

# **Harton Quay Office Building Planning Statement**

7 December 2020

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1.0

## Introduction

### Purpose of this Statement

- 1.1 This planning statement is prepared by Lichfields on behalf of South Tyneside Council ('the applicant'). Its purpose is to assist officers South Tyneside Council ('the Council') in their consideration of the accompanying planning application for the development of an office building at Harton Quay. The Office will be delivered by the Council's development partner, Muse Developments Ltd.
- 1.2 Having regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004, this statement considers the application's conformity with the Development Plan, relevant national planning policy and material considerations including economic benefits.

### Proposed Development

- 1.3 Full planning permission is sought for:
- Erection of commercial office building (use class E) with undercroft car park and associated landscaping and infrastructure.*
- 1.4 It is proposed that the northern part of the site will be developed for the office building which benefits from 360 degree panoramic views with the southern part of the site landscaped, providing strong connectivity between the Customs House, Harton Quays Park to the west of the site, and onwards to South Shields Town Centre. The building will be known as the Glassworks.
- 1.5 It is proposed that the building will be five storeys, including the ground floor which is accessible from either the river or town and top floor which includes a landscaped deck area. There will also be an undercroft 22-space car park (including 2no. disabled bays and 2no. electric vehicle charging bay) and a space for a motor cycle, that responds to site levels and allows for cycle storage, shower facilities, changing facilities and plant on the same level.

### Accompanying Documentation

- 1.6 The following reports have been prepared to comply with South Tyneside Councils validation requirements, following a review of the Validation Checklist and pre-application advice. This application is accompanied by the following:
- Statement of Community Involvement; prepared by Lichfields;
  - Heritage Townscape and Visual Impact Assessment, prepared by Lichfields;
  - Design and Access Statement, prepared by Ryder;
  - Interim Site Investigation Statement prepared by Curtins;
  - Transport Statement and Access Plan, prepared by Systra;
  - Archaeology Assessment, prepared by Prospect Archaeology;
  - Ecology Report, prepared by E3 Ecology;
  - Flood Risk Assessment and Drainage Strategy, prepared by Curtins;
  - Landscaping Details prepared by Re-Form Landscape;
  - Noise Assessment, prepared by Apex Acoustics; and
  - Sustainability Statement prepared by Black and White Engineering.
- 1.7 Plans have been prepared by Ryder and are as follows:

- HTQ-RYD-00--01-DR-A-3000-2-P9-Level -01 GA Plan;
- HTQ-RYD-00-01-DR-A-3002-S2-P8-Level 01 GA Plan;
- HTQ-RYD-00-02-DR-A-3003-S2-P8-Level 02 GA Plan;
- HTQ-RYD-00-03-DR-A-3004-S2-P8-Level 03 GA Plan;
- HTQ-RYD-00-04-DR-A-3005-S2-P9-Level 04 GA Plan;
- HTQ-RYD-00-RF-DR-A-3006-S2-P5-Roof GA Plan;
- HTQ-RYD-00-XX-DR-A-0400-S2-P1-Site Location Plan;
- HTQ-RYD-00-XX-DR-A-0401-S2-P1-Existing Site Plan;
- HTQ-RYD-00-XX-DR-A-1400-S2-P1-Public Realm Visualisation;
- HTQ-RYD-00-XX-DR-A-1401-S2-P1-Northern Elevation Visualisation;
- HTQ-RYD-00-XX-DR-A-1402-S2-P1-Riverside Visualisation;
- HTQ-RYD-00-ZZ-DR-A-3001-S2-P8-Level 00 GA Plan;
- HTQ-RYD-00-ZZ-DR-A-3010-S2-P8-GIA Plans;
- HTQ-RYD-00-ZZ-DR-A-3011-S2-P8-NIA Plan;
- HTQ-RYD-00-ZZ-DR-A-3600-S2-P2-GA Elevations North and South;
- HTQ-RYD-00-ZZ-DR-A-3601-S2-P2-GA Elevations East and West;
- HTQ-RYD-00-ZZ-DR-A-3800-S2-P5-GA Section 01;
- HTQ-RYD-00-ZZ-DR-A-3801-S2-P5-GA Section 02;
- HTQ-RYD-00-ZZ-DR-A-3803-S2-P1-Strip Section A;
- HTQ-RYD-00-ZZ-DR-A-3805-S2-P1-Strip Section B; and
- HTQ-RYD-00-ZZ-DR-A-3806-S2-P1-Strip Section C.

## 2.0 Site and Surroundings

### Site Context

- 2.1 The site is immediately adjacent to the wider South Shields 365 Masterplan area which benefits from outline planning permission (ref: ST/0664/15/OUT). This relates to the redevelopment of three areas within South Shields Town Centre comprising demolition and site clearance and erection of retail units, restaurant and café units, a cinema, a multi storey car park and a food store with associated petrol filling station and surface car parking; providing a transformative masterplan for the area.
- 2.2 The proposal provides the next significant step in the realisation of the South Shields 365 Masterplan, revitalising the quay area as an exciting place to live, work and play. The proposed office building, to be named “Glassworks”, will create the vital link between South Shields town centre and the Holborn Enterprise Zone and provide much needed grade A office accommodation for established and emerging digital companies, enabling them to stay, grow and flourish in South Tyneside.
- 2.3 The project is jointly delivered by South Tyneside Council (STC) and Muse Developments Ltd with the aim of supporting the wider regeneration of the Harton Quay area and primarily to secure and sustain economic growth and high-quality employment opportunities as outlined in the 365 Masterplan.

### Site Description

- 2.4 The site is approximately 0.5ha in size and is located close to the southern bank of the River Tyne, approximately 600m west of the centre of South Shields town centre and 200m south-east of the South Shields Ferry Terminal. The site slopes from north to south and occupies a slightly elevated position relative to the properties lining Mill Bank to the south. The site lies immediately to the west of the Mill Dam-Commercial Road junction, with Harton Quay road wrapping around the northern and western boundaries of the site. There are traces of previous development on the site, including a locally listed brick wall that runs along the length of the eastern boundary that was once connected to the Staithes House, a locally listed brick chimney stack associated with the former Cookson Glassworks and a modern electricity substation. The majority of the site is out with the Mill Dam Conservation Area boundary, however, the part of the site containing the wall and the chimney stack lie within the Mill Dam Conservation Area boundary.

### Pre-application Engagement

- 2.5 A pre-application advice request was submitted to South Tyneside Council in October 2020, for the proposed development of the site for grade A office development.
- 2.6 A pre-application response was received from the case officer, Peter Cunningham, on the 18<sup>th</sup> November 2020, this included responses from technical consultees within the Council, where it was considered:

*The development would accord with the above policy objectives in terms of seeking to develop the site for employment purposes and in terms of the proposal to build a five-storey office building to a high design standard with undercroft parking. The positioning of the new office building to the northern part of the site is welcomed along with the proposal to develop the scheme having had careful regard to the heritage significance of this area.*

- 2.7 In addition to the engagement with planning officers, extensive consultation will be undertaken with local residents to achieve a scheme which responds positively to comments made.
- 2.8 The accompanying Statement of Community Involvement provides a detailed summary of the engagement undertaken.

## **Proposed Development**

- 2.9 Permission is sought for a five story Grade A office building which is forward thinking and accommodates co-working space with a coffee bar, two office demises, work booths and meeting space. The coffee bar has been designed to double up as a reception which provides surveillance to the space whilst security to the core can be controlled via smart technology. Curtains have been incorporated so that the space can transform to cater for events and presentations.
- 2.10 The ground floor accommodation consists of 806sqm Net Internal Area (NIA) – this includes coworking space and two office demises of 176sqm and 200sqm NIA.
- 2.11 Level 1, 2 and 3 provide 946sqm NIA, with Level 4 provides slightly less NIA of 747sqm due to the introduction of the south west facing terrace which takes advantage of the amazing views of the River Tyne. All of the upper floors can be divided into a maximum of four demises. This directly responds to market analysis which showed that the average enquiry is likely to be for 2,500sqft – 3,000sqft (232sqm -278sqm). All four areas of any split floorplate would benefit from good views and plentiful daylight.
- 2.12 The lower ground floor houses car parking, cycle storage, staff shower and changing facilities and plant space. Access to the reception and the upper floors is via the eastern staircase and lift which drop down to this level. Cyclists and vehicles have direct, controlled access from Harton Quay.
- 2.13 The design evolution is explored in greater detail within the Design and Access Statement which accompanies this application.



## 3.0 Planning Policy Context

### National Planning Policy Framework (NPPF)

- 3.1 National planning policy for England is set out in the Government's National Planning Policy Framework (NPPF). The overarching aim of the NPPF is to proactively deliver sustainable development to support the Government's economic growth objectives and deliver the development the country needs.
- 3.2 Paragraph 7 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 overarching objectives of sustainable development as: economic, social and environmental.
- 3.3 Paragraph 8 sets out the three overarching objectives of the planning system in order to achieve sustainable development. The economic, social and environmental objectives set out in Paragraph 8 are to be pursued in mutually supportive ways during decision making in order to deliver sustainable development.
- 3.4 Paragraph 10 of the NPPF states that a presumption in favour sustainable development is at the heart of the Framework.
- 3.5 The NPPF goes on to state at Paragraph 11 that *"plans and decisions should apply a presumption in favour of sustainable development"* and goes on to state that *"development proposals that accord with an up to date plan should be approved without delay"*.
- 3.6 Paragraph 12 states that: *"Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*
- 3.7 Paragraph 80 states that *"significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*
- 3.8 In respect of promoting sustainable transport, Paragraph 108 states that: *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*  
*a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*  
*b) safe and suitable access to the site can be achieved for all users; and*  
*c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*
- 3.9 The NPPF then goes on to state the following in Paragraph 109: *"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."*
- 3.10 Paragraph 111 of the NPPF states that: *"All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."*

- 3.11 In respect of making effective use of land, Paragraph 118 states that *“Planning policies and decisions should ...*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs; and*
- d) promote and support the development of under-utilised land and buildings...”*
- 3.12 Paragraph 122 of the NPPF requires decisions to *“support development that makes efficient use of land, taking into account:*
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*
- 3.13 Paragraph 124 of the NPPF states *“the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 3.14 Paragraph 127 requires decisions to ensure that developments:
- “a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 3.15 In the context of ensuring good design, Paragraph 128 states that *“Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”*

- 3.16 Paragraph 130 states “*where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.*”
- 3.17 Paragraph 131 states that “*In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*”
- 3.18 In respect of Flood Risk, Paragraph 163 states that “*When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.*”
- 3.19 Paragraph 165 states that “*Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*
- a) take account of advice from the lead local flood authority;*
  - b) have appropriate proposed minimum operational standards;*
  - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
  - d) where possible, provide multifunctional benefits.*”
- 3.20 With regard to the natural and local environment, Paragraph 170 stipulates that planning decisions should “*enhance the natural environment by minimising the impact on and providing net gains for biodiversity.*”
- 3.21 In respect of heritage assets, Paragraph 189 states “*In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.*”
- 3.22 Paragraph 193 states that “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*”
- 3.23 Paragraph 213 states that: “*...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, **according to their degree of consistency with this Framework** (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*”

## **Adopted Development Plan**

- 3.24 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

- 3.25 The South Tyneside Local Development Framework (LDF) is the current Local Plan. It comprises a portfolio of statutory Development Plan Documents and Supplementary Planning Documents. The relevant policies are summarised below. All documents have been adopted.

### **South Tyneside Core Strategy 2007**

- 3.26 The Core Strategy sets out the overarching vision of achieving “*a better future for South Tyneside’s people*”. It is a blueprint for the economic, social and environmental transformation of the Borough, taking forward the vision of South Tyneside’s Regeneration Strategy and providing the framework for proactively implementing the aims and objectives of the Council’s Community Strategy that affect the use of land and buildings.

- 3.27 Policies of relevance to this proposal are:

- a Strategic Policy ST1 sets the Spatial Strategy for South Tyneside. The policy seeks to maximise both the re-use of previously developed land and the community benefits of regeneration, whilst avoiding or minimising environmental impacts and congestion and safeguarding natural and cultural assets.
- b Policy ST2 ensures that high quality in sustainable urban living will be promoted.
- c Policy E1 relates to delivering economic growth and prosperity, with priority given to focussing office development within the Town Centres and South Shields Riverside.
- d Policy A1 aims to improve accessibility, including focusing development in regeneration areas such as the riverside area. Priority will also be given to improving accessibility, particularly by encouraging and promoting public transport improvements.
- e Policy SC1 seeks to create sustainable urban centres, with development promoted to be located within the built-up areas, in accordance with the spatial strategy.
- f Policy SC6 seek to remedy deficiencies in open space provision and quality, including through the reuse of previously-developed ‘brownfield’ sites, particularly within the Tyne riverside regeneration corridor.
- g Policy EA3 relates to Biodiversity and Geodiversity, whereby developments should not result in a net loss in biodiversity and secure and enhance biodiversity integrity.
- h Policy EA5 requires new development to be controlled so that it:
  - acts to reduce levels of pollution, environmental risk and nuisance;
  - focuses the treatment of contaminated and derelict land; and
  - ensures that the individual and cumulative effects of development do not breach noise, hazardous substances or pollution limits.

### **South Shields Town Centre & Waterfront Area Action Plan November 2008**

- 3.28 The Area Action Plan (AAP) is the detailed development plan document for South Shields. It sets out the more detailed strategy and vision, policies and site-specific land allocations for South Shields town centre, riverside and foreshore.
- 3.29 The entire site lies within the Area Action Plan Riverside Masterplan designated area. The following policies from the Action Plan are of relevance to this proposal:
- 3.30 Policy SS1 seeks to “*redevelop the riverside as a high quality new location for urban living, leisure, education and working, restoring the link between local communities and the river, and attracting highly skilled jobs,*” while enhancing “*the natural and built environment,*

*infrastructure, and range and quality of attractions along the foreshore, making it a destination of choice for visitors and tourists.”*

3.31 Policy SS2 promotes the regeneration of South Shields riverside for Use Class E (formerly B1) at the following sites:

- *the designated Riverside Regeneration area (approx.27.2ha)*
  - i - *Harton Staithes (Phase 1 - approx.4.6ha)...*

3.32 Policy SS4 promotes the economic growth and prosperity of South Shields by (amongst other things) allocating high quality office-based business and commercial developments

3.33 Policy SS12 states that the built environment assets of South Shields town centre, riverside and foreshore areas will be protected, together with their settings. The Council will promote and encourage schemes and proposals that protect, preserve and enhance the historic, cultural and architectural character and heritage, visual appearance and contextual importance of the designated sites and settings of Mill Dam Conservation Area.

### **South Tyneside Development Management Policies December 2011**

3.34 The following Development Management policies are relevant:

3.35 Policy DM1 states that all applications will ensure that the development is designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing.

3.36 Policy DM6 states that the Council will support development proposals that protect, preserve and where possible enhance the historic, cultural and architectural character and heritage, visual appearance and contextual importance of heritage assets and their settings, including conservation areas, listed buildings and structures, non-listed buildings and structures included on the Council's list of locally significant heritage assets, significant landscape features of local heritage and archaeological value and archaeological deposits and remains.

### **Emerging Planning Policies**

#### **The South Tyneside Local Plan Pre-Publication Draft (Regulation 18) - August 2019 (STLP)**

3.37 The consultation on the Pre-Publication Draft of the emerging local plan has been completed, but the plan is not at an advanced enough stage for its policies to be afforded full weight.

3.38 The site is proposed to be allocated as a Regeneration Site (RG1b) on the draft Policies Map. It is outwith but adjacent to South Shields Town Centre. A Green Infrastructure Corridor and Wildlife Corridor (NE1, NE2 and NE3) runs to the west of the site and the land immediately west of the site is designated Open Space and Green Infrastructure Provision (NE4).

3.39 Policy RG1 'South Shields Riverside (Strategic Policy)' sets out under part b) that the Harton Quays site will deliver a mixed-use residential and commercial development with ancillary food and drink building on the character of the Mill Dam Conservation Area.

3.40 Policy NE1 'Our Strategic Approach for the Natural Environment (Strategic Policy)' sets out that the natural environment will be protected and enhanced through a number of measures. This includes ensuring appropriate protection is given to designated and non-designated assets including their wider setting; securing net gains for biodiversity; protecting against the loss of trees and hedgerows; providing new and maintaining existing high quality accessible open

space; improving and protecting water quality; addressing local causes of pollution and contribute to mitigating the likely effects of climate change.

3.41 Policy NE2 'Biodiversity, Geodiversity and Ecological Networks (Strategic Policy)' sets out that impacts on biodiversity should be minimised and net gains should be achieved.

3.42 Policy NE3 'Green Infrastructure (Strategic Policy)' set out that green corridors and wildlife corridors will be protected and enhanced, and that new development will incorporate existing and/or new green infrastructure within their design.

3.43 Other relevant policies include:

3.44 Policy S1 'Spatial Strategy (Strategic Policy)' seeks sustainable growth to meet employment needs and regenerate places through focussing development to the Main Urban Area of South Shields as well as supporting the regeneration of the River Tyne Corridor. It directs new development to areas that encourage the reuse of brownfield land.

3.45 Policy S2 'Strategic Development Principles (Strategic Policy)' requires that, within the Main Urban Area new development should positively contribute to the townscape and have regard to building types, scale, massing and materials whilst conserving historic features and protecting areas of open space.

3.46 Policy S3 'Promoting Health and Wellbeing in South Tyneside (Strategic Policy)' seeks good quality, accessible public open spaces and that any public health considerations such as noise and air pollution are addressed prior to development.

3.47 Policy S4 'Presumption in Favour of Sustainable Development (Strategic Policy)' reflects the presumption set out in the NPPF.

3.48 Policy S5 'Re-use of Previously Developed Land (Strategic Policy)' prioritises the re-use of brownfield where viable particularly within or adjoining the Main Urban Area and increasing building densities where appropriate.

3.49 Policy ED1 'Strategic Economic Development (Strategic Policy)' sets out that proposals that contribute towards building a stronger and more resilient local economy will be supported.

3.50 Policy R3 'Mixed Use Opportunities in South Shields Town Centre (Strategic Policy)' supports the comprehensive mixed-use redevelopment of Phase 3 of the South Shields 365 Vision, including for office development.

3.51 Policy D1 'Our Strategic Approach for the Built Environment (Strategic Policy)' seeks high quality, safe, sustainable and inclusive design in all developments.

3.52 Policy D2 'General Design Principles (Strategic Policy)' supports proposals where the applicant can demonstrate that proposals are sustainable in design and construction, responding to their surroundings.

3.53 Policy HE1 'Our Strategic Approach for Our Heritage Assets (Strategic Policy)' supports development proposals that protect, preserve and, where appropriate, enhance the Borough's historic, and architectural character and heritage.

3.54 Policy HE5 'Development Affecting Non-Designated Heritage Assets' sets out that development will be expected to conserve and, where possible, enhance the character, appearance and setting of non-designated heritage assets; and where this is achieved will be supported.

3.55 Policy NE6 'Flood Risk and Water Management' sets out that where applicable, development proposals will be expected to be designed to mitigate against urban creep and adapt to climate change, taking account of flood risk.

3.56 Policy IN2 ‘Developer Contributions, Infrastructure Funding and Viability’ requires new development to contribute to infrastructure provision necessary to mitigate its impact subject to viability.

3.57 Policy IN6 ‘Travel - New Development (Strategic Policy)’ and Policy IN7 ‘Accessible and Sustainable Travel (Strategic Policy)’ require all new development to be well serviced by a range of transport modes.

## **Other Relevant Documents**

### **South Shields 365 Vision Document**

3.58 The South Shields 365 Town Centre Vision document sets out a sustainable economic vision for South Shields and seeks to create new opportunities for residents, businesses and visitors.

3.59 The document defines three character areas, with the Master Plan demonstrating how improved links between the town centre, Riverside and Foreshore will result in a positive visitor experience, and an altogether more cohesive and functional town.

3.60 The site is located within the Riverside area, with one of the core objectives of this area being to “*Attract new commercial and residential development to Harton Quays and Holborn*”.

### **Supplementary Planning Documents (SPDs)**

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

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

## 4.0 Policy Analysis

- 4.1 This section provides a comprehensive assessment of the proposed development having regard to the policies outlined above. The development plan must be considered as a whole, taking into account an assessment of the material considerations and legislative considerations in so far as they are consistent with the NPPF.

### Principle of Development

- 4.2 Given the site is a former part brownfield site located within the designated Riverside area of the AAP, Policy SS2 of the AAP supports the proposed Class E Use in this location.

- 4.3 This is supported by Strategic Policy ST1 of the Core Strategy which seeks to maximise the re-use of previously developed land for regeneration opportunities. More specifically, Policy A1 aims to improve accessibility, including focusing development in regeneration areas such as the riverside area, within which the site is located.

- 4.4 In addition, emerging Policy RG1 'South Shields Riverside (Strategic Policy)' sets out under part b) that the Harton Quays site will deliver a mixed-use residential and commercial development with ancillary food and drink; building on the character of the Mill Dam Conservation Area.

- 4.5 The Employment Land Review (ELR) forms part of the evidence base of the emerging Local Plan. The ELR is supportive of the development of the subject site with paragraph 6.26 setting out that:

*"Within some of these areas development for employment purposes can take place immediately (e.g. at Harton Quay)..."*

- 4.6 Paragraph 6.27 identifies that the subject site is "particularly suitable for employment use" going on to state that:

*"Harton Quay provides a serviced development plot in a high quality landscaped setting overlooking the river, on the edge of South Shields town centre...This is arguably the most attractive location for office development in the Borough and the Council is looking to bring forward development in the short term."*

- 4.7 Paragraph 6.64 reaffirms that the subject site is "suited to office development" with paragraph 8.17 stating that:

*"The Council advises that the development of an office building at Harton Quay is the authority's first priority."*

- 4.8 There is clear support from both adopted and emerging policies for the proposed development in this location, and it is consequently considered that the principle of development is acceptable.

### Material Considerations

- 4.9 The NPPF is clear that sustainable development means that the planning system has three overarching objectives (social, economic and environmental) and opportunities should be taken to secure net gains across each of the different objectives.

- 4.10 As set out below, the proposed development successfully delivers economic, social and environmental benefits which are key material planning considerations.



## **Economic Impacts**

- 4.11 Economic analysis, undertaken by Lichfields, has shown that proposed office development will deliver a range of economic benefits including:
- Capital investment of approximately £10.1 million;
  - Supporting 115 direct FTE construction jobs and 170 indirect FTE jobs in the supply chain and related services per annum throughout the build period (15 months);
  - Delivering £15.9 million of Gross Value Added (GVA) (economic output) per annum throughout the construction period;
  - Generate in the order of 395 direct FTE operational jobs on site, supporting an additional 175 indirect and induced FTE jobs across the wider regional economy;
  - Delivering GVA uplift of approximately £30.1 million per annum (linked to direct employment on site); and
  - Provide a boost to Local Authority revenue. Once complete, the proposed development could generate business rates payments in the order of £120,000 per annum, 50% of which would be retained by South Tyneside Council under the current business rates retention scheme.
- 4.12 This represents a key benefit to South Tyneside and weighs in favour of the application in the planning balance.

## **Environmental Impacts**

### **Landscaping**

- 4.13 The proposed public realm and landscaping works have been designed to establish strong arrival points to draw people into the public space, responding to both the new building as well as the surrounding setting which includes heritage assets, existing open space and the street scape. Connectivity between the new and existing public realm will be enhanced, including connections to the town centre and Mill Dam, whilst acting as a transition to the riverside.
- 4.14 The landscaping and public realm proposed responds to the level changes of the site, ensuring that accessible routes can be provided. It is therefore considered the landscaping design is in accordance with Emerging Policy NE3.

### **Transport and Access**

- 4.15 The development is located in an existing urban area and as such is already highly accessible by sustainable forms of transport including walking, cycling and public transport.
- 4.16 The site is deemed to be in a sustainable location with excellent opportunities for it to be accessed by sustainable travel modes, particularly walking and public transport. The site is located around 400m from the new Transport Interchange and has a number of bus stops within close proximity.
- 4.17 The current conditions for walking, cycling and public transport will be enhanced by measures identified in the South Shields 365 Vision masterplan. This includes the Transport Interchange, which was opened to the public in August 2019 and a revitalised public realm which is being delivered in phases.
- 4.18 The construction works included implementation of a 20mph zone which improves the attractiveness and safety of walking and cycle.

- 4.19 This specific development is well placed to benefit from these measures given its proximity to the town centre. It also benefits from upgraded pedestrian routes which connect to these facilities.
- 4.20 A trip generation exercise has been undertaken using the TRICS database which shows that the development will generate approximately 84 vehicle trips in the morning peak and 74 in the evening peak.
- 4.21 The Transport Assessment concludes that the proposed development of a Class E office building is unlikely to result in highway or parking impacts. The development is in accordance with the NPPF, policy A1 of the AAP and Emerging Policy IN6 and is acceptable in traffic and transport terms.

### **Flood Risk and Drainage**

- 4.22 The application site lies within Flood Zone 1 and is therefore at the lowest risk of flooding from fluvial sources. The submitted Flood Risk Assessment and Drainage Report confirms that the site is at low risk from other sources of flooding namely surface water, groundwater, sewers and artificial sources.
- 4.23 The proposed development will not increase the risk of flooding on or off site. Surface water flooding has a low risk of affecting areas within or near the site. As the southern tip of the site abuts higher risk flood Zone 2 and Flood Zone 3 areas a detailed assessment of flood levels and extents has been carried out. This includes predicted increases in tidal flood levels as a result of climate change over the developments likely lifecycle. The site is shown to remain at low risk.
- 4.24 Other secondary flood risks including groundwater and reservoir flooding have also been assessed and the site is considered to be at low risk from all sources.
- 4.25 Surface water run-off will be collected and discharged unrestricted via a dedicated gravity network into the public surface sewer system in the circulatory highways prior to discharging to the River Tyne, subject to agreement with Northumbrian Water.
- 4.26 The foul water for the development will be collected and discharged via gravity to the proposed adoptable foul sewer within the carriageway immediately adjacent to the western elevation of the proposed buildings.
- 4.27 This approach to managing flood risk and the drainage strategy of the site are consistent with the NPPF paragraphs 163 and 165 along with emerging Policy NE6 of the STLP.

### **Noise**

- 4.28 An acoustic assessment has been undertaken by Apex Acoustics, to survey the noise emissions from the proposed plant on site. It is calculated that the current proposals achieve the proposed noise limit without requiring an additional scheme for the mitigation of noise.
- 4.29 Considering the context of the existing acoustic environment, the BS 4142 assessment results indicate that there will be a low impact.
- 4.30 In accordance with the requirements of Paragraph 170 of the NPPF, significant adverse impacts on health / quality of life have been avoided and there are no adverse impacts. The proposed development is therefore in accordance with the NPPF and Emerging Policy S3.

### **Heritage**

- 4.31 This Heritage Impact Assessment (HIA) has been prepared to inform proposals for the redevelopment of the site. It has assessed the impact of the proposed development on the

heritage assets within and around the site that have the potential to be affected by the proposed development. It has also assessed the contribution that setting makes to their significance.

4.32 The HIA concludes that the proposed development will preserve and enhance the historic features that have survived on the site, incorporating them into the proposed public realm improvements. This will enhance the appearance of the site and have a positive impact on the setting of the surrounding heritage assets. The new office will be built further to the north but will be a significant new addition in the setting of the surrounding heritage assets. However, as this part of the setting has already experienced extensive change and redevelopment, the proposed office would reflect the modern character of the setting to the north and will have a neutral impact on the setting overall. The proposed development will have no impact on the significance of any of the heritage assets but will have a positive impact on the chimney which will be repaired to restore the lime render and brickwork.

4.33 This is in accordance with NPPF Paragraphs 127, 185 and 192; and AAP Policy SS12, DM Policy DM1 and DM 6.

### **Archaeology**

4.34 An Archaeological Desk-Based Assessment has been prepared by Prospect Archaeology, which concludes that a programme of archaeological evaluation is recommended, commencing with monitoring of geotechnical test pits. This should be followed by evaluation excavation and, should evidence for archaeological survival be confirmed. A mitigation strategy should be prepared, potentially involving some area excavation and/or design solutions to limit impacts on archaeological deposits.

4.35 All of the above requirements can be secured by conditions, consequently it is considered the proposed development is in accordance with national planning policy.

### **Ecology**

4.36 The site comprises a partially enclosed area of bare ground, ephemeral / short perennial habitat and poor semi-improved grassland with some scattered tall ruderal vegetation. Two structures are present at the west of the site, one historic chimney and a second modern electricity substation. A brick wall is also present at the eastern boundary. No national priority habitats are present, although built structures are a Durham Lowland Priority Habitat. The majority of habitats will be lost to facilitate the development, with the exception of the two built structures and the wall.

4.37 The small areas of ephemeral habitat are considered to be of local habitat value, whilst the other habitats present are considered to be of low habitat value. Mitigation is recommended to reduce the impact of the development, this includes:

- External lighting that may reduce bat use of potential roost sites will be avoided. High intensity security lights will be avoided, and any lighting in areas identified as being important for bats will be low level (2m) and low lumen.
- Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

4.38 In accordance with paragraph 170 of the NPPF, and Emerging Policies NE1 & NE2, the development provides a net gain in biodiversity through habitat enhancement works, and the removal of an invasive plant species.

## **Sustainability**

4.39 As set out in the Sustainability and Energy Statement, prepare by Black and White, in addition to the re-use of a brownfield site within the urban area, the proposed development incorporates of sustainability features:

- The site is highly accessible via walking and cycling, both as sole modes of transport or as part of a linked trip with public transport. The town centre has a good provision of pedestrian areas and footways, including within close proximity to the site;
- The development is targeting BREEAM “outstanding” which represents the highest rating achievable;
- The development is targeting net zero carbon using the UK Green Building Council’s (UKGBC) framework, this zero carbon is targeted during both the construction phase and the operational phase; and
- All lighting shall be extremely efficient LED type luminaires, linked to occupant and daylight sensors to only provide artificial lighting when required.

## **Social Impacts**

4.40 The proposal will deliver new Grade-A office accommodation in a highly sustainable location at the heart of South Shields helping to support a strong, vibrant and healthy community and providing new, well designed and safe public open space for the enjoyment of all.

## 5.0 The Presumption in Favour of Sustainable Development

- 5.1 As noted, regard must be had to Paragraph 11 of the NPPF which establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise);

*c approving development proposals that accord with an up-to-date development plan without delay; or*

*d “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:*

*i 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*

*ii 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.”*

(Emphasis added).

- 5.2 This proposal is in accordance with Paragraph 8 of the NPPF which supports the creation of a strong, responsive and competitive economy achieved by 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. Paragraph 127 also promotes developments which are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and that optimise the potential of sites to accommodate and sustain an appropriate amount of development.
- 5.3 The proposed development is in full accordance with the policies of the development plan and national policy, in so far as those policies are up-to-date and relevant. Consequently, as NPPF Paragraph 11c directs, the development should be approved without delay.

### Section 106 Heads of Terms

- 5.4 In line with paragraph 56 of the NPPF, planning obligations related to the proposed development must meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

- 5.5 The planning application demonstrates that there is no requirement for any obligations to be secured via a S106 legal agreement.

### Planning Conditions

- 5.6 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. Where possible pre-commencement conditions should be avoided and, where they are to be incorporated this should be following discussion with the applicant.

## 6.0 Conclusion

- 6.1 This document establishes that the proposed development is consistent with local and national planning policy and guidance – namely the NPPF, South Tyneside Adopted Development Framework, the emerging Local Plan and the South Shields 365 Vision Document
- 6.2 The proposals do not conflict with any up-to-date development plan policies and assist in meeting an identified need for high grade office accommodation in the city. The NPPF’s presumption in favour of sustainable development applies to the proposals as the development accords with up to date elements of the plan.
- 6.3 The development will provide a series of social, economic and environmental benefits to the area including:
- Substantial economic benefits as set out in Section 4;
  - Development in a highly accessible location;
  - The development is targeting BREEAM “outstanding” which represents the highest rating achievable;
  - The development is targeting net zero carbon using the UK Green Building Council’s (UKGBC) framework, this zero carbon is targeted during both the construction phase and the operational phase;
  - All lighting shall be extremely efficient LED type luminaires, linked to occupant and daylight sensors to only provide artificial lighting when required;
  - Provision of external landscaping consistent with the South Shields 365 Vision Document; and
  - The proposal will deliver new Grade-A office accommodation in a highlight sustainable location at the heart of South Shields helping to support a strong, vibrant and healthy community and providing new, well designed and safe public open space for the enjoyment of all.
- 6.4 This statement demonstrates that the proposals are compliant with relevant national and local planning policies and that the application benefits from the presumption in favour of sustainable development. In this context and in line with paragraph 11, part c of the NPPF the application should be approved without delay.



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