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NE1 6EE

Dear Sir/ Madam,

**McNulty's Yard, Corstorphine Town, South Shields, NE33 1RZ**

We write to submit an outline planning application in respect the above site for the following development:

*"Erection of a steel-framed shed to be used for B Class uses to replace existing structure on site."*

In support of the application, please find attached a completed application form, a contaminated land assessment and the following plans:

- Site Location Plan;
- Block Plan;
- Land Ownership Plan;
- Proposed Elevations; and
- Proposed Site Layout.

The required planning application fee has been submitted under separate cover.

In addition to the above, a flood risk assessment will follow in due course. Furthermore, this letter forms a design and access statement to support the application and describes the site background as well as the planning policy context within which the proposal is assessed. In this respect we have assessed the proposals against relevant national and local planning policies and other related guidance.

The proposed building will replace the existing structure on site and will be of a very similar height and scale. As such, it is unnecessary to submit any further supporting documents to those listed above as the development won't result in any adverse impacts. In addition, we highlight that the existing structure recently received prior approval for demolition, meaning that drawings of the existing elevations are also unnecessary. In this respect, we highlight that national planning policy guidance advises local planning authorities to take a proportionate approach to the information requested in support of planning applications.

**Site Context**

The development site sits within the former McNulty's offshore yard which is situated on the southern bank of the river Tyne. The wider site is bounded and accessed by Corstorphine Town Road to the east. The site has a long history of employment-related development and was previously operated by an oil and gas contractor where repair and refurbishments to oil rigs were carried out. It currently accommodates industrial sheds and some small-scale office and ancillary buildings. In addition, an artificial kittiwake nesting tower was recently installed at the northern end of the site to facilitate the demolition of the existing shed at some point in the future.

Immediately to the east of the site are a number of industrial units which form part of the Portberry Industrial Estate. The nearest residential dwellings are situated on Commercial Road, approximately 200 meters north east of the site.

The existing building on the application site is a large steel framed structure, which has recently been approved for demolition by the Council.

### **Planning Policy Context**

The current development plan for the site comprises of the following documents:

- South Tyneside Council Core Strategy (June 2007);
- Development Management Policies DPD (December 2011); and
- Site Allocation DPD (April 2012).

The Council's spatial strategy is set out in Policy ST1, which seeks to, amongst other things, *"regenerate the River Tyne and coastal corridors including Tyne Gateway and South Shields... and maximise the re-use of previously developed land in built up areas."*

The Council's Proposals Map shows that the site falls within a designated 'Predominantly Industrial Area'. As such, the proposal is subject to policies E1, DM2 and SA3 of the adopted Development Plan, which are summarised below.

Policy E1 of the Core Strategy seeks to protect key employment sites from alternative uses. The supporting text also states that the long-term retention of dock facilities is vital for supporting the riverside and other location-specific industries.

Policy DM2 of the Development Management Document is also a key consideration in the determination of this application. The policy seeks to *"promote and facilitate economic growth and prosperity"* with a focus on B1, B2 and B8 uses and safeguarding Predominately Industrial Areas.

Policy SA3 of the Site Allocations Document seeks to promote economic growth and prosperity and specifically supports *"the future development of the Port of Tyne at Tyne Dock and Jarrow Slake to enable it to adapt and operate efficiently as a key strategic gateway...including the infilling and reclamation of the former Tyne Dock to create new economic development land for predominantly port-related uses"*. Paragraph 4.6 of the supporting text recognises that the *'Port of Tyne plays a significant role in promoting economic growth, investment and prosperity in South Tyneside'*.

In addition to the above policies, we also note that Policy DM1 sets out the general criteria against which planning applications will be determined. This includes the impact on the local setting and any impact on residential amenity as well as factors relating to flood risk and contamination. Furthermore, Policy EA5 *'Environmental Protection'* recognises that uncontrolled development can have adverse environmental impacts. In respect of development on contaminated and derelict land, the policy seeks to achieve a balance between management risk and the regeneration of the riverside corridor.

In addition to the policies contained within the adopted Development Plan, guidance contained within the National Planning Policy Framework (NPPF) is also a material consideration in the determination of applications. In this respect, the NPPF advises that planning should not act as an impediment to sustainable growth or place unnecessary barriers in the way of acceptable developments. The Framework contains a strong presumption in favour of sustainable development and LPAs are encouraged to approve development proposals that accord with statutory plans without delay and to grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date. With regard to economic development at paragraph 19 of the NPPF states that significant weight should be placed on the need to support economic growth through the planning system.

## Planning Assessment

As outlined above, the proposal is for a new steel-framed shed which will replace the existing structure that is due to be demolished. Given the nature of the proposal, site context and planning policy context, we believe that the key issues to be considered in respect of this application are:

- Principle of development;
- Design;
- Flooding;
- Ecology; and
- Land contamination.

We address each of these issues in turn below.

### *Principle of Development*

The site is situated within a designated Predominantly Industrial Area and is, therefore, safeguarded for B Class employment uses. As such, the proposed development is clearly in accordance with policies DM2 and SA3 of the adopted Development Plan as well as the economic aims of the NPPF.

As the proposed building merely forms a replacement of the recently demolished structure on site, it will not have any adverse impact on local residents living approximately 200 meters north east of the site. The level of activity associated with a structure of this scale, including traffic generation, has long been established in connection with the existing class B structure which is soon to be demolished. Essentially, therefore, the principle of a development of this scale and associated level of activity has already been well established.

### *Design*

The proposal is for a new steel framed building to replace the recently demolished structure on site. The proposed structure extends 130m across the site and is 34.4 m in height, which is the same scale and mass as the recently demolished building. It will be utilised for B2 and B8 uses.

The form and scale of the proposed structure is entirely appropriate within the industrial landscape adjacent to the river Tyne and won't have any detrimental impact on residential amenity by reason of the form and scale of the existing building.

### *Flood Risk*

According to the Environment Agency Flood Risk Plans, the site is categorised as "low risk" for both surface water run-off and flooding from the River Tyne.

A Flood Risk Assessment has been undertaken by DTA Consultants which shows that the proposal will have no effect on the existing drainage or surface water discharges from the site, which drain either to the ground or flow overland to the tidal river. Furthermore, existing Northumbrian Water Limited apparatus through the site will remain intact.

### *Ecology*

The site is of little ecological value, however a number of kittiwakes have taken residence on another building within the wider site. The Port has given consideration to this colony of Kittiwakes by installing a purpose-built tower elsewhere within the wider site to encourage their relocation. Therefore, measures have not been incorporated for the kittiwakes into the design of the new structure.

### *Contamination*

The contaminated land assessment that accompanies the application provides details of the site's history and possible sources of contamination based on a desk based assessment. The 'Environmental Risk Assessment' contained in the report identifies possible sources of

contamination including on-site contamination, the potential for contaminants migrating on and off site and a gas risk assessment. In each case mitigation measures are proposed that could be addressed by condition. The proposals are not, therefore, expected to give rise to any unacceptable risk and would, therefore, be appropriate in accordance with policy DM2.

## **Conclusions**

The proposal is for a new steel framed shed to replace a recently demolished structure of the same height and scale at the former McNulty's site. The proposal is entirely appropriate given that the site is situated within a wider industrial location, which is safeguarded for employment uses by policies within the adopted Development Plan. In addition, supporting information has been provided to demonstrate that any environmental issues can be mitigated against. We therefore consider that the application should be supported by the Council in order to ensure the continued use of the site for employment related purposes.

I trust you have all the information you need to validate the application. However, if you require any additional information, please don't hesitate to contact me.

Yours sincerely



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