

Item 3b

SEDGFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
20 October 2006

Time: 10.00 a.m.

Present: Councillor B. Meek (Vice –Chairman) in the Chair and

Councillors Mrs. A.M. Armstrong, W.M. Blenkinsopp, Mrs. B.A. Clare, M.A. Dalton, Mrs. B. Graham, G.C. Gray, Mrs. J. Gray, K. Henderson, A. Hodgson, J.G. Huntington, M.T.B. Jones, J.M. Khan, G. Morgan, D.A. Newell, K. Noble, B.M. Ord, R.A. Patchett, Mrs. C. Sproat, K. Thompson, T. Ward and J. Wayman J.P

Apologies: Councillors B.F. Avery J.P, D.R. Brown, J. Burton, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby, Mrs. A.M. Fleming, R.S. Fleming, T.F. Forrest, A. Gray, B. Hall, D.M. Hancock, J.E. Higgin, Mrs. L. Hovvells, G.M.R. Howe, M. Iveson, J.P. Moran, Mrs. E.M. Paylor, J.K. Piggott, Mrs. C. Potts, Ms. M. Predki, J. Robinson J.P, G.W. Scott, A. Smith, J.M. Smith, Mrs. I. Jackson Smith, Mrs. L. Smith and W. Waters

Prior to the meeting Councillor Meek explained that he was unable to remain in the meeting for its anticipated duration and therefore, to maintain continuity, nominations were sought for Chairman of the meeting. Councillor M.A. Dalton took the Chair and Councillor B. Meek left the meeting.

DC.63/06 **DECLARATIONS OF INTEREST**

The following Members declared an interest in this item :

Councillor R.A. Patchett	-	Personal and prejudicial – daughter works for applicant
Councillor G.C. Gray	-	Personal and prejudicial -
Councillor W. Waters	-	Personal and prejudicial – family connection

The Members left the meeting for the duration of the discussion and voting thereon.

DC.64/06 **APPLICATIONS - BOROUGH MATTERS**

Consideration was given to a schedule detailing the following applications which were to be determined by this Council :

- 1. Erection of new factory with associated parking, service areas, landscaping and infrastructure including the creation of new roundabout - Land off Butchers Race Green Lane Industrial Estate, Spennymoor – Plan Ref : 7/2006/0477/DM**

2. Demolition of existing factory premises and subsequent redevelopment for approximately 400 residential units with associated landscaping and infrastructure improvements – Plan Ref : 7/2006/0476/DM

It was explained that the meeting had been convened to provide Members with the opportunity to carefully consider the applications which were inter-dependent.

The Committee was informed of the format for the meeting and that David Johnston, Operations Director, Thorn Lighting and Chris Harrison, a Planning Consultant, acting as agents for the developer, were present at the meeting to outline the proposals.

Mr. Johnston outlined the history of Thorn Lighting and gave an overview of the proposed new plant and technological development.

Members were informed that Thorn had been in existence for 75 years and operational at Spennymoor for 50 years. It originally operated as Smart and Brown. Since 2003 the firm had an independent Chairman and consideration had been given at that time to a strategy until 2010.

Spennymoor was the largest of the Thorn sites employing over 700 staff and making around 4 million light fittings per year. Half of the employees were in service departments such as research and development.

By 2010 there needed to be a reduction in capacity and increased efficiency which would mean the closure of some plants. Consideration had therefore been given to how the future of the site at Spennymoor could be secured. Proposals for this new purpose-built facility had been drawn up to deal with the needs of the future. The facility would maximise efficiency and minimise energy securing employment at Spennymoor for the next 21 years.

Discussions had been held with Durham University and One North East regarding the lighting of the future and grant funding had been obtained for technological development. Product and manufacturing technology was to be developed. Investment would be made in an Academy of Light at Spennymoor.

It was crucial to maintain the firm's role as market leader. Without the proposed development the site would close losing 700 jobs.

Chris Harrison, a Planning Consultant, then outlined the requirements to relocate. He explained that the existing site was inefficient and there was a need to relocate to a more competitive site. It was not possible to reconfigure the existing site.

The proposals, for the prestige site on Green Lane Industrial Estate provided an efficient layout to meet operational requirements. The design was of a high quality and visual impact had been minimised. The scheme

also included high quality landscaping. The nearest residential properties were some 100m. away from the development.

It was necessary to divert two existing public rights of way through wide landscape belts around the edge of the site.

Prior to lodging the planning application, preliminary views from a variety of consultees had been sought. The concerns outlined in those responses had been addressed with landscaping as an integral part to the scheme and by the Travel Plan which had been drawn up.

It was a prestige employment site and the proposals provided a competitive purpose-built facility.

In terms of the existing Merrington Lane site, it had limited potential for redevelopment as the costs would be prohibitive. There were also other more attractive industrial locations in the area. Therefore the site was not viable for employment use.

Alternative uses for the Merrington Lane site that were considered including retail use. However, wherever possible, retail usage should be confined to town centres. In relation to residential use the site was viable and met PPG 3 Guidance and criteria.

It was explained that the site on Green Lane Industrial Estate would need to be developed first. The North East Assembly was supporting the redevelopment and Durham County Council had commented that the Travel Plan included in the proposals would have strong positive impact.

The proposals represented a unique opportunity to retain employees and jobs, invest in new technology and provide additional diversified housing on a brownfield site at Merrington Lane. He was therefore commending the officers recommendation to approve the application.

Officers then outlined the principle issues in relation to the proposed development. It was explained that the proposals conformed with National and Local Planning Policies and Supplementary Guidance. It was a prestige industrial area which had been identified in the County Durham Structure Plan and was supported by Durham County Council, North East Assembly and One North East.

In relation to transport the County Highways Department had no objection to the proposals and had complimented the applicant on the quality of their Travel Plan.

The design and layout was dictated by the function of the development and minimising visual impact. An extensive and comprehensive assessment of the noise impact had been undertaken and concluded that noise would not be a significant issue.

In relation to protected species English Nature had offered no objections and the development would have a minor impact. A condition would also be imposed in relation to archaeological issues.

With regard to the footpath diversion the Ramblers Association had offered no objection. The public would not be significantly affected by the footpath diversion and the development would in fact make it more attractive by including lighting.

Nine letters of objection had been received mainly relating to the loss of view and light. It was pointed out that the development was on a prestige industrial estate and not a residential area. The development would be over 90m. from the nearest residential property.

The Committee was informed that since the agenda had been prepared an additional letter of objection had been received from Leo Petch, a local resident. He explained that his concerns related to noise pollution. Mr. Petch, in his letter, explained that there was likely to be 70 HGV movements per day over a 24 hour operation. Whilst the factory is over 100m. from the nearest property, the vehicle movement on the factory site would only be 36m. from his bedroom window. This distance was disputed by officers who considered the distance to be more in the region of 80m.

He did not accept the noise associated with the HGV movements during the night would be acceptable and could not reasonably be considered as a minor increase over what was normally a virtually silent sleeping environment.

He was therefore requesting that further consideration be given to the issue of noise specifically associated with heavy goods vehicle movements during unsocial hours either by restriction on the number of vehicles or the provision of more adequate buffering and screening.

In response it was explained that Environmental Health were of the opinion that there would be no significant impact on noise levels and would cause annoyance. Furthermore, the vehicles would not be leaving the site on a 24 hour basis but would be between the hours of 8.00 a.m. and 5.00 p.m.

Mr. Davison, a resident of School Close, then outlined his concerns in relation to the development. He explained that the site of the development was raised and the building would be obtrusive. It would mean a loss of amenity, noise, disturbance and dust pollution and would result in a loss of privacy in the area. He considered that insufficient consideration had been given to landscaping on the western side of the development and urgent consideration needed to be given to screening to improve amenity and visual impact.

A number of families were concerned regarding noise and disturbance.

Mr. Davison queried whether there would be neon signs on the western side of the development. In response officers explained that there would conditions imposed in relation to the materials used and also on

landscaping. Any proposals for signage would have to be the subject of an application for advertisement consent. In relation to when landscaping was to take place, it was suggested that following revised condition be imposed in relation to the phasing of the development.

The applicant confirmed that this would be satisfactory.

A query was raised regarding any proposed extension in the future to the new development. It was explained that any proposals to expand the new development would be the subject of a planning application and would undergo the usual consultation process.

In respect of Application No : 2, the proposed housing development on the Merrington Lane it was explained that this was an outline application with some detailed matters reserved for subsequent approval at which time there would be opportunity to consider the future layout and design of the scheme. Officers explained the proposed economic implications of the sites' redevelopment. It was explained that it was not considered a viable site for employment. The market need was largely for incubation units and much larger sites for storage and distribution. An independent study had been carried out which indicated that the site would need considerable investment and remediation works.

The County Durham Economic Partnership, on behalf of One North East, had undertaken a study. The Merrington Lane site was not identified in that study as a strategic site and would not attract funds for remedial works.

There was therefore a high risk of it being a longterm derelict site.

It was pointed out that Thorn Lighting was the second largest employer in the Borough. The employment rate was 1½ - 2 ½ % of the Borough which was significant to the prosperity of the Borough. Should the plant close it would take approximately three years to achieve that rate again.

Furthermore, there would be an impact on the reputation of Spennymoor in the confidence of investors. It would also have an impact on the Council and its image in terms of leadership in hitting targets to achieve the prosperous borough. The relocation to Green Lane would contribute to a robust economy.

In terms of housing land availability it was explained that there was a clear Government policy driver to prioritise previously developed land for housing development and that the proposals would help achieve targets which had to be met by 2016.

It was further explained that in terms of housing allocation, a report had been submitted to Cabinet identifying the need for a supply of housing land to deliver sustainable communities.

The proposed development met the criteria of PPG3 in relation to the supply of housing land and although there were issues in relation to access in that the development was divorced from the rest of the town, the applicant had provided a detailed Travel Plan which overcame those issues.

In terms of Affordable Housing, a Scrutiny Review Group had been established to consider the issues.

In the Housing Needs Survey a shortfall of provision in Spennymoor had been identified and a 20% provision of Affordable Housing on sites was being suggested.

Reference was made to the provisions in Circular Paragraph 10 and the five main costs in particular raft foundations

It was pointed out that a Housing Needs Survey would be undertaken before the commencement of the development.

The Committee was also informed of the issues that the Inspector would take into account on appeal including the trend towards allowing residential development within designated industrial sites if there was no real prospect of the site being used for employment purposes.

Officers clarified the terms of Paragraph 42A of PPG3 in terms of land no longer needed for employment use. As the proposals were a clear departure from the Local Plan they would need to be referred to the Government Office for the North East. The development would help to meet previously developed land targets and would be a more efficient use of land.

The proposals represented development of a brownfield site and met the sequential approach necessary under the Regional Spatial Strategy.

It accorded with RPG1 and officers offered a State of the Art facility and supported local communities.

The development would be phased implementation over a five year period and would be the subject of a Section 106 Agreement.

Mr. Lyle, agent for the Greyhound Stadium's planning application for housing, was present at the meeting to outline his concerns. He explained that he did not object in principle to the housing development. His concerns related to the process and planning practice.

It was explained that an application for the Greyhound Stadium site was to be considered at a future meeting of Development Control Committee.

As there were two competing applications he was disappointed that they had not been considered at the same time. Where there were two brownfield sites to consider it would have been better to consider which

was more sustainable and accessible. He was therefore looking to defer consideration of this application until both could be considered together.

In response officers explained that the wider implications of this proposal were being looked at through a Master Plan taking into account the whole of the Merrington Lane area if Members were minded to approve the two linked applications.

A query was raised regarding Affordable Housing and whether the 10% was flexible. In response it was explained that 10% was a solid commitment and that there would be no flexibility on that.

In relation to materials etc., it was explained that this had not been discussed or agreed and more detailed negotiations would have to be undertaken but obviously the colour would not be obtrusive.

RESOLVED : *That the report be received and the recommendations contained therein adopted subject to the inclusion of the following additional recommendation in relation to Application 1 - Erection of new factory with associated parking, service areas, landscaping and infrastructure- Plan Ref : 7/2006/0477/DM*

No development shall commence until a phasing scheme for the implementation of the approved landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved landscaping scheme shall be carried out in accordance with the approved phasing scheme.

REASON: *In the interests of the visual amenity of the area and in order to comply with Sedgefield Borough Local Plan Supplementary Planning Guidance Note 2 Design of Development on Prestige Business Areas.*

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North 01388 816166 ext 4237 email: enorth@sedgefield.gov.uk

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