

# COMMITTEE REPORT

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## APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>DM/16/01486/FPA</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Extension to existing factory</b>
<b>NAME OF APPLICANT:</b>	<b>Prima Cheese Limited</b>
<b>ADDRESS:</b>	<b>13 Partnership Court Seaham grange Industrial Estate</b>
<b>ELECTORAL DIVISION:</b>	<b>Seaham</b>
<b>CASE OFFICER:</b>	<b>Chris Baxter Senior Planning Officer 03000 263944 <a href="mailto:chris.baxter@durham.gov.uk">chris.baxter@durham.gov.uk</a></b>

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## DESCRIPTION OF THE SITE AND PROPOSALS

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### The Site

1. The application site is an industrial commercial property located to the east of B1285 highway within Seaham Grange Industrial Estate. This is an established industrial estate, comprising many commercial units including this factory, established and started since 2001. The site is surrounded by commercial properties including Marks & Spencer and Mission Foods. Immediately to the west of the site is the A1018 with access to the A19. Amenity land and housing is located south of the site. To the east of the site is a terraced street accessible via Stockton Road which appears to be predominately occupied as residential properties.

### The Proposal

2. Planning permission is sought for the erection of a new extension of the existing Industrial Building to be built from cavity wall. The proposal would involve an additional 1,256m<sup>2</sup> of additional B2 industrial use and would attract an additional 24 employees. An extension of the premises would provide a fourth production line, chiller space and accompanying machinery, to be able to deal with demand for the products.
3. This application is referred to the Planning Committee as it constitutes a major planning application.

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## PLANNING HISTORY

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4. No planning relevant to the determination of this application.

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## PLANNING POLICY

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### NATIONAL POLICY:

5. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
6. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
7. The following elements are considered relevant to this proposal;
8. *NPPF Part 1 - Building a Strong and Competitive Economy.* The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development need of business and support an economy fit for the 21<sup>st</sup> century.
9. *NPPF Part 2 – Ensuring the vitality of town centres.* Expansion of town centres should be encouraged to promote future economic activity. Sites should be allocated to a range of suitable sites to meet the scale and type of retail, leisure and commercial development needed in town centres, retaining and enhancing existing markets ensuring markets remain attractive.
10. *NPPF Part 4 - Promoting Sustainable Transport.* Encouragement should be given to a solution which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
11. *NPPF Part 7 –Requiring good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning
12. *NPPF part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.

*The above represents a summary of the NPPF considered most relevant the full text may be accessed at:*

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

## LOCAL PLAN POLICY:

### District of Easington Local Plan

13. *Policy GDP1 (General Principles of Development)* states consideration should be considered of whether a proposal would accord with the principles of sustainable development together with many benefits to the community and the local economy.
14. *Policy 35 (Design and Layout of Development)* requires the design and development to conserve energy where possible, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious impact on the people living and working in the vicinity.
15. *Policy 36 (Design for Access and the Means of Travel)* states that new development shall ensure good access and encourage alternative means of travel.
16. *Policy 37 (Design for Parking)* states that the design and layout of new development should seek to minimise the level of parking provision.
17. *Policy 53 (Existing and general industrial estates)* states the following used will be allowed on the general industrial estates: class B1 (business) class B2 (general industry) and B8 (warehousing) and retail uses as permitted by policy 105 (retailing on industrial estates).

## RELEVANT EMERGING POLICY

### The County Durham Plan

18. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

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## CONSULTATION AND PUBLICITY RESPONSES

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### STATUTORY RESPONSES:

19. *County Highways Authority* has not raised any objections to the proposed scheme as there would be no direct impact on the public highway as a result of these proposals presuming Partnership Court is privately owned/maintained.
20. *Northumbrian Water* has not raised any objections having assessed the proposed scheme as there will be only a small increase in surface water from the development.
21. *Drainage* has not raised any objections the proposed scheme.
22. *Environment Agency* have not raised any objections.

## **INTERNAL CONSULTEE RESPONSES:**

23. *Environmental Management (Contamination)* has not raised any objections to the proposed development. A condition is required for further contamination assessments to be undertaken.
24. *Environmental Management (Noise/Odour/Dust)* have no objections to this application.
25. *Ecology* has not raised any objections

## **PUBLIC RESPONSES:**

26. The application has been advertised in the local press and a site notice was posted close to the site. Neighbouring properties were also notified in writing. No letters of representations have been made.

## **APPLICANTS STATEMENT:**

27. Family owned business Prima Cheese Limited specialises in the processing and blending of cheese primarily used for pizza topping within the food industry.
28. The company supplies UK wholesale food service markets for the usage of pizza cheese within fast food outlets, hotels and restaurants as well as food manufacturing companies which use the company's products as part of their own manufacturing process as a food ingredient.
29. The company has successfully diversified its client base to extend into overseas markets with a huge amount of success. The company now exports into several EU countries as well as a host of other countries such as Peru, Singapore, Taiwan, Jordan, Lebanon and the Dominican Republic to name a few.
30. Since beginning trading almost 17 years ago, Prima Cheese Limited has continued to strive to deliver its mission of producing high quality cheese products to the wholesale market.
31. The company's reputation for quality has been rewarded with continued success and the firm now stands as one of the largest cheese processing companies in the UK with an annual turnover in excess of £42m. Furthermore Prima was ranked 39<sup>th</sup> on the Sunday Times HSBC International Track 200 in 2015.
32. The company can proudly say that they have brought much needed employment to the region too. The average number of staff employed has increased year on year and continues to grow:
  - 50 – 2013
  - 59 – 2014
  - 62 – 2015
  - 78 – 2016
33. At present the company has hit maximum capacity in regards to the sales it can generate based on the current premises and its facilities.
34. An extension to the premises will allow the company to install a much needed fourth production line, chiller space and accompanying machinery which will cost in the

region of £1m. The costs of extending and refurbishing the current premises allow for the accommodation of more raw materials and finished goods which will cost in the region of £1.4m.

35. The extension will allow the company to create a further 24 vacancies taking their current numbers to 102. Prima will then have the capability to not only supply the demand of their current clientele but to expand further internationally and continue to support the economy of the region.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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36. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues relates to the principle of development; impact on surrounding area and neighbouring occupiers and highway considerations.

### Principle of development

37. The proposal seeks to erect an industrial unit to the rear of an existing industrial building, creating 1,256m<sup>2</sup> of additional B2 industrial use. An extension of the premises would provide a fourth production line, chiller space and accompanying machinery, to be able to deal with demand for the products. The application site is within an established industrial estate and the proposed unit can be suitably accommodated in this location. The proposals are considered acceptable in principle in accordance with the requirements of policy 53 of the Local Plan.

### Impact on surrounding area and neighbouring occupiers

38. The proposed building would increase the overall size of the built area. A sizeable open space would continue available allowing continued access and circulation to the rear of the building. In general the size of the building, along with its proposed designing and materials, is considered to be in keeping with the general appearance of the main industrial building adjacent building in the surrounding area.
39. Although a large extension, its addition to this part of the site, directly along the boundary with the neighbouring industrial unit, is not expected to create any negative impacts in terms of the general functionality or operation taking place at the neighbouring site. In addition given that the proposed building would provide additional storage, this would help to reduce the amount of outdoor storage, improving the general appearance of the area. The proposals are considered to be in line with Policy 35 of the Local Plan.
40. The Council's Drainage Officer has indicated that given the extent of the proposed extension details of surface water drainage is required to be submitted. A condition is recommended for details to be submitted prior to works commencing on site.

### Highways

41. The proposals are considered to provide sufficient access and there would be no direct impact on the public highway as a result of these proposals. Additional parking provision is proposed as part of this application. It is not considered that the proposed extension would have an adverse impact on highway safety. The proposal would therefore be in accordance with policy 36 and 37 of the local plan.

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## **CONCLUSION**

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42. The proposed development is considered acceptable in principle as it is the extension of an industrial property, suitably located in an area surrounded by other commercial and industrial uses. The proposals are therefore considered to be in accordance with the presumption in favour of a strong economy as outline in the NPPF.
43. The proposed building has been suitably designed and would not appear visually intrusive within the surrounding area. It is considered that the proposed development would not have an adverse visual impact on the appearance of the street scene or the surrounding area and would be in accordance with the Local Plan.
44. The proposed extension would not impact on the access to the site and additional parking provision would be provided with the scheme. Highway safety would not be adversely compromised and the extension would be in accordance with policy 36 and 37 of the local plan.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the following conditions;

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

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

<b>Plan Ref No.</b>	<b>Description</b>	<b>Date Received</b>
BR-94-0416-02	Site Plan as Proposed	24/08/2016
BR-94-0416-03	Drainage	24/08/2016
A-94-0416-05	Proposed Roof Plan	09/05/2016
A-94-04 16-01	Demolition plan	09/05/2016
A-94-0417-07	Proposed Elevations	09/05/2016

*Reason:* To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy 1 and 35 of the Easington District local Plan 2001.

3. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following in writing:

Pre-Commencement

(a) A Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(b) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification

works shall be carried out by competent person(s). No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

#### Completion

(c) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11.

4. Prior to the commencement of development hereby approved a detailed scheme for the disposal of foul and surface water from the development shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be constructed in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

5. Notwithstanding the details shown on the submitted application, the external building materials to be used shall match the existing building in terms of colour, texture and size.

Reason: In the interests of the appearance of the area and to comply with Policy 35 of the Easington District Local Plan.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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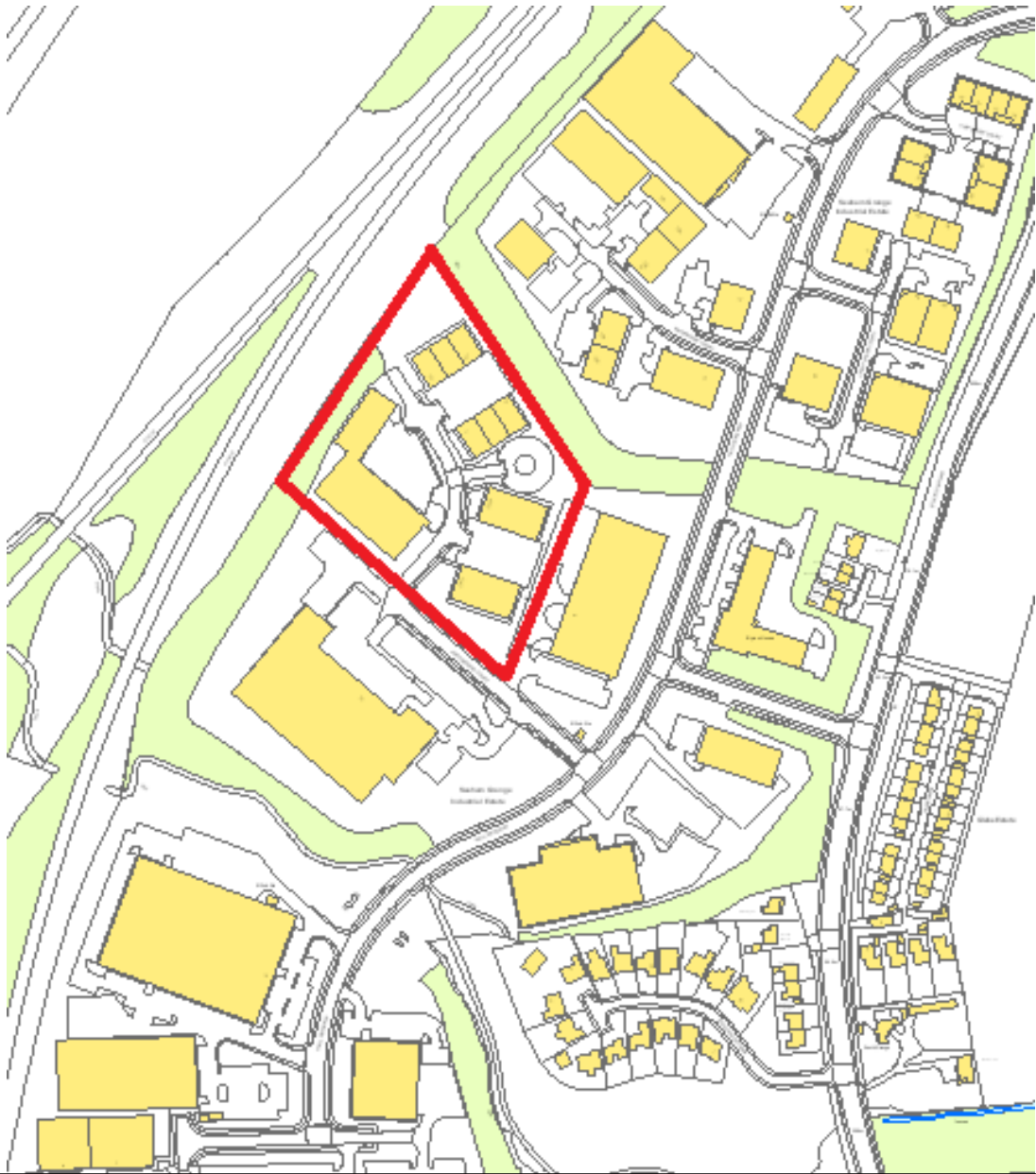
In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process.

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## **BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documentation  
District of Easington Local Plan 2009  
National Planning Policy Framework  
Internal consultee responses  
Public responses  
Responses from statutory and other consultees  
National Planning Policy Guidance



**Planning Services**

**Extension to existing factory at  
Prima Cheese Limited, 13  
Partnership Court, Seaham Grange  
Industrial Estate**

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**Date**  
**13<sup>th</sup> September 2016**