proposed for development will be considered when planning applications are determined whether or not they are designated sites. Particular importance will be attached to the protection of priority habitats and species in Wansbeck. Where proposals affect a habitat which contributes, or could potentially contribute, to a network of natural habitats the developer will be required to protect and enhance the network.

8.99 Furthermore, draft emerging Policies ENV 1 to ENV 3 set the criteria likely to be used when assessing the impact on the natural environment.

8.100 Policy STP 3 principle (d) of the draft Northumberland Local Plan aims to contribute to the conservation and enhancement of Northumberland's natural, historic, water and built environment assets. The second part of the Policy STP 3 principle (d) states that development should “contribute to increasing the natural capital resource”. Criterion (f) promotes net gain for biodiversity and establishing “a coherent and resilient ecological network”. Policy ENV 2 covers all aspects of biodiversity. While the indirect impacts on national and international designations must be addressed in accordance with part 1 of the Policy, it is part 4 that covers some of the issues that relate to the site itself and immediate environs and that will serve the purpose of contributing to increasing the natural capital resource:

- Part 4(b) seeks to protect and enhance the ecological resilience and proper functioning of ecological networks and links to promote migration, dispersal and genetic exchange, including the South East Northumberland Wildlife Network that surrounds the site, where there should be plentiful opportunities for any additional measures to compensate for adverse effects.
- Part 4(d) considers the impacts on wildlife, through disturbance and forms of pollution, which may need to be addressed through the use of buffer zones that may, in certain instances, need to extend offsite.
- Part 4(e) promotes the incorporation of additional biodiversity into schemes themselves; this would include the wildlife features proposed as part of the landscaping within the site but also any features that may be appropriate on the building itself.

8.101 The proposed development site is not within any designated wildlife sites but is near the following designated sites:

Northumbria Coast SPA and Ramsar Site
Northumberland Marine SPA
Northumberland Shore SSSI
Berwick to St Mary's Marine Conservation Zone
Coquet to St Mary's Marine Conservation Zone

The key ecological issues in relation to this development therefore are:-

- Potential for ornithological impacts on designated wildlife sites and their functionally related land through loss of habitats within the site, as well as indirect effects during construction (noise, vibration, visual etc.) and operation (increased recreational disturbance from employees, increased noise, lighting, road traffic etc.)
- Potential for non-ornithological impacts: Indirect impacts on the statutory and non-statutory designated sites including from pollution (water, air, noise, light etc.) which could impact on non-ornithological features associated with the Coquet to St Mary's Marine Conservation Zone and the Blyth Estuary LWS.

8.102 As part of the application Noise contour Levels, a Water Framework Directive Report, an Air Quality Impact Screening Report, and Environmental Statement and Environmental Statement Addendum, a Geo-Environmental Report and some additional plans were submitted to enable the Council's Ecologist to complete a Habitats Regulations Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 as amended. This concluded that the proposed development would not have an adverse effect on the integrity of any European sites subject to the imposition of a planning condition concerning noise impact and has been signed off by Natural England.

8.103 Given the scale of the development it is inevitable that much of the open-mosaic and ephemeral-short perennial plant communities on the site would be lost. Compensation for this loss is therefore being proposed in two strands; on-site works focussing on the PFA mounds, and off-site compensation and net gain at the site of Potland Burn former surface mine. The PFA mounds are ideal for work of this nature and their low nutrient status and relatively high pH makes them ideal for the establishment of sparse but species-rich grassland that will support many of plant and invertebrate species of interest at this site, once the existing tussocky grassland has been stripped. The area of habitat that could be created on the site mounds is significantly less than the existing area, however, there would be the benefit that it can be managed to be kept in good condition. Existing important habitats on the site are being adversely affected by a range of non-native invasive species including pirri-pirri bur, creeping cotoneaster, ornamental lady's mantle and buddleia, and so it is important that in the absence of development these important habitats will inevitably decline in extent and condition as those species spread. The condition listed later in the report relating to a Landscape and Ecological Management Plan addresses this.

8.104 In terms of the offsite compensation and enhancement, a Biodiversity Net Gain metric has been completed by the developer's Ecologist, and the Council is in negotiations in respect of land at Potland Burn former opencast site on which habitat creation sufficient to ensure a net gain of just over 10% overall for the Britishvolt scheme will be undertaken. This will be funded by a net gain payment made by

Britishvolt. The habitat creation scheme at Potland Burn will establish wet grassland and ponds, species-rich grassland and scrub on an area of at least 67ha, which will be managed for a period of at least 30 years. While these are not identical to the habitats being lost, they will be important for wading birds, invertebrates and plants of conservation concern. The net gain payment and the implementation of the scheme on the Potland Burn site will be secured through the S106 Agreement for the scheme.

Flood risk and drainage

8.105 The NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. It requires that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Due to increased pressure on the sewerage system, including greater numbers of connected properties and increased level and intensity of winter precipitation, Sustainable Drainage Systems (SuDS) are generally the preferred approach to addressing surface water drainage within developments

8.106 Wansbeck Local Plan Policy GP22 relates to flood risk and erosion stating that developers are required to consider the risk to the development from flooding and erosion and to consider any possible effect on their development on flood risk or erosion elsewhere. Policy CF6 discusses water supply and drainage stating that the authority will take into account the availability of water supply, surface water drainage and sewage disposal facilities when considering new development. Sustainable drainage systems to control and manage surface water run-off should be incorporated into new development schemes.

8.107 Emerging Draft Policy WAT 3 equally states that in assessing development proposals the potential for both on an off-site flood risk from all potential sources will be measured, and that development proposal will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources.

8.108 Emerging Draft Policy WAT4 refers to sustainable drainage systems (SuDS), stating that SuDS will be incorporated into development whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local guidance.

8.109 The Council as Lead Local Flood Authority have been consulted and originally objected on the grounds of flood risk and surface water drainage grounds. However, further work was undertaken, and the finding submitted to the LPA, which has resulted in the LLFA now being able to lift that objection and support the application, subject to conditions.

Heritage assets

8.110 Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by

development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

8.111 The NPPF Paragraph 197 states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.112 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.113 Wansbeck District Local Plan Policy GP16 relates to the setting of listed buildings advising that planning permission will not be granted for development which would have an adverse effect on the setting of a listed building. This is further echoed in Emerging Policy ENV 7 which seeks to ensure the significance, quality and integrity of Northumberland's heritage assets and their settings is protected.

8.114 The Council's Building Conservation Officers have been consulted. While the site is not situated within a Conservation Area nor does it contain any Listed Buildings, it is considered that the development proposals have the potential to impact on the *setting and significance* of heritage assets situation in proximity to the development site. These include the Grade II listed Coal Staithes and Grade II listed Cambois War Memorial, and the Blyth Conservation Areas. The survey area also contains historic structures and buildings which within the context of the NPPF (Annex 2: Glossary) have a degree of significance meriting consideration in planning decisions because of their heritage interest and are identified as non-designated heritage assets. These include St. Andrews Church, the Mechanic's Institute and the surviving components of the former mineral railway; railway bridge (Brock Lane) and railway tracks.

8.115 The Conservation Officer's inspection considered the proposed scheme and its potential impact to the following heritage assets:

1. The designated heritage assets - Blyth Conservation Areas (Blyth Bondicar Terrace, Blyth Central and Blyth Heritage)
2. The non-designated heritage assets - Former Mechanic's Institute on Unity Terrace, and railway bridge (Brock Lane) and surviving railway tracks

8.116 The Officer concluded that the development proposals will not result in a harmful impact to the setting and significance of the aforementioned heritage assets.

8.117 Dating to the early 20th century and built for the North Eastern Railway Company, the Coal Staithes are of traditional braced timber construction. Originally

comprising 500m in length with three decks and gantries, the surviving structure extends c.375m and consists of the lower level (deck and timber piles) with the landward sections comprising two timber rows and a quay wall. Their special significance derives not only from their architectural and historic interest as structures of impressive engineering but also as tangible reminders of Blyth's industrial prowess as the County's premier coal port during the 19th and 20th centuries.

8.118 The Coal Staithes are situated within an established industrial area (Blyth Power Station) having the tidal basin and former mineral railway lying adjacent to its east. From our inspections and review of the submissions including the Heritage Impact Assessment by NAA, it is acknowledged that while the proposed development will not physically alter the architectural and historic interest of the Grade II listed Coal Staithes, the location and nature of the proposed development (situated to the north and northwest of the heritage asset), has the potential to impact their setting.

8.119 Notwithstanding this, it was concluded that while the scheme will result in a change to the general area by virtue of the proposed form and size of the proposed building, alterations to boundary treatments and landscaping, the established and overtly industrial and maritime character of the area and setting of the listed Coal Staithes would be preserved and sustained.

8.120 With regards to the potential impact to the setting and significance of the Grade II Listed Cambois War Memorial and the non-designated St. Andrew's Church, it is considered that the ability to appreciate and understand their heritage significance and in particular the special architectural and historic interest of the listed War Memorial would not be harmfully impacted by the proposed development.

8.121 In conclusion, the Conservation Officer does not object to the proposals, subject to 1no. condition attached later in the report.

Pollution issues and ground conditions

8.122 The NPPF advises that planning decisions should ensure that the site is suitable for its new use. Account must be taken of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation if necessary.

8.123 Wansbeck Local Plan Policies GP23 to GP25 look at the potential for noise or other polluting effects. They seek to ensure that planning permission will not be granted for development liable to cause significant harm to human health or safety; the amenity of local residents and other land users, and the quality and enjoyment of all aspects of the environment. The policies also consider the impacts of potential pollution from the development and other noise sensitive uses on the outdoor environment that people enjoy, such as garden areas, parks and the coast and countryside.

8.124 Wansbeck Local Plan Policy GP29 relates to contamination. It advises that where there is a reason to suspect that land is affected by contamination, a desk-top study shall be submitted detailing previous uses of the site and their potential for contamination. Development will only be permitted if sustainable and feasible remediation solutions are adopted to secure the removal of unacceptable risk and make the site suitable for its new use.

8.125 Criteria in Emerging Draft Policy POL1 looks at unstable and contaminated land, equally reflecting the Policies of the Wansbeck Local Plan in stating that proposals will need to demonstrate that unacceptable risks from land instability and contamination can be appropriately prevented. This Policy addresses the impact of polluting emissions such as noise, light, fumes, chemicals and noxious and hazardous substances and seeks to implement mitigation measures to enable the proposal to be acceptable.

8.126 Emerging Draft Policy POL 2: Pollution and air, soil and water quality is also relevant to this proposal. It advises that development proposals in locations where they would cause, or be put at unacceptable risk of harm from, or be adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances will not be supported.

8.127 The Policies Map that accompanies Policy MIN 4, which can be given significant weight, indicates that the site overlaps with a Mineral Safeguarding Area (MSA) for coal. The application has been accompanied by a mineral resource study and it is noted that this found the costs for extracting the coal, and the impact on neighbouring sensitive uses, to be too great to justify extraction now or during the lifetime of the building, meaning that the proposals accord with emerging policy MIN4.

8.128 Emerging Draft Policy QOP 2 is reflective of the Wansbeck Policies in seeking to protect the amenity of nearby residents. It stipulates that development which would result in unacceptable adverse impacts on the amenity of neighbouring uses, in terms of individual and cumulative impacts, will not be supported. Of particular relevance is criterion F which seeks to ensure that neighbouring uses are compatible and that there are no unacceptable adverse impacts from noise, disturbances, odour, gases, other emissions and any other harmful effects, resulting from either the development or from neighbouring uses on the development.

8.129 The Council's Public Health Protection Team have been consulted and have set out the key issues of consideration:

- Noise and vibration from construction works
- Operational noise impacts
- Land contamination risks
- Air Quality impacts from construction works
- Operational air quality impacts
- Artificial lighting impacts
- Environmental Permitting (not part of the planning process)

Noise

8.130 The main local noise sensitive (residential) receptors for the proposed development are located within Wembley Gardens (five detached properties), Wembley Terrace, five dwellings to the east of the site and south of the former Cambois Colliery, Cambois Primary School, Selbourne Terrace, Wilson Avenue, Northfield, Waterfield Road and Sandfield Road.

8.131 An impact assessment affecting these receptors has been carried out against different noise types, including operational noise, industrial process noise such as fixed plant and equipment noise, noise break-out from buildings, HGV movements, reversing alarms, loading/unloading of HGVs, waste compactors, HGV access road noise, staff and visitor access road noise, staff and visitor car parks and cumulative operational noise impact at Wembley Gardens.

8.132 The conclusion on noise impacts was that receptors to the east will be protected by the PFA mounds and those to the south by distance separation and the inclusion of an acoustic barrier to mitigate noise at Sandfield Road from HGV traffic entering and exiting the site. The cumulative impacts to the receptors north of the logistics yard are predicted to have noise exposure less than the ambient noise levels, with the inclusion of another acoustic barrier surrounding the northern edge of the logistics yard.

8.133 In terms of construction noise and vibration the impact will be for a limited period, will only occur during the “working day” and are likely to be less than the predicted levels, which have been assumed to all occur simultaneously. In terms of HGV movement noise, this is acceptable subject to a condition around a construction noise assessment and, finally, in terms of construction vibration, no issues are identified on the proviso that piling operations are restricted to weekdays only and early morning and evenings are avoided.

Land contamination

8.134 A Phase 1 desk top study has been submitted and a condition has been suggested to secure the proposed further site investigations.

Air Quality

8.135 Factory operational – this will be principally under The Environmental Permitting (England and Wales) Regulation 2016 (as amended) and does not therefore need to be considered in this planning application.

8.136 Operational road traffic – the main impact will be from the 2500 – 3000 employees arriving and departing in three shift patterns per day equating to around 1000 people per shift change. The conclusion of the operational road traffic impacts (staff and visitors) is that:

“...the magnitude of impact associated with operational phase road traffic emissions is considered to be low to negligible. This combined with the high

sensitivity of the existing sensitive receptors results in a Minor Adverse effect which is considered to be 'not significant'."

External artificial lighting

8.137 The lighting assessment has looked at 47 of the nearest receptors and grouped them into different Environmental Zones. The assessment then looked at the lighting sources within the site and grouped those by function (i.e. working areas, loading bays, electricity substation, car park, building perimeter etc), and assess the individual contribution from each of these to a cumulative lighting impact using existing light levels and the combine lighting from the proposed development. The assessment concluded that the external lighting was acceptable, subject to a condition to secure the lighting, as proposed.

Ground stability

8.138 Proposal is acceptable with no concerns raised by the public protection officer.

Ground Gas

8.139 The proposals demonstrate a minimal risk of gas ingress, however, a condition is suggested to submit details and agree the proposed structure.

Dust – site preparation and construction phase

8.140 The applicant has carried out a risk assessment of the potential impacts of dust generation on receptors and identified three main risks from dust generation onsite from earthworks, construction and trackout. A condition has been suggested to secure the proposed construction Dust Management Plan.

Commercial kitchen odours and noise

8.141 A condition has been suggested to carry out an odour risk assessment following the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems.

Archaeology

8.142 Policy GP20 of the WDLP advises that development which would adversely affect a scheduled or other nationally important archaeological site, and/or its setting, will only be permitted in certain circumstances.

8.143 The application included a Desk-based Assessment and Heritage Statement (DBA) and Geoarchaeological Assessment ('Assessment of Geoarchaeological and Palaeoenvironmental Potential').

8.144 The site is located within a landscape considered to retain potential for significant archaeological remains spanning the prehistoric to modern periods. The

submitted Archaeological DBA notes that no pre-medieval archaeological remains are recorded within the proposed development site.

8.145 The construction and subsequent demolition of the former power station in 2003 is anticipated to have truncated and removed any unrecorded archaeological remains that may previously have been present within the site. The programme of geoarchaeological analysis undertaken in parallel with the geotechnical investigation (summarised in the Geoarchaeology report) confirms that with the exception of a very few isolated and discrete pockets or lenses of apparently undisturbed ground, the site of the former power station retains now potential for significant unrecorded archaeological remains. No archaeological remains or artefacts were recorded during the geoarchaeological investigations.

8.146 Construction activities are summarised at paragraph 7.8 of the Archaeological DBA as follows:

- ground-enabling works and any site remediation;
- erection of fencing and construction of site compound;
- surface remodelling and regrading;
- excavation of structural foundations and piling for new buildings;
- excavation of service and drainage trenches;
- construction of internal roads and car parking; and
- landscaping and tree planting

8.147 Activities of this nature are likely to destroy any below-ground archaeological remains within the site, if present. However, as noted above, activities associated with the construction and demolition of the former power station are likely to have removed any archaeological remains that may have been present within the site. Notable exceptions include the areas of ridge and furrow earthworks (DBA sites 8 and 9) and a section of field boundary (DBA site 11).

8.148 It is noted that in the south-west corner of the site, existing green space and wooded areas will be retained. This would allow the preservation of the ridge and furrow (DBA site 8) and associated field boundary (DBA site 11), both of which will be retained as part of the development.

8.149 The full breakdown of the Archaeologists assessment are available on line to view, however, in summary, the risk of significant unrecorded archaeological remains being impacted in the area of the former power station is considered to be very low. No archaeological mitigation is recommended in this area. This area comprises the greater part of the proposed development site.

8.150 As such, the application has been informed by a phased programme of archaeological assessment comprising archaeological desk-based assessment (DBA) and a geoarchaeological assessment. This programme of works has demonstrated that, with the exception of areas of ridge and furrow earthworks at the edge of the northern and southwestern areas of site, the site has been truncated by previous development activities. The potential for significant unrecorded

archaeological remains to be affected by the proposed development is considered to be low. No archaeological investigation or monitoring is recommended.

8.151 The area of ridge and furrow earthworks (DBA site 8) and an associated historic field boundary (DBA site 11) are not proposed for development and could therefore potentially be protected from construction impact and preserved. It is recommended that the applicant is required to protect this area from impact during the construction phase by the erection of fencing. This work can be secured by condition.

8.152 There are no objections to the proposed development on archaeological grounds subject to 1no. Condition listed later in the report.

Sustainability and Climate Change

8.153 The NPPF Paragraph 8 seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

8.154 Emerging Policy QOP1 sets out a number of design principles, proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

8.155 Emerging Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

8.156 The construction of new build commercial and industrial buildings in England need to comply with Part L of the Building Regulations. Part L set the standards for the energy performance of both new and existing buildings. The main compliance target is based on carbon emissions and requires a property to achieve a Building Emission Rate equal to or lower than the Target Emission Rate established before the building is built.

8.157 To comply with this, Dynamic Simulation Model (DSM) will be used to facilitate energy, overheating and daylight assessments. It will include the modelling of a 3D geometrical representation of the building to verify shading, heat gain, heat loss and resultant temperatures including potential for overheating. The DSM will be used to

inform the SBEM, the Part L analysis and the design stage Energy Performance Certificate (EPC) for the shell & core of the process hall, the impact of process equipment heat gains, the amenity areas and the front of house areas. The DSM modelling will be utilised throughout the developed design period to further inform the building envelope as the building evolves.

8.158 The potential zero and low carbon technologies that have been identified as suitable to the proposed development are:

- Offshore wind (Blyth Offshore wind Farm)
- Solar PV (Roof and Ground-Mounted)
- Biomass (Lynemouth Power Station)

All are subject to capacity, feasibility and commercial considerations.

8.159 The design has taken consideration of passive design measures to maximise the potential for natural systems over mechanical building services where appropriate and possible (including heating, ventilation, cooling and lighting). This includes optimising building form and orientation to optimise natural heating and cooling.

8.160 In terms of integrated renewable energy, PV panels are proposed on the roof of the main building. There is also a heat recovery system that will recirculate heat that would otherwise be lost as part of the process and use it for space heating the front of house areas. Low energy lighting systems and interconnection of all building services controls with lighting and process controls and relay alarms for systems running out of tolerance, to minimise failures and maximise energy savings will be installed. Rainwater harvesting will be implemented, and the collected water used in the process. In addition to the above, a Framework Travel Plan will promote and encourage the uptake of sustainable modes of transport for employees and visitors of the Site. The introduction of a bus service, and the addition of and improvements to existing walking and cycle routes, will promote sustainable transport measures.

8.161 Not least, the Gigaplant will produce batteries for vehicles which will significantly contribute towards the country's wider ambition of transitioning to a zero-carbon future.

8.162 It is therefore considered that the policy requirements of the Wansbeck Local Plan and of the Draft Northumberland Local Plan have been met.

Education and Training

8.163 The site is planned to be constructed over 3 phases, with Phase 1 opening in 2023, and scaling up capacity and output in Phase 2 in 2025 and finally Phase 3 due to be operational in 2028.

8.164 When fully built out, the site is anticipated to employ a total of 2910 workers based on Britishvolt's anticipated operational requirements within the current business plan. Of these, 300 are to be office workers (120 of the office workers will

work on a shift pattern), with 2610 operational workers (operative, supervision, quality, reliability, and maintenance roles) operating over three shifts of 870 operational workers per shift plus office staff.

8.165 In total, around 2,900 people are expected to be employed directly at the plant when complete. In addition, there will be a significant number of indirect jobs created through the supply chain for the development.

8.166 Operational facilities are proposed to work on a three-shift pattern over a 24-hour period, designed to avoid shift change-over during the traditional AM and PM peak periods on the local highway network.

8.167 Of the office-based staff, 180 are support staff, and 120 are operational office workers. The office-based support staff are anticipated to work within the standard 07:00 to 18:00 timeframe with flexible working hours. The operational office workers will work on the same three-shift pattern as identified above, over a 24-hour period.

8.168 While the above job creation levels are strategically significant, steps have been taken allow local benefits to be realised such that due weight can be reasonably attached. In the absence of aligned steps to secure local employment, there could be concerns that new jobs created could be disproportionately taken up by long distance commuting or cause displacement effects. Therefore, as part of the on-going discussions with the applicant regarding the provision of employment and skills planning gain from the planning application the applicant has agreed to enter into a section 106 agreement to recognise their commitment locally during the construction phase and subsequently as a local employer prioritising the employment of local people where possible and developing training educations and skills development to prepare the local workforce. There are 3 strands to this commitment:

(a) Construction Local Supplier Employment Strategy – the intention of this strategy is to aim to sub-contract an agreed amount of services from local supplier businesses by applying a cascade of priority with first preference to local suppliers within the administrative area of Northumberland then second to North of Tyne Combined Authority Area and third to LA7 suppliers. During the construction phase the applicant will aim to, provide a minimum of 50 work experience positions per year and 50 Apprenticeships per year working in partnership with the Council to deliver on those commitments

(b) An Employment Plan – that NCC and Britishvolt will work together to agree a range of employment objectives for the prioritisation of opportunities for local residents to be interviewed for employment opportunities, where possible for the first 15 years of the development after the construction phase. In addition to those employment objectives the applicant will aim to provide a minimum of 30 work experience positions per year and 30 Apprenticeships per year working with the Council to deliver on those commitments..

(c) Training Skills Plan - NCC and Britishvolt will work together to agree a range of training, education and skills initiatives to prepare the local workforce for potential

employment which is likely to include but not be limited to the development of a training and assessment Centre to deliver practical manufacturing and other related skills provision, the creation of educational relationships with local colleges universities and training providers, the creation of an advice hub and a scheme to assist in the rehabilitation of ex offenders through employment training opportunities.

8.169 It is recognised that whilst an Employment Plan and Training Skills Plan along with the Construction Local Supplier Employment Strategy are living documents that evolve over time, it is important that the outline principles are agreed in advance to provide the parties with certainty over how the Plans and Strategy will develop. Furthermore it is understood that the applicant will use reasonable endeavors to meet the expectations of the three strands of commitment discussed above.

Planning obligations

8.170 The NPPF sets out that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Obligations should be kept to a minimum and must meet all of the following tests;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

8.171 It is acknowledged that a development of this size and scale would be accompanied by a Section 106 Agreement. The agreed obligations that would be required are in relation to off-site Ecological Compensation and Net Gain to be attributed to the Potland Burn site, the entering into a Highways Agreement for works including suitable sustainable connectivity along Brock Lane, together with a Construction Local Supplier Employment Strategy, an Employment Plan and a Training Skills Plan the detail of which have been discussed above.

9. Other Matters

Equality Duty:

9.1 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications:

The proposal has no implications in relation to crime and disorder.

Human Rights Act Implications:

9.2 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

9.3 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

9.4 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

10. Conclusion

10.1 The proposal is for the erection of a Gigaplant on the former coal stacking yards which formed part of the Blyth Power Station. Once fully operational in 2028, the development is expected to employ in the region of 2,900 people. The site is allocated for economic development by policy EMP3 of the Wansbeck District Local Plan and proposed to be allocated by policy ECN2 of the emerging Northumberland Local Plan. In addition, it has been identified as part of the Energy Central Enterprise Zone by the North East LEP. There are therefore significant ambitions at all levels to provide for employment development on the site.

10.2 The proposal is of regional scale and has significant potential to further stimulate investment and job growth in both direct supply chain companies and related sectors. Significant weight can be placed on the localised economic benefits of the proposal because of the employment/skill schemes suggested to be secured via a s106 agreement.

10.3 The application site comprises brownfield land, which is currently neglected. The proposals represent a comprehensive redevelopment of the site which will improve the character and appearance of the area. It is anticipated that once the Gigaplant is in operation that businesses linked to or supplying goods to the plant will also relocate to the area, thereby bringing further parcels of underused and previously developed land into productive use.

10.4 Within the emerging Northumberland Local Plan policy ECN2 continues to allocate the site as part of the Blyth Estuary Strategic Employment Area. This policy priorities B class uses which fall into the following categories:

- Low Carbon and related environmental goods and services
- Energy generation with special emphasis on renewable and low carbon
- Development which will support and strengthen the economic role of the Port of Blyth.

The proposals meet these three criteria.

10.5 As has been set out within this report, there is an existing demand for electric vehicle batteries, which is set to increase over the next few years as the UK moves to ban the sale of new petrol and diesel cars from 2030. The unique location of the application site means that there is an opportunity to utilise renewable energy sources from the offshore wind farm and forthcoming North Sea Link. It is anticipated that once the Gigaplant is in operation that complementary businesses will relocate helping to further strengthen the role of the Port of Blyth in the local economy.

10.6 The application was supported by an Environmental Statement. All internal & external statutory consultee responses triangulate to suggest that potential significant effects on the environment are appropriately understood. The primary impacts addressed by the Environmental Statement include ecology/nature conservation, transport/access, noise, air quality, climate change, major accidents/disasters risk and socio-economics. As has equally been demonstrated, all identified and appropriate mitigation measures required will be put in place to ensure that there are no adverse impacts, including on heritage constraints, and the proposals would provide a net gain in biodiversity. A comprehensive landscaping scheme is also proposed as part of the application, which seeks to root the development into its surroundings as well as providing opportunities for ecological enhancements. Mitigation will be provided via the agreed final design of the scheme, planning conditions and the provisions of the s106 agreement. On the basis of the evaluation set out in this report, the responses of consultees and the proposed mitigation, the Environmental Statement is considered robust under the requirements Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

10.7 At the regional level, the North East Local Enterprise Partnership (LEP) have identified the site as being part of the Energy Central Enterprise Zone, and the proposals will meet the aims of objectives of this Zone. The application proposals present a unique opportunity to kickstart regeneration within the Energy Central Enterprise Zone.

10.8 The development as a whole is considered to accord with the requirements of the National Planning Policy, the policies of the Wansbeck District Local Plan referred to within the report, and those of the Draft Northumberland Local Plan. As a result, this is a much-welcomed development of strategic importance to the County and wider Region as a whole with significant employment and training opportunities. The recommendation is therefore to grant planning permission, as detailed below.

11. Recommendation: That this application be GRANTED planning permission subject to conditions and completion of the S106 agreement to secure the following obligations:

- Financial contribution of £ 1,688,400 towards off site Ecological compensation and Net Gain to be attributed at the Potland Burn site
- The provision of Highways works including suitable sustainable connectivity along Brock Lane and the entering into of a Highways Agreement
- A Construction Local Supplier Employment Strategy
- An Employment Plan and
- A Training Skills Plan

Conditions/Reason

Time

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

Plans

2. The development hereby permitted shall not be carried out other than in complete accordance with the details contained within the following approved plans/documents:

- 1 Planning Building Sections – 20015 P03
- 2 Proposed Gatehouse Elevations – 01101 P02
- 3 Proposed Elevations Visitor Gatehouse – 00120 P01
- 4 Proposed First Floor Plan – 20110 P02
- 5 Proposed GIA Plans – 020190 P02
- 6 Proposed Ground Floor Plan – 201100 P02
- 7 Proposed Ground Floor Gatehouse Plan – 01100 P02
- 8 Proposed Ground Floor and Roof Plans Visitor Gatehouse – 00110 P01
- 9 Proposed Roof Plan – 20150 P03
- 10 Proposed Second Floor – 20120 P03
- 11 Building Heights – 000008 P04
- 12 Landscape Masterplan – rcd 7th May 2021
- 13 Planning Masterplan – rcd 7th May 2021
- 14 Cow Gut Syphon Historic Scanned Plan – rcd 7th May 2021

- 15 Proposed Elevations – 020200 P01
- 16 Location Plan Phase 1 – Scope of Advanced Works – 000020 P06
- 17 Traffic Management Risk Assessment - Phase 1 Advanced Phasing Works rcd 26th May 2021
- 18 Scope of Enabling Works – Location Plan rcd 26th May 2021
- 19 Swept Path Analysis 24.06.2021
- 20 ISG Logistics Plan rcd 24.06.2021
- 21 Proposed Brock Lane Cycle Route – Main Site Access Crowd Dynamics Drawing no. 1412-RSA-DWG-04 07.05.2021
- 22 Proposed Brock Lane Cycle Route – West of Roundabout Crowd Dynamics Drawing no. 1412-RSA-DWG-01
- 23 Proposed Brock Lane Cycle Route – Roundabout HGV Access Crowd Dynamics Drawing no. 1412-RSA-DWG-02
- 24 Proposed Brock Lane Cycle Route – East of Roundabout & TOUCAN Crossing Crowd Dynamics Drawing no. 1412-RSA-DWG-03

Reason: To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

Drainage:

- a) Proposed Outline Surface Water Drainage Strategy” - drawing number: PHX-RGL-ZZ-ST-DR-D-100001 Rev S2-P05;
- b) Proposed Pond Sections” - drawing number: PHX-RGL-ZZ-ST-DR-D-300009 Rev S2-P01;
- c) Proposed Private Drainage Construction Details Sheet 1” - drawing number: PHX-RGL-ZZ-ST-DR-D-300001 Rev S2-P01;
- d) Proposed Private Drainage Construction Details Sheet 2” - drawing number: PHX-RGL-ZZ-ST-DR-D-300002 Rev S2-P01;
- e) Proposed Private Drainage Construction Details Sheet 3” - drawing number: PHX-RGL-ZZ-ST-DR-D-300003 Rev S2-P01;
- f) Proposed Private Drainage Construction Details Sheet 4” - drawing number: PHX-RGL-ZZ-ST-DR-D-300004 Rev S2-P01;
- g) Watercourse diversion details Sheet 1” - drawing number: PHX-RGL-ZZ-ST-DR-D-010021 Rev D3-P03;
- H) Watercourse diversion details Sheet 2” - drawing number: PHX-RGL-ZZ-ST-DR-D-010022 Rev D3-P01; and
- I) Watercourse diversion details Sheet 3” - drawing number: PHX-RGL-ZZ-ST-DR-D-010023 Rev D3-P01.

Approved Documents:

- 1 Coal Mining Risk Assessment REV S2 – P04 Rolton Group 18.2.2021
- 2 Desk-Based Assessment and Heritage Statement NAA 21/08 February 2021
- 3 Flood Risk Assessment and Drainage Strategy Parts 1-5 REV S2 – P04 24.02.2021
- 4 Lighting Impact Assessment Parts 1 and 2 Hoare Lea March 2021
- 5 Mechanical Building and Services Extraction and Ventilation Statement REV S2-P01 15.02.2021

- 6 Mineral Resources Study REV S2-P03 18.02.2021
- 7 Planning Statement REV P02 22.02.2021
- 8 Statement of Community Involvement REV P02 25.02.2021
- 9 Sustainability Framework REV P03 24.02.2021
- 10 Design and Access Statement PHX-RDG-XX-XX-RP-A-90008 v1.1 16.03.2021
- 11 Environmental Statement Volume 1: Main Report March 2021
- 12 Environmental Statement Non-Technical Summary March 2021
- 13 Environmental Statement Volume 2: Figures
- 14 Environmental Statement Volume 3: Appendices
- 15 Noise Impact Assessment – REV 5 – 17th March 2021
- 16 Phase 1 Geo-environmental Desk Study Phase 1 REV S2-P05 07.04.2021
- 17 Assessment of Geoarchaeological and Palaeoenvironmental Potential Report April 2021
- 18 Aborigicultural Impact Assessment 7th May 2021
- 19 Environmental Statement Addendum PHX-RDG-XX-XX-RP-T-00005 May 2021
- 20 Environmental Statement Addendum Figures and Appendices PHX-RDG-XX-XX-RP-T-00006 May 2021
- 21 Environmental Statement Non-Technical Summary Addendum PHX-RDG-XX-XX-RP-T-00007 Feb 2021
- 22 Landscape Strategy Rev: P06 May 2021 PHX-LDA-ZZ-ST-RP-A-00008
- 23 Preliminary Geo-Environmental Summary REV S2-P01 26.02.2021
- 24 Storm Water Calculations 1 in 100 years 15.02.2021 Micro Drainage
- 25 Storm Water Calculations 1 in 10 years 15.02.2021 Micro Drainage
- 26 Air Quality Impact Screening for Habitats Regulation Assessment 17.05.2021
- 27 Water Framework Directive Screening Report REV S2-P02 20.05.2021
- 28 Water Framework Directive REV S2-P02 20.05.2021
- 29 Sustainability Management Plan ISG 04.05.20
- 30 Site Logistics & Traffic Management Plan ISG 07.05.2021
- 31 Geotechnical and Geo-Environmental Report REV S2-P01 14.05.2021
- 32 Noise Contour Levels Hoare Lea rcd 01.06.2021
- 33 Habitats Risk Assessment NCC June 2021
- 34 Solar Photovoltaic Glint and Glare Study PagerPower June 2021
- 35 Updated Construction Environmental Management Plan ISG 22.06.2021
- 36 Document Issue Report 24.06.2021 Project 20-0473
- 37 Remediation Statement Rolton Group 24.06.2021
- 38 Construction Noise Assessment REV 1 – 25.06.2021
39. Acoustics Construction Noise Assessments - WEST STAITHES June / July / August REVISION 1 – 25 JUNE 2021 (Hoare Lea).

Materials

3. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy GP30 of the Wansbeck local Plan.

Highways

4. Notwithstanding details submitted, the visitor check-in building shall not be brought into use until details of the visitor check-in car parking area, including disabled and EV parking provision, has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the visitor check-in car parking area shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

5. Prior to any parking area being brought into use, the car parking area indicated on the approved plans for that phase, including any disabled car parking and EV car parking spaces contained therein, shall be hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the car parking area for that phase shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

6. Prior to first occupation of the development full details of the following highways works as indicatively detailed in the submitted plans, including all associated works, have been submitted to and approved in writing by the Local Planning Authority:

- The main access junction to Brock Lane;
- The servicing access junction on the Brock Lane roundabout;
- Pedestrian and cyclist connection on Brock Lane from East Sleekburn to the main access junction, including relocation of existing bus stop and a new Toucan Crossing and associated works;
- Reinstatement of redundant access points on Brock Lane;
- Provision of emergency and pedestrian/cycle access to Wembley Gardens;
- Details of vehicular, pedestrian and cyclist directional signage; and
- All associated highways work associated with the delivery of the above.

The development shall not be brought into use until the highways works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and sustainable transport, in accordance with the National Planning Policy Framework.

7. The diverted Public Right of Way (600/062) shall not be made available for public use until details of the footway connection to the diverted Public Right of Way at the Brock Lane Roundabout shown indicatively on the submitted plans, including dropped crossing of Brock Lane to the west of the roundabout and all associated works, have been submitted to and approved in writing by the Local Planning Authority. The diverted Public Right of Way shall not be made available for public

use until the footway connection has been provided in accordance with the approved plans.

Reason: In the interests of highway safety and sustainable transport, in accordance with the National Planning Policy Framework.

8. Prior to first occupation of the development and each subsequent phase being brought into occupational use, a Staff Shuttle Bus Service Strategy including details of the services to be provided and the vehicles used shall be submitted to and approved in writing by the Local Planning Authority. The Staff Shuttle Bus Service Strategy shall be implemented in accordance with the approved details prior to each phase being brought into use.

Reason: In the interests of sustainable development, in accordance with the National Planning Policy Framework.

9. Prior to first occupation of the development and each subsequent phase being brought into occupational use, details of cycle parking for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the that phase is brought into use. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework.

10. Prior to first occupation of the development and each subsequent phase being brought into occupational use, details of surface water drainage to manage run off from private land onto the public highway shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is brought into use and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

11. Twelve months after first occupation of the development, details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority based upon the approved Framework Travel Plan. This Full Travel Plan must include:

1. contact details of a suitably qualified Travel Plan Co-Ordinator and commitment to a Travel Plan budget and implementation programme
2. details of and results from an initial staff travel to work survey;
3. clearly specified ongoing targets for staff travel mode shares;
4. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan;
5. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

The Full Travel Plan shall be updated within 6 months of each additional phase of the development being brought into use. At all times thereafter the approved Full

Travel Plan, and its subsequent revisions, shall be implemented in accordance with the approved details.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework.

12. Prior to first occupation and each subsequent phase of the development being brought into operational use a car parking management strategy, which will include the provision of and management of Electric Vehicle Parking and Infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall not be brought into use until the strategy has been implemented in accordance with the approved details. Reason: In the interests of highway safety and sustainable transport, in accordance with the National Planning Policy Framework.

Reason: In the interests of Sustainable Development in accordance with the National Planning Policy Framework.

13. The approved Advanced Works Construction Method Statement and accompanying plan shall be adhered to through the Advanced Works Construction period as defined in the approved details.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

14. No development other than those works defined in the approved Advanced Works Construction Method Statement, shall commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

15. The approved development shall adhere to the shift patterns for workers as set out in the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety, local amenity and highway capacity, in accordance with the National Planning Policy Framework.

16. Prior to first occupation of the development and any subsequent phase, a Delivery, Refuse and Servicing Strategy setting out details of delivery, refuse and servicing for the development, including vehicle routing, vehicle details and storage locations shall be submitted to and agreed in writing with the Local Planning Authority. The approved Delivery, Refuse and Servicing Strategy shall be

implemented in accordance with the approved details prior the development being brought into use.

Reason: In the interests of highway safety, local amenity and highway capacity, in accordance with the National Planning Policy Framework.

Public Protection

17. The noise from fixed plant installed in association with any building on the site shall not exceed the following noise rating levels when assessed at the specified locations, using BS 4142:2014 :-

Location	Noise Rating Level dB LAeq, T*	
	Day (0700 – 2300)	Night (2300 – 0700)
Northfield, Sandfield Road and Wilson Avenue	45dB	41dB
Wembley Gardens and Wembley Terrace	47dB	39dB
Selbourne Terrace	47dB	43dB

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

18. Prior to first occupation of the development, the applicant shall provide full details of the acoustic barriers as outlined in the noise assessment (Noise Impact Assessment produced by Hoare Lea, Document reference: Project Phoenix - REP-1012634-05-AM-20210317-Noise Impact Assessment-Rev 5-Final Issue dated 17 March 2021), including location, specification, design and performance, to the local planning authority for written approval. The approved scheme shall be implemented in full and retained for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

19. The Pulverised Fuel Ash (PFA) mounds to be retained at the east of the site (and labelled as "PFA MOUND RETAINED" on Planning Masterplan produced by Ridge, ref: PHX-RDG-XX-ST-DR-A-00018-P14 dated 07/05/2021) shall be retained in their present condition, excepting any works to improve the vegetation on the mounds, for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise and light.

20. No development shall take place beyond the identified advanced works until a noise and vibration assessment and management plan has been submitted to the Local Planning Authority and agreed in writing. The plan shall detail measures for the control and reduction of noise and vibration emissions associated with demolition, earthworks and construction. The development shall be carried out in accordance with the plan so agreed.

Reason: To protect residential amenity and provide a commensurate level of protection against noise and vibration.

21. No development shall take place beyond the identified advanced works until the applicant submits for approval in writing by the Local Planning Authority a scheme to control dust, to be implemented for the duration of the site construction works. Such a scheme shall identify risks of dust generation from site works, local receptors and include methods to control dust from works and site management responses to incidents and complaints about dust arising from the site.

Reason: To protect residential amenity and provide a commensurate level of protection against dust.

22. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

23. Excluding the full extent of the factory floor area of the main building, no remaining part of the building containing offices, toilets, meeting rooms, cafeterias etc. on the ground floor shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015+A1:2019 - Code of Practice for the Design of Protective Measures for Methane and Carbon Dioxide Ground Gases for New Buildings, have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the structural elements which will form part of the floor of the footprint of the building as detailed in Table 5 of BS 8485:2015+A1:2019.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

24. Prior to the installation of any commercial kitchen extraction system, the system being brought into use or continue in use, the applicant shall provide full details of the odour treatment system to be installed into the development which shall provide a Very High level of odour control, as defined in the EMAQ document "Control of Odour and Noise from Commercial Kitchen Exhaust Systems". Alternatively, the applicant can carry out a kitchen odour risk assessment to demonstrate that a lower level of odour control would be acceptable. The details shall be submitted to the LPA for its written approval with the approved scheme implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against odour.

25. During the periods of advanced, enabling and main construction works, there shall be no noisy works occurring onsite; including but not limited to earthworks, operation of mobile plant, use of pneumatic equipment, use of power tools etc. unless agreed in writing with the LPA outside the hours of:

Monday to Friday - 0700 to 1900

Saturday 0730 to 1600

With no noisy works on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

26. During the periods of advanced, enabling and main construction works, there shall be no deliveries to the site or collections from the site [by road] unless agreed in writing with the LPA outside the hours of:

Monday to Friday - 0700 to 1900

Saturday 0730 to 1600

27. With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

Archaeology

28. No development shall commence on site until a method statement for the erection of a programme of fencing has been submitted to and approved in writing to the Local Planning Authority. The fencing shall be erected around the area of archaeological earthworks identified as 'Site 8' in the submitted archaeological desk-based assessment. The fencing should be sufficiently robust to protect the area of archaeological earthworks from accidental damage during the construction phase of the development.

Reason: The site is of archaeological interest.

Conservation

29. Prior to the new structures and elements for user safety and amenity being carried out, details of the design and treatment of new structures (footpaths, recreation space, lighting, signage furniture, artwork) shall be submitted to and approved by the Local Planning Authority in consultation with the Conservation Team. The approved details shall be incorporated into the development thereafter.

Reason: To ensure continuity and quality in the appearance and design of the scheme in accordance with the NPPF and PLBCAA.

Natural England

30. Should concrete-breaking or piling be scheduled to take place after 1st June and before 1st September in any year, a monitoring and mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved thereafter.

Reason: To prevent disturbance by construction noise of roosting sandwich and common terns in accordance with the NPPF.

LLFA

31. Prior to first occupation of the development details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

32. Within five months from the commencement of development a CCTV survey of the existing culverted watercourses entering and within the site shall be undertaken. Where necessary any repairs and diversions shall take place. Results of these surveys along with any preceding works shall be submitted to and agreed with the local planning authority.

Reason: To establish the route and condition of all watercourses, ensuring that the proposed development will not impede upon their performance in any way and reducing the risk of flooding.

33. Prior to first operation details of rain water harvesting within the development shall be submitted to and agreed with the local planning authority.

Reason: To provide grey water recycling within the development.

34. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

35. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer or a suitably qualified professional must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme.

This verification report shall include:

- * As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
- * Construction details (component drawings, materials, vegetation);
- * Health and Safety file; and

* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non technical standards.

Northumbrian Water

36. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. 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.

Environment Agency

37. Prior to completion of the Advanced works and the commencement of any subsequent phases of development a detailed Construction Environmental Management Plan (CEMP) must be submitted to, and agreed in writing by, the local planning authority and implemented as approved. Thereafter, the development shall be implemented in accordance with the approved scheme.

The CEMP should include a full Water and Pollution Management Plan relating to the main works proposed for the scheme, including but not limited to:

- approach to treat and remove suspended solids from surface water run-off during construction works;
- approach to minimise the mobilisation of sediment when diverting the watercourse.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised sediment. This is in line with paragraph 170 of the National Planning Policy.

Ecology

38. Prior to completion of the Advanced works and the commencement of any subsequent phases of development a Construction Environmental Management Plan shall be submitted to and approved by the LPA, including but not restricted to:

- Measures to manage surface water runoff and to protect controlled waters from pollution for the duration of the construction period
- Measures to protect the retained wetland habitats in the south east of the site for the duration of the construction period
- Confirmation of appointment of a suitably qualified Ecological Clerk of Works and their retention for the duration of the construction period.

- Measures to protect nesting birds during the construction period.
- A scheme for the eradication of non-native invasive species present on the site.

The CEMP will be fully implemented as approved.

Reason: To ensure that significant adverse impacts are avoided on important habitats and species during the construction period.

39. Within six months of construction commencing a Landscape and Ecological Management Plan (LEMP) shall be submitted and approved in writing by the LPA, including but not restricted to:

- Detailed landscape plans for the site
- Full details of species to be planted and sown including origin, establishment and aftercare
- A detailed scheme for the creation, management and monitoring of suitable habitats for grayling and dingy skipper butterflies on the PFA mounds.

The LEMP shall be fully implemented as approved.

Reason: To ensure the satisfactory landscaping of the site and to protect species of principal importance in England.

Network Rail

40. Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology.

Reason: To ensure the development can be undertaken safely and without impact to the operational needs and integrity of the railway, in accordance with the NPPF.

41. Prior to the occupation of the development in any phase, the developer shall provide a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) and make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged.

Reason: To ensure the development can be undertaken safely and without impact to the operational needs and integrity of the railway, in accordance with the NPPF.

42. Surface water shall flow away from the railway and there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There shall be no connection to existing railway drainage assets without prior agreement with Network Rail.

Reason: To ensure the development can be undertaken safely and without impact to the operational needs and integrity of the railway, in accordance with the NPPF.

43. Details of any external lighting to be erected adjacent to the operational railway shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail prior to its installation. The approved lighting shall be installed as approved thereafter.

Reason: To ensure the development can be undertaken safely and without impact to the operational needs and integrity of the railway, in accordance with the NPPF.

44. Where abnormal loads or HGVs associated with the construction work at the site will be using routes that include any Network Rail assets (eg. Bridges and level crossings), Network Rail shall be notified to confirm that the proposed route is viable and to agree a strategy to protect the assets of Network Rail from potential damage caused by abnormal loads.

Reason: To ensure the development can be undertaken safely and without impact to the operational needs and integrity of the railway, in accordance with the NPPF

45. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary:

Acceptable:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Pados*), Wild Pear (*Pyrus Communis*), Fir Trees – Pines (*Pinus*), Hawthorn (*Cretaegus*), Mountain Ash – Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicatata “*Zebrina*”.

Not Acceptable: Acer (*Acer pseudoplatanus*), Aspen – Poplar (*Populus*), Small-leaved Lime (*Tilia Cordata*), Sycamore – Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), Ash (*Fraxinus excelsior*), Black poplar (*Populus nigra* var, *betulifolia*), Lombardy Poplar (*Populus nigra* var, *italica*), Large-leaved lime (*Tilia platyphyllos*), Common lime (*Tilia x europea*).

Informatives

Public Protection

Dust Management Plan

It would be expected that a dust management plan be submitted to support this development. Such a plan should also include an anti-idling policy for plant and machinery onsite to minimise air pollution.

Dust minimisation and control shall have regard to guidance such as :

The Institute of Air Quality Management has produced very current documentation entitled “Guidance on the Assessment of Dust from Demolition and Construction” available at: <http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London’s office has produced robust supplementary guidance document entitled “The Control of Dust and Emissions During Construction and Demolition” which is available at:

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/londonplan-guidance-and-spgs/control-dust-and>

The HSE also provide guidance on construction dust:

<http://www.hse.gov.uk/construction/healthrisks/hazardoussubstances/constructionduSt.htm>

As do the CITB through the Construction Dust Partnership:

<https://www.citb.co.uk/health-safety-and-other-topics/health-safety/constructiondustpart>

Materials Handling - Construction

If materials are to be reused onsite (or removed offsite) then The Definition of Waste:

Development Industry Code of Practice (CL:AIRE Version 2 March 2011) may apply and the reuse of these onsite may require a specific licence or permit from the Environment Agency. More information is available at: <https://www.claire.co.uk/projects-and-initiatives/dow-cop>

Environmental Permitting

It is likely that industrial processes associated with the installation will require appropriate environmental permits under The Environmental Permitting (England and Wales) Regulations 2016 (as amended).

It is understood that the applicant is in discussions with the local authority environmental health officers and the Environment Agency to arrange any necessary permitting.

Statutory Nuisance

The Public Health Protection Unit would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice.

Failure to address issues of noise, dust and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

Burning Materials Onsite

There shall be no burning of any material associated with the construction phase on the site.

Food and Health & Safety

Should the application be granted it is strongly recommended that the applicant contact the Commercial Team in the Public Health Protection Unit through the Information Centre 0345 600 6400, at an early stage to ensure compliance with food safety / health & safety legislation.

EIA

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

Highways

Stopping up/Diversion of footway bridleway

You are advised of the necessity to formally stop up or divert the footpath(s) or bridleway(s) affected by this development, prior to the commencement of any works. You should contact the Council's Asset and Infrastructure Management Division on 01670 624134 at your earliest convenience, as this is a lengthy procedure.

Section 278 Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

Contact Traffic Management

You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period in respect of the need for any Traffic Regulation Orders associated with the highways works.

(Amended) - Technical Approval of Highway Structures

You should note that Technical Approval of Highways Structures may be required if structures are required as part of the highways works. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk

Contact Lighting Section

You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979

Travel Plan Reporting

Travel Plan monitoring should be reported through the Go Smarter Travel Plan database. You can contact the Travel Plan Officer at gosmarter@northumberland.gov.uk

Natural England

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

As outlined in the section 9 (Appropriate Assessment) of your authority's Habitat Regulations Assessment, a condition should be attached to any grant of planning permission to ensure appropriate measures are in place to prevent adverse effects on roosting sandwich and common terns caused by construction noise disturbance. Specifically, the condition should require that:

- A monitoring and mitigation strategy must be submitted to your authority prior to 1 April 2022 should concrete-breaking or piling works be required to be undertaken after 1 June 2022, and to be fully implemented as approved should such works be undertaken after 1 June in any year.
- The agreed strategy should include the principle of works ceasing immediately should there be three instances of level 4 or 5 disturbance and only recommencing once additional noise mitigation had been agreed with your authority.

LLFA

The culverting of any watercourse or alternations of any existing culverted watercourse will require the prior written consent of Northumberland County Council, under the Land Drainage Act (1991). Please contact the FCERM team (fcerm@northumberland.gov.uk) for further information.

Any future development notably to the south of the main building will be subject to a separate surface water drainage strategy that will need to restrict runoff to greenfield runoff and provide on site attenuation to a standard required at the time of planning permission submission.

Network Rail

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance

or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Standard Drainage Requirements

We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these

systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area

There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Asset Protection (assetprotectioneastern@networkrail.co.uk) for further information and assistance.

Northumbrian Water

The developer should contact Northumbrian Water in due course to agree allowable discharge rates and connection points into the public sewer network. This can be done by submitting a pre planning enquiry directly to us. Full details and guidance can be found at

<https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx>
or telephone 0191 419 6559.

Environment Agency

Water Framework Directive (WFD) - Advice to LPA We are satisfied with the WFD screening report and are content with the proposed mitigation for the proposed works.

Pollution Control - Advice to Applicant The applicant is reminded that any oil, fuel or chemical spill within the marine/ intertidal environment is reported to the MMO, Marine Pollution Response Team. Within office hours: 0300 200 2024 Outside office hours: 07770 977 825 Defra duty room (if no response at previous numbers): 0345 0818486 MMO emergency fax number (not manned 24 hours): 0191 3762682 dispersants@marinemanagement.org.uk

Biosecurity - Advice to LPA/Applicant Biosecurity measures need to be in place for the duration of the works and strictly adhered to by all site operatives. As a minimum the Check Clean and Dry campaign should be followed. 1. Check your equipment and clothing for live organisms before leaving an area - particularly in areas that are damp or hard to inspect. 2. Clean and wash all equipment, footwear and clothing thoroughly when works are completed. If you do come across any organisms, leave them at the water body where you found them. 3. Dry all equipment and clothing - some species can live for many days in moist conditions. Make sure you don't transfer water elsewhere Further information on biosecurity can be found at the following link

<https://secure.fera.defra.gov.uk/nonnativespecies/checkcleandry/index.cf>

SuDS and Water Quality - Advice to LPA/Applicant Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS manage surface water run-off by simulating natural drainage systems. Whereas traditional drainage approaches pipe water off-site as quickly as possible, SuDS retain water on or near to the site. As well as reducing flood risk, this promotes groundwater recharge, helps absorb diffuse pollutants, and improves water quality. Ponds, reedbeds and seasonally flooded grasslands can also be particularly attractive features within public open spaces.

SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. As such, virtually any development should be able to include a scheme based around these principles. In doing so, they'll provide multiple benefits and will reduce costs and maintenance needs.

Approved Document Part H of the Building Regulations 2010 establishes a hierarchy for surface water disposal, and encourages a SuDS approach. The first option for surface water disposal should be the use of SuDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Further information on SuDS can be found in:

- the CIRIA C697 document SuDS manual
- HR Wallingford SR 666 Use of SuDS in high density developments
- CIRIA C635 Designing for exceedance in urban drainage – good practice
- the Interim Code of Practice for Sustainable Drainage Systems – the Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SuDS.

Historic landfill - Advice to LPA The landfill site (EAWML 67373) was permitted for the acceptance and disposal of PFA (pulverised fuel ash) waste from the old Blyth Power Station. The permit was surrendered in 2004, following an application made by the operator, the Agency reviewed the application at that time and determined that it was suitable for surrender as it no longer presented a pollution risk. The type of waste accepted (PFA) will not produce significant quantities of landfill gas and this was confirmed as part of the permit surrender process.

The Geotechnical and Geo-Environmental report (Revision 2) fails to assess its findings against the CIRIA guidance (C665) - Assessing risks posed by hazardous ground gases to buildings (C665), which is used for assessing risks posed by ground gases to buildings. This guidance is listed as a reference but is not discussed in section 8.4 (the ground gas findings section) of the report. We recommend that the applicant assesses their report against the CIRIA guidance in order to verify that their conclusions remain valid. This guidance is available at <https://www.ciria.org/ItemDetail?iProductCode=C665&Category=BOOK>

Date of Report: 26th April 2021

Background Papers: Planning application file(s)