

Victoria Road West, Hebburn

Planning Statement

Miller Homes

7th September 2016

23086/MHE/DS

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nlpplanning.com

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1.0 Introduction

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Purpose of Statement

- This Planning Statement has been prepared by Nathaniel Lichfield & Partners ("NLP") on behalf of Miller Homes ("The Applicant") and Siemens PLC.
- Its purpose is to assist Officers at South Tyneside Council ("STC") in their consideration of the accompanying planning application relating to development at Victoria Road West, Hebburn.

Proposed Development

- 1.3 Full planning permission is sought for:
- "Residential development with associated access, landscaping and open space."

Accompanying Documentation

- The following reports have been prepared to accompany and support this planning application:
 - Planning Statement by NLP assesses the proposed development against relevant planning policy and incorporates an Affordable Housing Statement.
 - Design and Access Statement (DAS) by Pod provides further detail on the design of the proposed development.
 - Statement of Community Involvement (SCI) by NLP details the public consultation undertaken and how this has influenced the proposals.
 - A series of technical reports have also been prepared to comply with South Tyneside Council's validation requirements, which have been confirmed with Officers in relation to this site.
 - Preliminary Phase 1 (Desk Study) Review by Sirius;
 - Ecological Assessment by E3 Ecology;
 - Pre-Development Tree Constraints Assessment by E3 Ecology;
 - Victoria Road Tree Protection Plan by E3 Ecology;
 - Tree Protection Plan and Arboricultural Method Statement by E3 Ecology;
 - Assessment of Noise Levels and Noise Amelioration Levels by LA Environmental;
 - Air Quality Assessment by Wardell Armstrong;
 - Flood Risk Assessment and Drainage Strategy by Queensberry Design;

- Transport Assessment and Appendices by Queensberry Design;
- Landscape Strategy Plan by AJT Consultants
- In addition to the above, all application plans, drawings and visualisations have been prepared by Pod.

Report Structure

- 1.8 The remainder of this statement will be set out as follows:
 - Section 2.0 Site and Surroundings
 - Section 3.0 Policy Context
 - Section 4.0 Principle of Development
 - Section 5.0 Material Considerations
 - Section 6.0 Planning Obligations and Conditions
 - Section 7.0 Conclusions

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Site and Surroundings

Site Description

- The application site comprises the former Siemens factory and measures approximately 10 hectares. The site has been cleared of all buildings associated with the former use however areas of hardstanding are spread across the site. There are areas of grassland within the site and a number of tree groupings throughout.
- The site is generally level with vehicular access routes from South Drive and Victoria Road, although these are currently not accessible.
- 2.3 The site is bound:

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- To the north by South Drive and residential properties on Parkside, beyond which lies Woodvale Drive and Hebburn Sports & Social Club;
- To the east by Victoria Road West, beyond which lies residential properties and local shops and amenities;
- To the south by Victoria Road Industrial Estate; and
- To the west by railway lines serving the Metro system, beyond which lies Riverside Park.

Planning History

There is no relevant planning history for the site, however it is assumed that there are previous applications relating to the construction of the Siemens factory.

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Planning Policy Context

National Planning Policy Framework (NPPF)

- The NPPF sets out the Government's planning policies for England and how they are expected to be applied by Local Planning Authorities (LPAs).
- Paragraph 6 of the NPPF states that, "the purpose of the planning system is to contribute to the achievement of sustainable development". In the following paragraph, the NPPF refers to the three dimensions of sustainable development as: **economic**, **social** and **environmental**.
 - Paragraph 14 of the NPPF states that a "presumption in favour of sustainable development...should be seen as a golden thread running through both plan making and decision taking". It further states that where the development plan is absent, silent or out of date, planning permission should be granted unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole; or

specific policies in this Framework indicate that development should be restricted.

- Paragraph 19 of the NPPF states that "planning should operate to encourage and not act as an impediment to sustainable growth." (NLP added emphasis).
 - Paragraph 22 addresses situations whereby land has an existing allocation for employment uses and is being considered for alternative uses:

"Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be **treated on their merits having regard to market signals** and the relative need for different land uses to support sustainable local communities."

(NLP added emphasis)

The NPPF also states that planning should:

"[support] strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations..."

(Paragraph 7);

"proactively drive and support sustainable economic development to deliver the homes...that the country needs." (Paragraph 17).

One of the NPPF's 12 Core Principles is for the planning system to:

"encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value" (NLP added emphasis)

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Adopted Development Plan

South Tyneside LDF Core Strategy (2007)

- The South Tyneside Core Strategy (STCS) allocates the site as an economic development site under policy E1 (Delivering Economic Growth and Prosperity).
- Other Core Strategy policies of relevance to the determination of this planning application include:
 - Policy ST1: Spatial Strategy for South Tyneside
 - Policy ST2: Sustainable Urban Living
 - Policy A1: Improving Accessibility
 - Policy SC1: Creating Sustainable Urban Areas
 - Policy SC3: Sustainable Housing Provision
 - Policy SC4: Housing Needs, Mix and Affordability
 - Policy EA3: Biodiversity and Geodiversity

South Tyneside LDF Development Management Policies (2011)

- The South Tyneside Development Management Policies (STDMP) safeguards 'employment land allocations' for employment use, which is defined as use classes B1, B2 and B8, under policy DM2 (Safeguarding Employment Uses). The policy goes on to state the proposals for non-employment uses in these areas will only be approved where the below are demonstrated:
 - the employment use of the site or premises is no longer viable, by the same or any other employment user (Use Classes B1, B2 and B8); and
 - the site or premises would not make a significant contribution to the borough's employment land supply over the next 10-15 years in meeting RSS employment land requirements; or
 - the proposal provides long-term benefits that would significantly outweigh the loss of land for employment use.
- Other Development Management policies of relevance to the determination of this planning application include:
 - Policy DM1: Management of Development:
 - (A) Design

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- (B) Residential Amenity
- (C, D) Landscaping and Urban Design
- (G, H) Highways and Access
- (K) Flood Risk
- (L) Air Pollution

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- (M) Contamination
- (N) Legacy of Mineral Workings
- Policy DM7: Biodiversity and Geodiversity
- Policy DM8: Mineral Safeguarding and Management.

South Tyneside LDF Site-Specific Allocations (2012)

The Site-Specific Allocations document identifies the whole application site as a Predominantly Industrial Area. Policy SA3 also highlights smaller parts of the site as a Major Secondary Site over 2 hectares (by 2026) under part C, allocating it for mixed-use development comprising B1, B2 and B8, and as Expansion Land for Existing Businesses (by 2016) under part F, allocating it for mixed-use development comprising B1, B2 and B8.

Emerging Development Plan

- The South Tyneside Local Plan is in its formative stages with consultations on Key Issues and Options in spring 2013 and Strategic Growth Scenarios in summer 2015. A consultation on the Strategic Land Review ended in July 2016 and is addressed in the section below.
- The Strategic Growth Scenario consultation results show that a majority of respondents (67%) support 'Option B homes and jobs to meet future housing and growth ambitions'. This represents a medium to high growth option, with 11.7% supporting high growth and 41.25% supporting low growth.

Other Relevant Documents

Emerging Strategic Land Review 2016 (SLR)

- The application is assessed under reference H37 within the Council's Strategic Land Review. The document concludes that the former Siemens factory is a suitable development site and could accommodate approximately 300 homes or 594 jobs.
- 3.16 The site appraisal supporting the SLR concludes:

"Due to the site's overall likely low impacts, it is considered that it is suitable for development. However, it is noted that due to predominant residential surroundings, that residential development is likely to be more appropriate on amenity grounds. The Employment Land Review 2014 has identified that from a viability perspective the site should be released from employment use. Any impacts with ground conditions would need to be considered further."

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Strategic Housing Land Availability Assessment 2013 (SHLAA)

The Council's SHLAA assesses the application site under two separate references, HB.10.004 (Former Trench UK) and HB.10.005 (Short circuit testing station), with a potential total yield of 305 dwellings.

The SHLAA concludes that both sites are suitable and achievable for residential development and concludes that they are 'developable' within 6-10 years due to the uncertainty over availability. This application is a clear indication that the site is available and as such the SHLAA does not identify any constraints to residential development at the site.

Employment Land Review 2014 Update (ELR)

The site was assessed as part of the ELR, which notes additional employment provision in this location is 'likely to be weak'. The review recommends that the site is marketed to understand the demand for employment at the site.

The ELR notes that there is a 34% vacancy rate at the adjacent Victoria Road West Industrial Estate, which borders the southern boundary of the site, indicating oversupply of employment land in the local area.

Supplementary Planning Documents (SPDs)

The following are relevant to the determination of the proposed development:

- SPD1 Sustainable Construction & Development (2007)
- SPD3 Green Infrastructure Strategy (2013)
- SPD4 Affordable Housing (2007)
- SPD5 Planning Obligations & Agreements (2008)
- SPD6 Parking Standards (2010)
- SPD7 Travel Plans (2010)
- Playing Pitch Strategy and Open Space Study (2015)

Principle of Development

Sustainable Development

The NPPF identifies three dimensions to sustainable development: economic, social and environmental. This section provides a summary of how the proposals accord with the three dimensions of sustainable development.

Economic Role

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- The development of 334 homes at Victoria Road West will support a range of significant economic benefits, including:
 - Create of 49 direct construction jobs per annum throughout the duration of the 8 year build programme;
 - Support a further 74 jobs in the supply chain and related services and deliver an additional £4.6m of Gross Value Added (GVA) (economic output) per annum during the construction period;
 - Attract new (economically active) households to live in the area, resulting
 in just under £2.8m of net additional on-going expenditure per annum in
 shops and services within South Tyneside. This additional expenditure
 could support the creation of approximately 40 new FTE jobs in the local
 area;
 - Result in a further £1.69m of first occupation expenditure on goods and services to make a house 'feel like home' - a proportion of which would be captured locally;
 - Generate New Homes Bonus payments of approximately £3.2m in total;
 and
 - Deliver an uplift in Council Tax revenues of just over £522,000 per annum for South Tyneside Council.

Social Role

- The application site is situated in close proximity to a range of amenities and lies around 700m from Hebburn town centre, one of the three 'main towns' identified as focuses for development in within the Core Strategy. The development proposals will assist in supporting the vitality and future growth of Hebburn Town Centre as demonstrated through the economic impacts set out above.
- 4.4 Policy SC4 of the Core Strategy identifies a need for '2-bed starter and 3 and 4-bed family / executive homes' in the Jarrow / Hebburn urban area. This is a need that the proposed development will meet through as it provides 29 2-bed properties, 74 3-bed properties and 116 4-bed properties in addition to 31 5-bed dwellings; along with 84 affordable units. The Council's SHMA notes that there is an imbalance between supply and demand in terms of property type in

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Hebburn, which this application would go some way to address through the provision of a wide range of housetypes and tenures.

Moreover the proposed development meets identified affordable housing needs and is fully policy compliant with the 25% requirement established within the Core Strategy. The on-site affordable requirement will met through provision of 84 homes, both 2 and 3-bed, distributed across the site on a 'tenure blind' basis.

Environmental Role

- A key element of environmental sustainability is the effective reuse of previously developed land. This application would ensure that a currently vacant and under-utilised area close to local facilities is brought back into use. This conforms with the principles set out within Policy ST1 E of the Core Strategy.
- The development site lies in a very sustainable location with ready access to key services and facilities either on foot, by bicycle or on public transport. Bus stops along Victoria Road West provide sustainable transport options to key locations such as South Shields, Jarrow and Hebburn town centre. The site benefits from straightforward access to key recreational facilities which are adjacent to the site, namely Hebburn Sports & Social Club and Riverside Park. National Cycle routes within Riverside Park, Sea to Sea (C2C) and Three Rivers, ensure access to the wider sustrans network.
- These locational factors will assist in minimising the developments carbon emissions through the use of sustainable modes of transport and reducing private car use.

Presumption in Favour of Sustainable Development

- The section above has established that the proposals represent sustainable development. Paragraph 49 of the NPPF states that 'housing applications should be considered in the context of the presumption in favour of sustainable developments.' Whilst paragraph 14 clarifies that for decision taking this means:
 - approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are outof-date, granting permission unless
 - 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; or
 - specific policies in this Framework indicate development should be restricted.
- 4.10 This Planning Statement confirms that the proposals accord with the majority of Development Plan policies. The scheme does not conform with Policy E1,

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however this is considered to be out-of-date due to both its age and the fact that it does not conform with the NPPF in relation to paragraph 22.

Impact on Employment Land Supply

The policy context associated with the potential re-use of the site for employment purposes is recognised, namely that it is allocated as an economic development site within the Core Strategy and as a Predominantly Industrial Area within the Site-Specific Allocations document.

Policy DM2 of the Development Management Policies document states that non-employment uses on such sites will only be approved where they meet relevant criteria – this site meets both necessary criteria to pass this policy test as set out below:

- the employment use of the site or premises is no longer viable, by the same or any other employment user (Use Classes B1, B2 and B8); and – the site is no longer in an 'employment' use and stands derelict following the demolition of all buildings contained within the site. The site has been extensively marketed see Appendix 1) yet there has not been a material interest for commercial use of the site.
- the site or premises would not make a significant contribution to the borough's employment land supply over the next 10-15 years in meeting RSS employment land requirements; ELR 2014 Update confirms that there is an oversupply of office premises in South Tyneside which stands at 21%. From this it is clear that the site is not required to meet office needs over the next 10-15 years. It also notes that the Victoria Road West Industrial Estate abutting the southern boundary of the site has a 34% vacancy rate, indicating an oversupply of employment land locally.
- The ELR supports the release of the site for non-employment uses, subject to marketing to understand any demand for employment uses at the site. As set out above the site has been marketed in the intervening time since the ELR update was published and there has been no market interest.
- The release of the site for non-residential uses is therefore not considered detrimental to the employment land supply of the borough. Allowing the site to come forward for residential use is consistent with paragraph 22 of the NPPF which promotes alternative uses for allocated employment sites where there is no reasonable prospect of it coming forward in line with its allocation.

Housing Need

The emerging South Tyneside Local Plan is in its formative stages, however recent consultations show that a majority of respondents (74%) to the Key Issues and Options consultation support growth options which require increased housing growth. In order to meet its housing needs new homes are required across the plan period, with Green Belt deletion as part of the Local Plan process a distinct possibility.

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- Development on derelict previously developed sites, such as the application site, can assist in reducing the pressure on greenfield and Green Belt land across the borough. Whilst the housing requirements contained within Policy SC3 of the Core Strategy are out of date, it is worth noting that the policy seeks to achieve a minimum of 80% of new housing development on 'brownfield' sites.
- The Council in their SHLAA 5-Year Housing Land Supply Note ¹ uses the Core Strategy housing requirements to calculate a need for 2,757 net additional dwellings between 2016 and 2021. This factors in a 20% buffer along with previous under supply. To put this in context, between 2011-2016 there were 1,490 net additional dwellings completed this demonstrates the significant uplift in delivery necessary across South Tyneside.
- As part of the SHLAA process the site has been assessed as suitable for residential development and is considered capable of contributing to delivery within 6-10 years. This application demonstrates the availability of the site and the willingness of a national housebuilder to implement any future permission. Therefore the site is capable of contributing to housing supply within the next 0-5 years.
- The Council's SHMA also identifies a material need for Affordable Housing products throughout the borough, providing a range of dwelling sizes under different tenures. The affordable homes have been distributed across all phases of the site as requested by the Council, thus ensuring a consistent delivery rate across the build period of the development.
- The proposed development represents a qualitative and quantitative increase in Hebburn's housing stock, providing a range of market and affordable homes to meet an identified need within South Tyneside.

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¹ South Tyneside SHLAA 5-Year Housing Land Supply and Housebuilding Monitoring Summary (April 2016)

Material Considerations

Residential Amenity

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The site abuts existing residential development along its northern edge and this has formed a major consideration within the design evolution. Generous stand-off distances incorporating existing vegetation along the site's border with Parkside will protect existing residential amenity levels. Furthermore no vehicular access into the site is proposed from the north of the site to further protect the amenity currently enjoyed by existing residents. Numerous changes have been made to the layout following public consultation which have responded directly to the feedback of local residents.

In order to protect the amenity levels of future residents suitable stand-offs to the railway line to the west and industrial estate to the south have been incorporated into the layout. Further detail on the noise mitigation measures, which include screening and enhanced glazing measures, can be found within the accompanying Noise Assessment.

The scheme has been designed, and appropriate mitigation incorporated, in order to proctect the residential amenity of existing and future residents in line with Policy DM1 (B) of the Development Management Policies Document.

Design and Appearance

The Design and Access Statement submitted alongside this application provides an in-depth analysis of the proposed scheme along with further detail on how the design has evolved.

The layout ensures that dwellings face towards Victoria Road to create a positive relationship with between public realm and the new development whilst ensuring that residential privacy is protected.

Transport and Accessibility

The site is in a highly sustainable location with access to vehicular, pedestrian and public transport connections to key services and amenities – development in accessible locations is supported through Policy A1 of the Core Strategy.. The proposed layout seeks to maximise this connectivity through suitably located pedestrian routes, whilst minimising disruption to local residents by limiting vehicular access to Victoria Road West.

The Transport Assessment and Design and Access Statement submitted alongside this application provide further detail on connectivity and accessibility of the proposed development.

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Ecology and Trees

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The Ecological Appraisal submitted alongside this application provides an assessment of the development's impact on flora and fauna. The report provides a range of suggested mitigation measures which have underpinned the design process, including the retention of 'ecological corridors' and a compensation strategy relating to butterflies.

The Tree Constraints Assessment outlines the impact of the proposed development and lists a number of key mitigation and enhancement measures. These include species recommendations for new tree planting and guidance on construction methods to minimise the impact of development on existing trees.

The existing biodiversity of the site and the trees contained within and adjacent have formed a key part of the design process as encouraged through Development Management Policy DM7 and EA3 of the Core Strategy. This process is detailed within the Ecological Appraisal, Tree Constraints Assessment and Design and Access Statement submitted as part of this application.

Flood Risk and Drainage

5.11 The Flood Risk Assessment submitted as part of this application confirms that the risk level of flooding from all sources is low and that the site is located within Flood Zone 1.

In line with policy ST2 of the Core Strategy, options for SUDS systems have been fully explored and incorporated into the development scheme where appropriate. Key drainage features proposed include swales and water gardens which are detailed further within the submitted Drainage Strategy.

Parking Provision and Cycle Storage

The proposed layout conforms to South Tyneside Council's parking guidance as set out in SPD6 and provides an appropriate number of visitor parking spaces. The vehicular and cycle parking details are set out in further detail within the submitted Design and Access Statement.

Sustainability and Energy Conservation

With regard to renewable energy and achieving a reduction in CO2 emissions, the development has been designed to utilise a 'fabric first' approach, increasing the thermal efficiency of the building as opposed to resorting to renewable technologies. The scheme will comply with the latest building regulations in terms of achieving the required thermal values.

5.15 The accompanying Design & Access & Sustainability Statement provides further details on how the proposals have been designed to reduce energy consumption and waste.

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Planning Obligations and Conditions

Affordable Housing Statement

The proposed development will provide 25% affordable housing, which equates to 84 properties, and this is compliant with Core Strategy Policy SC4. 67 of these dwellings will be 2-bed properties which meets the requirements of Policy SC4 to create a more balanced mix of tenure and housing type in the Jarrow / Hebburn urban area by providing 2-bed starter and 3-bed family homes. The affordable homes have been distributed across all phases of the site as requested by the Council, thus ensuring a consistent delivery rate across the build period of the development.

The proposed tenure split is to be agreed with the Council and initial approaches have been made to Registered Providers. As part of these discussions over tenure the Council must recognise the current climate in which Registered Providers are operating, with reduced budgets and uncertainty over future business plans resulting in a more cautious and conservative approach. This is likely to have an impact on the levels of demand from these providers for affordable / social rent products at the site.

Section 106 Agreement

In addition to the above affordable housing offer, the applicant proposes the following planning obligations:

- Financial contribution to ecological habitat enhancement (figure to be agreed).
- Strategic Transport Improvements Contribution (as per Section 8 of SPD5) to be agreed with the LPA.

The final amounts and mechanisms associated with the delivery of these monies is to be agreed during the determination period. It is requested that these discussions take place as early as practicable in the determination process to ensure that, should the Council be minded to grant permission, a legal agreement can be finalised swiftly to facilitate delivery of the development.

Planning Conditions

The planning conditions associated with any planning permission for this development will be important in ensuring the deliverability and implementation of the scheme. It is proposed that the conditions form part of discussions during determination and that both parties work in cooperation to ensure that information requirements are reasonable and proportionate with the stage of construction.

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7.0 Conclusions

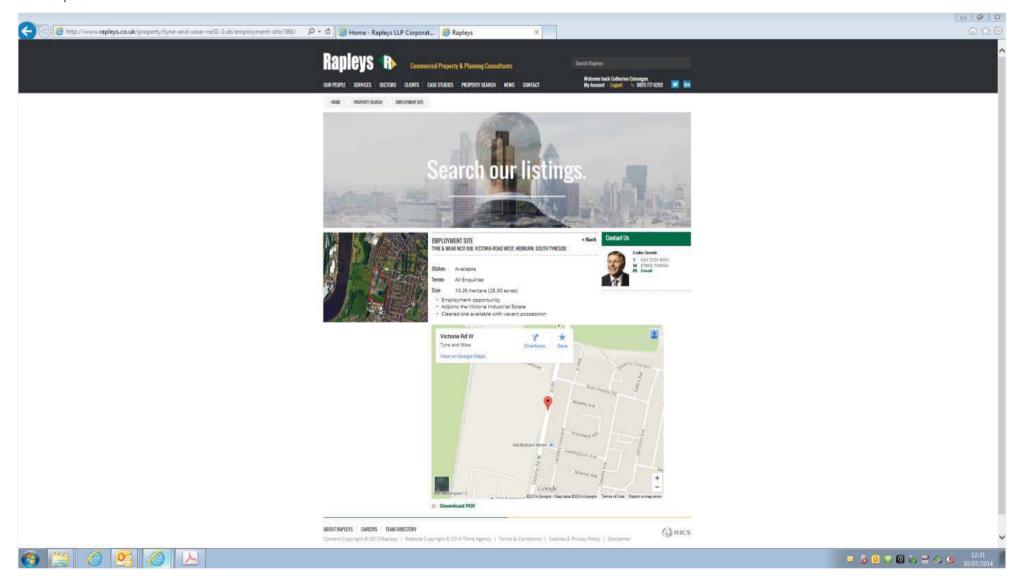
- 7.1 This document establishes that the principle of residential development in this location is established and considered by the Council to be acceptable and that there are no other material considerations which would prevent the proposed development from receiving planning permission.
- The proposals do not conflict with any adopted or emerging development plan policies as, whilst the site is designated for employment uses, the relevant tests for alternative land uses have been met. Paragraph 22 of the NPPF advocates a flexible approach to bringing employment sites forward for alternative uses where there is no reasonable prospect of them fulfilling their original allocation. This statement has demonstrated that there is no market demand for employment uses on the site and that South Tyneside has an oversupply of employment land.
- The NPPF's presumption in favour of sustainable development applies to the proposals and the development has no adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme. The site is not subject to any specific policies within the NPPF which indicate that development should be restricted.
- The proposals represent the opportunity to provide a wide range of benefits, including 84 affordable homes and significant economic impacts, and seek to ensure the efficient re-use of a previously developed and currently vacant site. The application, submitted on behalf of a national housebuilder, seeks to ensure that a key site in the Council's housing land supply is delivered promptly and effectively to meet housing need and demand.
- 7.5 This statement demonstrates that the proposals meet all three pillars of sustainable development and fully accord with the Development Plan, therefore the application should be approved without delay.

Appendix 1 Marketing Information

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Property Marketing Activity

Rapleys Website – Property Upload 30th July 2014





Victoria Road West, Hebburn 917/26/1 25/07/16

Job	Timescale
Marketing Board Erected	20/03/2014
Marketing Brochure Distributed	July 2014
Adverts listed on Rapleys website, EG Property Link, PIP, Movehut and Costar	30 th July 2014 - Rapleys Website (Screenshot Evidence)/EG Property Link
Enquiry Log	1 st Log 29 th July 2014 - Last Log 22 nd June 2015

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Victoria Road West, Hebburn 917/26/1 25/07/16

Name	Company	Date	Email	Purpose/Enquiry	Progress
	Sole agent	29/07/14		Interested for Residential	
	North and East Alliance Finance Corporation Ltd	07/07/14		Availability	Forwarded Particulars
	Husband & Brown	11/08/13		Speculative Resi	Has clients who wish to purchase unconditionally for further development
	Dawson Surveyors	02/09/14		General enquiry	Forwarded Particulars & enquired about potential use for the site
	Container storage and distribution company			Needed 4/5 acres of hardstanding	Looking at other sites as not prepared to take a larger area.
	Whitworth Road, Armstrong Industrial Estate, Washington, Tyne & Wear NE37 1PP			Submitted unconditional offer of £125,000 on behalf of his client Mr Grant Findley, M.D. Findley Roofing & Building Ltd.	Replied requesting more details of the offer including: size of area included in the offer and that our client's preference was to sell the entire site rather than individual plots.
	Movehut	10/10/2014		Wished to purchase part of site for football pitches, sports grounds & club houses	Didn't feel he could generate enough money for entire site, also worried about cost of remediation/possible contamination
	MH Southern & Co Ltd	15/01/202015		Looking to purchase part of site for retail warehouse	Not interested in taking the whole site and would only require a small portion of the overall acreage
		22 June 2015		Looking to purchase a ½ acre site on the southern boundary	Only early stages of site search

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Planning 2011-201
Consultancy RTP
of the Year · * * *

Applications & Appeals

Climate Change & Sustainability

Community Engagement

Daylight & Sunlight

Economics & Regeneration

Environmental Assessment

Expert Evidence

GIS & Spatial Analytics

Graphic Design

Heritage

Property Economics

Q Site Finding & Land Assembly

Strategy & Appraisal

Urban Design

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Cardiff

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