

Item 4

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

1. 7/2007/0093/DM APPLICATION DATE: 3 March 2007

PROPOSAL: **ERECTION OF 11 NO. LIGHT INDUSTRIAL/WAREHOUSE UNITS WITH ANCILLARY OFFICES AND ASSOCIATED FORECOURT AND SERVICE YARD**

LOCATION: **LAND AT LONG TENS WAY/MILLENNIUM WAY NEWTON AYCLIFFE CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Easter Properties (Newton Aycliffe) Ltd
4 Grosvenor Place, London, SW1X 7ES

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. J.P. Moran
3. Cllr. W.M. Blenkinsopp
4. Cllr. Mr. J.K. Piggott
5. Freshwater Group
6. CTP Ltd
7. Sanderson Weatherall
8. North East Assembly
9. Network Rail
10. DCC (PROWS)
11. POLICE HQ
12. LANDSCAPE ARCH
13. DESIGN
14. ECONOMIC DEV
15. L.PLANS
16. ENGINEERS
17. ENV AGENCY
18. BR TELECOM
19. N.ELEC (DARLO)
20. BR GAS
21. BUILDING CONTROL
22. ENGLISH NATURE
23. NORTHUMBRIAN WATER
24. DARLO BORO
25. DCC (TRAFFIC)
26. DCC (PLANNING)
27. ENV. HEALTH
28. DCC (TRAFFIC)
29. ENGINEERS

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

BOROUGH PLANNING POLICIES

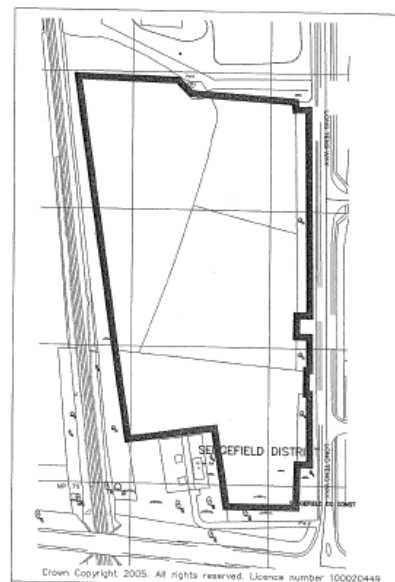
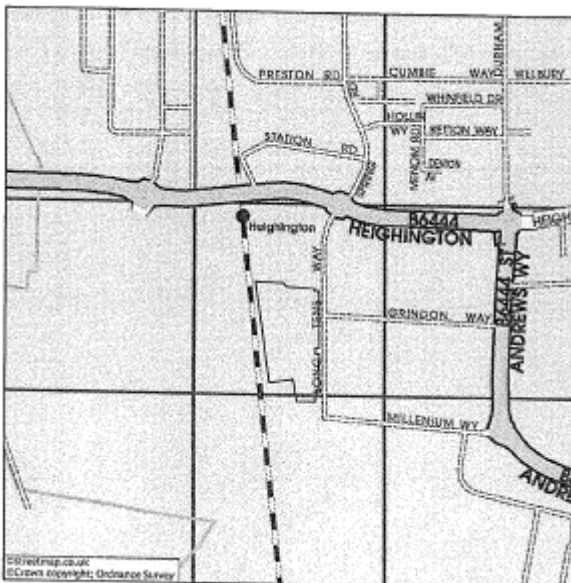
E14	Safeguarding Plant and Animal Species Protected by Law
E15	Safeguarding of Woodlands, Trees and Hedgerows
E17	Protection of Archaeological Remains
IB1	Types of Industry and Business Areas
IB5	Acceptable uses in Prestige Business Areas
T6	Improvements in Road Safety
T7	Traffic Generated by New Development
D1	General Principles for the Layout and Design of New Developments
D4	Layout and Design of New Industrial and Business Development

THE PROPOSAL

This application seeks detailed planning permission for industrial development of a 3.91 hectare site to the west of Long Tens Way, Newton Aycliffe.

SITE DESCRIPTION

The application site is bound to the north by a waste transfer station, Long Tens Way to the east, Millennium Way and an electricity sub station and open fields to the south and the railway line to the west. The application site is a Greenfield site and consists of 4 fields that have previously been used for grazing animals. The site is divided into fields by hedgerows / shrubs and wire fencing and there are a several trees located in the centre of the site which will be retained within the proposed development. Two crab apple trees threatened by the development have been translocated under supervision to another part of the site that will remain undeveloped. Some poor quality hedgerows have been removed under the provisions of a previous consent.



SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

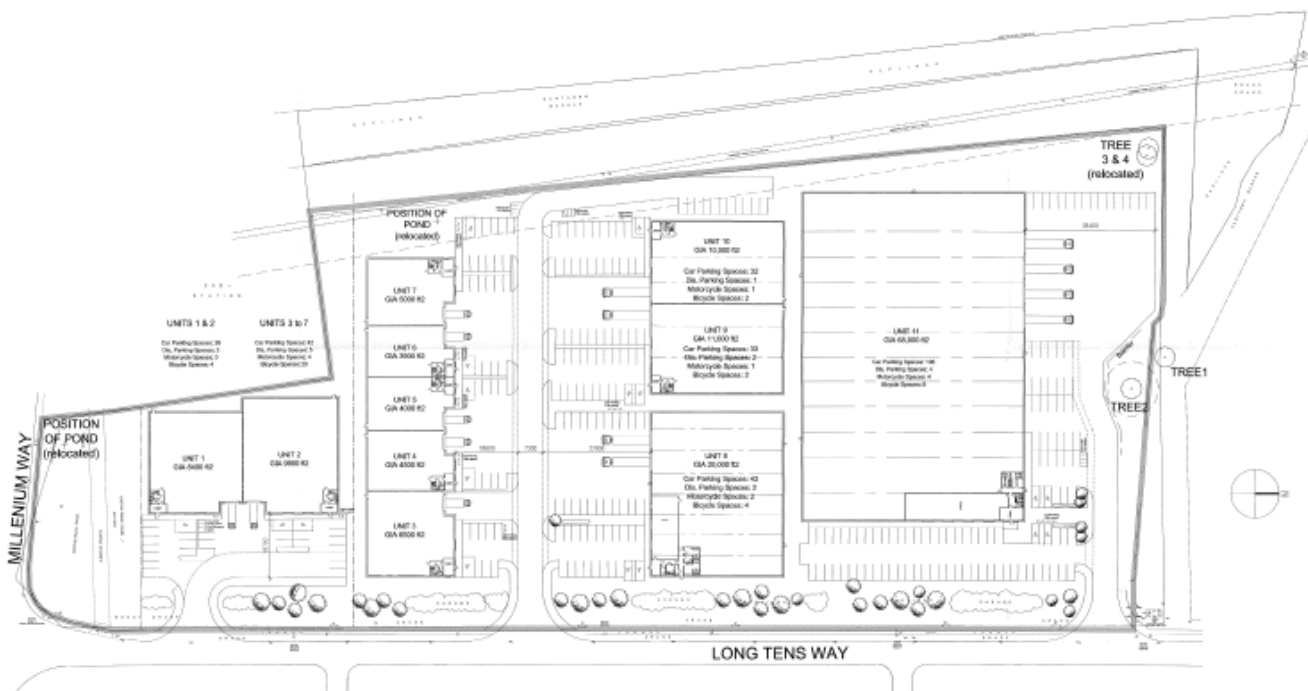
The application seeks permission for:

- the erection of 11 Industrial units providing a total floor space of 14,685sqm (external measurement) to be used for any purpose within Class B1 light industrial, Class B2 (general industrial) and Class B8 (storage and distribution).
- Car park, forecourt and servicing facilities for each unit comprising a total of 282 car parking spaces (17 disabled spaces), 15 loading bays for lorries and trucks and 40 cycle spaces.
- A mix of hard and soft landscaping including soft landscaping along the eastern boundary of the site and the enhancement of a shelterbelt that surrounds the site.

The application follows a similar one that was approved by the Council on 15th September 2006. Market demands have resulted in a change to the size and number of units that cannot be dealt with as an amendment to that earlier approval.

Access to the development is proposed via three new access points off Long Tens Way.

The proposed layout and access arrangements are shown below.



The original Environmental Impact Assessment, Environmental Statement and Traffic Impact Assessment have been updated and submitted with the application. The environmental statement covers a wide variety of issues including ecology and nature conservation, archaeology, transportation and access, and water resources and flood risk.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

CONSULTATION AND PUBLICITY

External Consultees

Great Aycliffe Town Council has not responded.

The Highway Authority made technical comments on the submitted proposal, which have resulted in slight amendments to the site layout to enhance footway provision, and clarify the amount of cycle parking. There are no objections to the amended details.

Durham County Council Rights of Way Officer has not responded, but previously advised that the public bridleway No 11 on the southern boundary, public bridleway No 6 on the eastern boundary and public footpath No 5 on the northern boundary, all of Great Aycliffe Parish, would not be affected but it should be ensured that they are not obstructed or damaged.

Durham County Council Policy Section advises that the application site lies within a Prestige Business Area as identified in Policy IB5 of the Sedgefield Borough Local Plan, that there should be a high standard of landscaping, layout and building design in accordance with Policy 19 of the County Durham Structure Plan, and there are two ponds on the site that might support a breeding habitat for Great Crested Newts. Compliance with County Durham Structure Plan (CDSP) Policy 67D is therefore recommended with regard to survey and mitigation.

Durham County Council Archaeological Section has not responded to the consultation. However, previous work was undertaken by the applicant at their request, which indicated that there were no features of significant archaeological interest that would require further mitigation. As such no objections to the development were raised at that time.

The Environment Agency originally objected to the proposal due to lack of appropriate flood risk information. This has now been secured and forwarded to the Agency, who have confirmed that they now have no objections, but have advised that several conditions should be imposed relating to surface water run off and contaminated land.

Natural England has no objection, subject to a condition being imposed stating that no development shall be carried out unless in accordance with the mitigation detailed within the submitted report.

Darlington Borough Council as neighbouring authority, has confirmed that they have no comments to make.

The North East Assembly has no objections in principle as the proposal is considered to be in conformity with Regional Planning Guidance 1 and the submission draft Regional Spatial Strategy. It is recommended however that the Council is satisfied with issues such as ecology and requirement for a travel plan.

Network Rail has made a range of comments relating to safety precautions during and after development. Where appropriate, they have been incorporated into the recommendation at the foot of this report.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Durham Constabulary Architectural Liaison Officer has made several comments about security and methods of crime prevention. These will be passed on to the applicant for information.

Internal Consultees

Engineering Services Team has made similar comments to those of the Highway Authority.

Environmental Health Team has commented on health and safety issues relating to the external layout of the site.

Forward Planning Team has provided a comprehensive policy response which forms the basis of the planning considerations below.

Landscape Architect has made some detailed comments about landscaping issues. It is clear however that the more major issues such as tree translocation, hedgerow removal and filling in of ponds have already taken place under the provisions of the previous conditional planning consent. Remaining issues can be addressed by imposing normal landscaping conditions if planning permission is granted for the current proposal.

Publicity Responses

Site notices were erected, an advertisement placed in the local press and letters were sent to neighbouring occupiers to publicise the application.

A nearby company is concerned that site works already carried out, and the development described in the application, will have a damaging effect upon landscape features and protected wildlife species. This concern is heightened because the company alleges that expansion of its own business has previously been denied for similar reasons. As no formal objection has been made however, an appropriate response has been sent to the company. No other responses have been received.

PLANNING CONSIDERATIONS

The main planning considerations are as follows:

- Compliance with National Planning Policy and Guidance and Local Plan Policies, Supplementary Planning Guidance
- Ecology and nature conservation
- Archaeology
- Transportation and access
- Water resources and flood risk
- Design and layout
- Energy efficiency

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

Compliance with National Planning Policy and Guidance and Local Plan Policies

The land that is subject to this application is designated under Policy IB2 'Designation of Type of Industrial Estate' of the Borough Local Plan as an existing prestige business area. The primary objective of prestige business areas is to encourage the manufacturing and service industries. Class B1, B2, and B8 are acceptable uses under Policy IB5 'Acceptable Uses in Business Areas'. In all cases a high standard of site layout, building design and landscaping is required as set out in Policy D4 and SPG 2 'Development on Prestige Business Areas'. In this instance it is considered that the proposal is in accordance with these policies.

Policy 19 of the County Durham Structure Plan (CDSP) supports this view by stating that, when developing prestige employment sites for industrial uses, developments should incorporate high standards of layout, landscaping and building design should be maintained. It also emphasises that Prestige industrial estates are major, strategically important sites where high standards of layout, building design and landscaping is sought.

PPG4 (Industrial, commercial development and small firms) sets out locational factors for development of this nature to be considered against. As this location is well separated from the residential areas of Newton Aycliffe, and having excellent transport links to national routes, the site performs well against the locational requirements set out in PPG4.

Policy DP1 of RPG1 sets out the sequential approach to the identification of sites for development, recognising the need to make the best use of land and optimise the development of previously developed land and buildings in sustainable locations

Given the above the development represents an acceptable use within a prestige business area, where the principle of industrial development on the site has been firmly established through the Local Plan process.

Ecology and Nature Conservation

Circular 06/2005 'Biodiversity and Geological Conservation Statutory Obligations and Their Impact Within The Planning System' that accompanies Planning Policy Statement 9 'Biodiversity and Geological Conservation' states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'* (Para 98).

Circular 06/2005 also advises that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'.

Given the existence of a population of great crested newts on the business park and adjacent land a strategy for the great crested newts on the business park and for the future Heighington Lane West area was commissioned and a survey of 13 ponds within the area was carried out in spring 2004. It was found that great crested newts were found in all but ponds 1, 2, 3 and 4 of which ponds 3 and 4 are located on the application site. This survey was then repeated in March, April and May 2006 and no great crested newts were found and as such no mitigation considered necessary.

SEDFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Separate planning permission has been granted previously to the County Durham Development Company to rationalise and improve the inhabited ponds to the northwest, and the recently approved regional distribution centre for Lidl (UK) also provides for a mitigation area for great crested newts. As part of this application it is proposed to remove the existing ponds and despite the apparent absence of great crested newts from the site the applicant proposes several measures to improve the remaining habitat for the benefit of this species, including construction of a new pond and appropriate enhancement of the shelter belt.

In addition to the great crested newt survey a bat survey was also conducted in 2006 and involved the inspection of trees by an arborist and a licensed bat worker. The bat survey identified that most of the potential roosting habitats within trees identified from the ground were physically unsuitable or did not exist on closer inspection. No signs of any past or current bat use were found on site and so the potential impacts to bats as a result of the development are likely to be negative to neutral of low to no significance.

In terms of other protected species the application site was assessed for the presence of badgers, dormice, birds and reptiles and it was concluded that there would be no detrimental impact to these species, although a condition is recommended ensuring that no work is undertaken in summer months in order that development does not impact on any breeding birds. As such the proposal is considered acceptable and from the information submitted there would be no detrimental impact to any protected species.

Natural England have no objection, subject to the imposition of a condition requiring adherence to the specified mitigation measures.

There are four hedgerows that contain several trees that are considered to be species poor and have suffered from long term under management and their removal is considered to be acceptable under the Hedgerow Regulations 1997. However, three crab apple trees of significant maturity were protected by a Tree Preservation Order in 2006. Given the importance of these trees it is considered that they must be retained. Two trees that were in the middle of the site have been relocated to the northwest corner of the application site in conjunction with advice of, and close supervision of the Tree Officer.

Archaeology

The archaeological potential of the site was assessed prior to submission of the earlier application, using information held at the Durham Sites and Monuments Record, from a site walkover undertaken in January 2006 and an intrusive archaeological field evaluation undertaken in June 2006. The history of the site was reviewed by the applicant by a study of documents and although historic aerial photographs and the site visit identified remains of ridge and furrow earthworks and following completion of the field evaluation, the site has been shown to have limited archaeological potential. It was found that there is negligible archaeological interest for the southern part of the site and low potential for features not associated with medieval and post medieval / modern agricultural land management for the northern part of the site. The residual impacts of the development are therefore considered to be negligible and no mitigation measures are considered necessary. These conclusions are still considered relevant, despite the lack of response to consultation on the current application.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Transportation and Access

The Traffic Impact Assessment has shown that the development would have a negligible impact on the local transport infrastructure during construction and once completed. The existing highway infrastructure can adequately accommodate the development at the assumed opening year of 2007. Improvements to cycle and pedestrian routes and facilities would be made with the provision of a shared pedestrian / cycle footpath across the site and 40 cycle spaces would be provided. It is considered that the proposed parking and servicing areas are acceptable.

In addition, to encourage sustainable transport choices by future employees of the units a travel plan would be developed to help reduce car use and promote sustainable travel choices.

Water Resources and Flood Risk

The impact of the development on surface water and groundwater and also potential risk of flooding has been considered by the applicant and a flood risk assessment was carried out. It is considered that the overall impact on groundwater and surface water is negligible during the construction phase. During the sites operation the risk of flooding is negligible as is the potential impact on groundwater flows as a result of drainage and service runs. In terms of surface water it is considered that because the additional surface water runoff from areas of hardstanding would be collected in a tank before being discharged the impacts on surface water would be negligible.

Design and Layout

The application proposes a mix of 11 industrial units constructed with a steel superstructure and a mix of cladding systems and all the units would be constructed from the same materials to create colour and design uniformity. The submitted details reflect design improvements that were originally secured during the course of the earlier planning application. Those improvements fundamentally increased the amount of glazing and introduced coloured cladding into the elevations of some of the units. This contributes to reducing the overall scale and bulk of the buildings, together with other measures such as keeping roof heights to a minimum. Externally it is proposed there would be a mix of hard and soft landscaping with soft landscaping proposed along the eastern site boundary, which would be maintained as rough grass and saplings. In addition, the shelterbelt that surrounds the site would be retained and enhanced by the addition of native species. The southern area of the site would remain undeveloped.

Energy Efficiency

The application makes no reference to the inclusion of embedded renewable energy generation nor does it demonstrate how the development would assist in reducing energy consumption. This is not in the spirit of RPG1 policies EN1 and EN7, which encourage renewable energy and energy efficiency. The emerging RSS goes a step further by requiring the incorporation of 10% embedded renewable energy in major new developments of all types. This proposal would therefore benefit from the incorporation of energy efficiency measures and embedded renewable energy generation and this could be achieved by imposition of an appropriate condition, and would reflect the approach that has been adopted in respect of similar proposals elsewhere.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

CONCLUSION

It has been demonstrated that the proposed development would have a negligible impact on a wide range of issues identified above and is in accordance with national and local plan policy. The proposed development would result in a high quality development and of a high architectural standard representative of its location in a prestige business area. As such the proposed development is considered acceptable.

HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions:

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

3. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: Amended site layout plan (drawing no. PL108 revision E) received on 27th April 2007.

Reason: To ensure that the development is carried out in accordance with the approved documents.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

6. Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing.

Reason: In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.

7. No development shall take place unless in accordance with the mitigation detailed within paragraphs 13.0 - 16.0 and Appendices V - VI of the protected species report entitled Land at Long Tens Way, Newton Aycliffe, Durham - Great Crested Newt and Bat Survey, version 4 (Michael Woods Associated July 2006) including, but not restricted to provision of habitat mitigation and enhancement works, undertaking confirming surveys; adherence to precautionary working methods.

Reason: To safeguard species protected by law and to comply with Policy E14 Safeguarding Plant and Animal Species Protected by Law.

8. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved by the Local Planning Authority. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

9. Prior to the commencement of development, a scheme for disposal of sewage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

10. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme details.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

12. If during development, contamination not previously identified, is found to be present at the site then no further development, unless otherwise agreed in writing by the LPA, shall be carried out until the applicant has submitted, and obtained written approval from the LPA for an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Waters and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

13. The proposed development shall be served by a new access(es) constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980.

Reason: To ensure the formation of a satisfactory means of access in the interests of highway safety, and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

14. The development hereby approved shall not be occupied until details of the means of boundary treatment have been submitted to and approved in writing by the Local Planning Authority and has been implemented on site in accordance with the approved plans.

Reason: In the interests of visual amenity and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

15. The development shall not be occupied until details of the means of storage and disposal of refuse have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

16. The development shall not be occupied until the vehicle parking areas have been laid out in accordance with the approved plans, unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure a satisfactory form of development, to make proper provision for off-street parking and to comply with Policy T9 (Provision of Car Parking) of the Sedgefield Borough Local Plan.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

17. The development shall not be occupied until details of lighting used in any external areas has been submitted to and approved in writing by the Local Planning Authority and has been implemented on site in accordance with the approved plans.

Reason: In the interests of visual amenity and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

18. Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times during the period of site operations connected with construction.

Reason: In the interest of amenity and to reduce the amount of mud on the roads and in accordance with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

19. Construction work and deliveries associated with the proposal shall only take place between the hours of 8am and 6pm Monday to Friday, 9am to 2pm on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

20. During the course of construction, no waste materials shall be burned on the site and no building, packing or other materials shall be allowed to blow off the site. Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

21. No development shall take place until a dust management plan has been submitted to and approved by the Local Planning Authority. The plan shall contain details of water suppression, containment of finely divided materials, how internal roads and highways will be cleaned, and details of daily visual inspections.

Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

22. Prior to the commencement of development a detailed plan indicating the location of material storage and employee parking on site shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be available and used at all times during construction.

Reason: In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgefield Borough Local Plan.

23. Before any works are commenced, detailed drawings showing the existing and proposed site levels and the finished floor levels of the proposed new buildings and those (if any) neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed entirely in accordance with these approved details. Reason: To ensure the existing ground and landscape conditions are protected from undue disturbance and to safeguard the amenity of neighbouring occupiers and to comply with Policy D5 (Layout of New Housing Development), of the Sedgefield Borough Local Plan.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

24. Prior to the commencement of the development full construction details of the proposed ponds within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: To safeguard species protected by law and to comply with Policy E14 Safeguarding Plant and Animal Species Protected by Law.

25. There shall be no site clearance or ground disturbance during the months of March and August inclusive unless it can be proven by a suitably experienced person that no nesting birds are utilising the site on the day such clearance is due to take place.

Reason: In order to safeguard protected species in accordance with Policy E14 (Safeguarding Plant and Animal Species Protected by Law) of the Sedgefield Borough Local Plan.

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

In the opinion of the Local Planning Authority the proposal is acceptable in terms of its location, design, use of materials, layout, amenity, highway safety and car parking.

INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy E14 Safeguarding Plant and Animal Species Protected by Law

Policy E15 Safeguarding of Woodlands, Trees and Hedgerows

Policy E 17 Protection of Archaeological Remains

Policy IB1 - Types of Industry and Business Areas

Policy IB5 - Acceptable Uses in Prestige Business Areas

Policy T6 Improvements in Road Safety

Policy T7 - Traffic Generated by New Development

Policy D1 - General Principles for the Layout and Design of New Developments

Policy D4 - Layout and Design of New Industrial and Business Development

SPG 2 'Development on Prestige Business Areas'

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

2. 7/2007/0130/DM APPLICATION DATE: 13 March 2007

PROPOSAL: **ERECTION OF INDUSTRIAL UNIT**

LOCATION: **UNIT 1 MILLENNIUM WAY PARK 2000 HEIGHINGTON LANE
BUSINESS PARK NEWTON AYCLIFFE CO DURHAM DL5 6XZ**

APPLICATION TYPE: Detailed Application

APPLICANT: Ashtenne Industrial Fund Ltd
Nations House, 103 Wigmore Street, London,

CONSULTATIONS

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4. Cllr. Mr. J.K. Piggott
5. LANDSCAPE ARCH
6. DESIGN
7. ECONOMIC DEV
8. L.PLANS
9. Lee White
10. ENV. HEALTH
11. ENGINEERS
12. WILDLIFE TRUST
13. BR TELECOM
14. DCC (PROWS)
15. N.ELEC (DARLO)
16. BR GAS
17. ENGLISH NATURE
18. NORTHUMBRIAN WATER
19. DCC (TRAFFIC)
20. DCC (PLANNING)
21. ENV AGENCY
22. N.ELEC. (DUR)

NEIGHBOUR/INDUSTRIAL

Unit 2 Unit 3 Unit 6 Unit 7 Unit 1

BOROUGH PLANNING POLICIES

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| IB2 | Designation of Type of Industrial Estates |
| IB5 | Acceptable uses in Prestige Business Areas |
| D4 | Layout and Design of New Industrial and Business Development |

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

BACKGROUND AND DETAILS OF PROPOSAL

In April 1999 detailed planning permission was granted for 7 business units at Millennium Way, on Park 2000, Aycliffe Industrial Estate. In June 2005 one of the units was subject to a serious fire that led to the demolition of the building and the clearance of the site.

This applicant now seeks planning permission for the erection of a single storey industrial unit consisting of a warehouse, two offices, and a reception on land at Millennium Way, Aycliffe Industrial Park (See site location Plan). The proposed development would provide a total of 2508 sq. metres of industrial space and 269 sq. metres of associated office space and 61 sq metres of ancillary space (reception, entrance hall and toilet).



This building would be almost identical in terms of appearance and would occupy exactly the same floor space.

APPLICATION SITE AND ITS SURROUNDINGS

Park 2000 site is a relatively new prestige industrial estate located at the south eastern corner of Newton Aycliffe's Industrial Park/Estate and commands a prominent location on Millennium Way. Junction 59 of the A1M motorway is nearby to the south-west with good links to the site and the overall industrial estate.

CONSULTATIONS AND REPRESENTATIONS

Great Aycliffe Town Council has raised no objections

The County Highway Engineer has no objections to the development.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

The Environment Agency has raised no objections to the development

Natural England has raised no objections to the development

Environmental Health has raised no objections.

Northumbrian Water has raised no objections.

A site notice was erected, an advertisement printed in a local newspaper and letters sent to neighbouring occupiers. To date no letters of objection have been received.

PLANNING CONSIDERATIONS

The application site is located within the Aycliffe Business Park that is designated as a Prestige Business Area by virtue of Policy IB2 (Designation of Type of Industrial Estate) of the Borough Local Plan. Development within Prestige Business Areas is governed by Policy IB5 (Acceptable Uses in Prestige Business Areas) and D4 (Layout and Design of New Industrial and Business Development) from the Council's Local Plan.

Policy IB5 limits the type of uses on Prestige Industrial Estates to Business, General Industry and Warehousing, and also states that any development new development should provide for a particularly high standard of a site layout, building design and landscaping, in accordance with Policy D4. In this instance the proposed use for the site would be for the purposes of general industry and warehousing because the process involves packaging and distribution.

Policy D4 (Layout and Design of New Industrial and Business Development) sets out three main requirements for new industrial developments

a) Have a standard of building design for a prestige industrial estate

In this instance the design of the building would replicate exactly the design of the building that was previously acceptable on the site. Although there has been more emphasis place upon the design of building by Planning Policy Statements, it is considered that the design of the building would still be of a design, size and scale that would be in-keeping with other units in the immediate surrounding area and would be of a standard that is appropriate to a Prestige Industrial Estate.

b) Accommodate traffic generated by the development without causing danger or inconvenience to other road users

In this instance County Engineer has raised no objections. Furthermore, the intensity of the use would be no different to what already existed on the site. The layout of park 2000 was approved as part of the original scheme.

c) Have an appropriate standard of landscaping including screening of open storage areas

The landscaping scheme for Park 2000 has already been implemented, although a condition could be attached to ensure that any vegetation that has been damaged is replaced through a landscaping scheme.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

CONCLUSIONS

Since planning permission was granted by the Development Control Committee in 1999 there have been no significant change in terms of policies set-out in the Sedgefield Borough Local Plan.

In 1999 the recommendation to Committee concluded that 'the proposal accords with the requirements of the Borough Local Plan and provides for well designed speculative business units which is to be welcomed at an important gateway site.' Given that the external appearance, location and access would be identical it is considered that there are no planning grounds to warrant refusal of planning permission and that the replacement building is to be welcomed.

RECOMMENDATION: Approve planning permission subject to the following conditions:-

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out prior to the occupancy of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

4. No trees on the site shall be lopped, topped, pruned or felled, without the prior consent of the Local Planning Authority. Any trees which are removed with consent shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To preserve the visual amenity of the area, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

5. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof, of the building have been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

6. There shall be no open storage on the site of cartons, packing cases, waste materials or materials awaiting fabrication, or finished or partly finished products.

Reason: In the interests of the appearance of the site and the visual amenities of the surrounding area, and to comply with IB Policies (Industry and Business) of the Sedgefield Borough Local Plan.

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

In the opinion of the Local Planning Authority the proposed development is appropriate in location to the scale and character of the surrounding area, makes adequate provision for car parking and access, and would not cause significant harm to adjoining business and industrial premises.

INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material consideration including Supplementary Planning Guidance: -

Policy IB2 (Designation of Type of Industrial Estate)

Policy IB5 (Acceptable Uses in Prestige Business Areas)

Policy D4 (Layout and Design of New Industrial and Business Development)

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

3. 7/2007/0162/DM APPLICATION DATE: 12 March 2007

PROPOSAL: **ERECTION OF 64 BED SECURE HEALTHCARE FACILITY WITH ASSOCIATED CAR PARKING, LANDSCAPING AND ANCILLARY FACILITIES**

LOCATION: **FORMER SEDGEFIELD COMMUNITY HOSPITAL SALTERS LANE SEDGEFIELD STOCKTON ON TEES**

APPLICATION TYPE: Detailed Application

APPLICANT: Care Principles
c/o Agent

CONSULTATIONS

1. SEDGEFIELD TC
2. Cllr. Mr. J. Robinson
3. Cllr D R Brown
4. Cllr. J Wayman J.P.
5. DCC (PROWS)
6. POLICE HQ
7. LANDSCAPE ARCH
8. DESIGN
9. ECONOMIC DEV
10. L.PLANS
11. Lee White
12. ENV. HEALTH
13. ENGINEERS
14. CIVIC TRUST
15. WILDLIFE TRUST
16. ENV AGENCY
17. FAMILY HEALTH
18. COMM. HEALTH
19. BR TELECOM
20. N.ELEC (DARLO)
21. BR GAS
22. BUILDING CONTROL
23. ENGLISH NATURE
24. NORTHUMBRIAN WATER
25. DCC (TRAFFIC)
26. DCC (PLANNING)
27. N.ELEC. (DUR)
28. North East Assembly
29. One North East
30. County Durham Development Company

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

NEIGHBOUR/INDUSTRIAL

Beacon Avenue:6
MMCG
Weterton Cottages:3,2,1
The Lizards
The Willows
Dalveen
St Lukes
Crescent:1,2,3,4,5,6,7,8,9,10,11,12,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,
33,34,35
Weterton House Farm
Willowdene Care Home
The Shieling
Southdown Lodge
North West Lodge
West Lodge
Greystones House
Eastholme House
Incubator 1
Institute Building
Homestall:2,1
Winterton Cottages:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18
Winterton
Avenue:69,68,67,66,65,64,63,62,61,60,59,58,57,56,55,54,53,52,51,50,49,48,47,46,45,44,43,42,
,41,40,39,38,37,36,35,34,33,32,31,30,29,28,27,26,25,24,23,22,21,20,19,18,17,16,15,14,12,11,
10,9,8,7,6,5,4,3,2,1
Wellgarth
Mews:1,2,3,4,5,6,7,8,9,10,11,12,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,
34
12a Millclose Walk
Millclose Walk:17,16,15,14,12,11,10,9,8,7,6,5,4,3,2,1
St Lukes Church
Farfield Manor:1,2,3,4,5,6
Pasture Field:21,20,19,18,17,16,15,14,12,11,10,9,8,7,6,5,4,3,2,1
Turnpike
Walk:1,2,3,4,5,6,7,8,9,10,11,12,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,
34
Townend:2,1

BOROUGH PLANNING POLICIES

L15	Winterton Hospital Estate
D1	General Principles for the Layout and Design of New Developments
T7	Traffic Generated by New Development

SEDFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

PROPOSAL

Planning permission is sought for the erection of a 64 bed secure healthcare facility with associated car parking, landscaping and ancillary facilities on the site of the former Sedgfield Community Hospital, Salters Lane, Sedgfield. The proposal seeks to redevelop the site into a specialist treatment centre that would provide secure accommodation along with associated therapeutic learning support and recreational facilities. The facility would provide care for up to 64 adults with learning disabilities, personality disorders or autistic spectrum disorders.



Site location plan (not to scale)

The proposal involves the construction of the following individual elements:

- Four 'houses' each comprising 16 single bedrooms, lounge, stores and ancillary rooms in two wings, and a central hub containing dining area, treatment rooms, kitchen, utility room and office. Whilst essentially single storey in appearance, the hub would have a higher roof to accommodate staff room, offices, stores, toilets and plant room.
- A two-storey reception building with entrance lobby, offices, patient meeting rooms, staff training rooms, plant and storage rooms.
- A two-storey administration building principally containing offices and meeting rooms. (*subordinately linked to reception building*)
- A dining building with kitchen, stores and toilet facilities at ground floor, and dining room and servery at first floor. (*subordinately linked to administration building*)
- A two-storey gymnasium building with ancillary woodwork/metalwork art rooms and staff rooms, together with outside ball courts.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

- A single storey workshop building containing two workshops with central materials store, offices and mess room.
- A boiler house.



Illustrative site layout plan (not to scale)

Houses 1, 2 & 3 would be sited within an area of medium security, provided by way of a 5.2 metre high perimeter fence. Access to and from this secure area would be by way of 'air lock' transfer either through the reception building or via adjacent double gates. House 4 would be outside this secure area, and used to accommodate patients with lower security status. A standard 2 metre high timber fence would enclose the curtilage of this building.

The reception, administration and dining buildings would be linked together by subordinate elements to break up the bulk of the resulting block, and would be staggered to add even more visual interest. The different functions of the three buildings result in a different design and visual appearance for each one, with more resulting aesthetic variety.

Access to the site would essentially be an improved version of the existing access point off the B1278, leading to parking areas to the front of the reception and administration buildings.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Existing peripheral landscaping would be retained where possible and supplemented by new native hedgerow and tree planting. Other landscape features include formation of a pond near to the entrance, formal grassed garden areas around the accommodation blocks, and wildflower/informal grassed areas outside the security fence.

The application is accompanied by the following comprehensive supporting documents which have been assessed where appropriate by consultees prior to making their observations set out below:

- Community consultation statement
- A town planning statement
- Transportation statement
- Design and access statement
- Flood risk assessment
- Arboricultural survey
- Ecological impact assessment
- Technical development appraisal
- Landscape and visual impact assessment
- External lighting design planning statement
- Archaeological desk based assessment
- Renewable energy statement

CONSULTATION AND PUBLICITY RESPONSES

External Consultees

Sedgefield Town Council: No objections.

Natural England: No objections, subject to recommended conditions to ensure compliance with ecological impact assessment and specified mitigation measures.

Durham County Council Archaeology: No objections

Durham County Council Highway Development Control: No objections in principle. It is recommended that vegetation within sight visibility splays be cleared before commencement of development.

A dropped kerb pedestrian crossing point is required just beyond northern end of entry splay to existing bus stop on B1278 opposite the site entrance. This should align with a similar pedestrian crossing point to be created just beyond the northern 10 metre junction radius of improved access. The two redundant access points to the north will need to be properly abandoned and replaced with footway construction. Most of this work will need to be carried out under a Section 278 agreement.

The Traffic Assessment has been examined by the Travel Planning Team, and is considered lacking in some areas.

Durham County Council Public Rights of Way Officer: No objections, but advises of the possibility of unrecorded rights of way across the site.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

Durham County Council Policy Team: No objections in principle, but advises that the Council needs to be satisfied that the development would not compromise the long term development of NETPark. Various other points have been raised in respect of sustainability issues.

North East Assembly: No objections, but advises LPA to carefully consider whether the applicant has considered other sites as part of a sequential test under RPG1 and draft RSS.

One North East: Has no objections to the proposal, but asks that consideration is given to the potential impact upon NETPark (and its allocated expansion area), that a high quality of design is achieved, and that 10% renewable energy measures be provided within the scheme.

Environment Agency: No objections subject to standard conditions to investigate and control contamination of controlled waters and general pollution of the water environment.

Gas / Electricity Utilities: No objections.

Internal Consultees

Sedgefield Borough Council Engineering Services: No objections subject to agreement of visibility splays with DCC.

Sedgefield Borough Council Landscape Architect: No objections subject to imposition of landscape conditions.

Sedgefield Borough Council Policy Team: Accords with Policy L15 of Local Plan. The proposed security fence must satisfactorily blend in with its surroundings to be fully compliant with PPS1.

Sedgefield Borough Council Environmental Health Section: Recommends conditions relating to hours of construction works, noise and dust suppression, wheel washing facilities, and further investigation and remediation of contamination.

Publicity

Four letters of objection have been received from the public on the following summarised grounds:

- Additional traffic generated by the development would exacerbate existing problems with speeding traffic and increase the potential for accidents
- The occupants of the unit would pose a risk to community safety and security of high technology businesses in NETPark.
- The security fence would be prominent in the landscape
- There would be noise and disruption during the construction phase

A letter of objection has been received from the Maria Mallaband Care Group who operate the adjacent Willowdene Care Home, on the following principal ground:

- The frail and elderly occupants of the care home would be at risk because no secure facility is completely secure

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

A letter of objection has been received from the NETPark Executive Board on the following grounds:

- The application site lies in the corner of the 77 hectare NETPark site, and the development would be incompatible with the vision for the area
- The security fence and the 'agricultural' appearance of the buildings would contrast starkly with the low density NETPark development site, where buildings will be of modern design using contemporary materials

(For clarity, Sedgefield Borough Council is a member of the Executive Board, but the board issued its objection without any prior participation by Borough Council Officers)

A letter of objection has been received from Leith Planning Ltd., on behalf of unnamed clients who, it is claimed, are concerned to ensure that all facilities and establishments for psychiatric care and rehabilitation are constructed and operated to recommended standards in the interests of prospective patients, local residents and fair competition. Significant emphasis is placed on the categorisation of the proposed facility under the Town and Country Planning (Use Classes) Order 1987 as amended by Statutory Instrument SI 2006/1282. It is asserted that the development falls within Use Class C2A "Secure Residential Institutions" rather than being a healthcare facility.

The objection by Leith Planning Ltd. has an element of commercial competition, which cannot be taken into account. Furthermore, there is no indication in the application that the facility would fail to meet proper standards for future patients, with clearly a high standard of on-site accommodation and welfare facilities. In any event, such facilities are regulated under separate legislation. The comments about the specific use class for the proposal are to some degree erroneous. The application documents make many references to the proposal falling within Class C2A, but this need not be specified in the application description. It is proposed however to clarify this position and to restrict future changes to other uses within Class C2A by imposing an appropriate condition.

PLANNING CONSIDERATIONS

The main planning considerations are considered to be as follows:

- Compliance with National, Regional and Local Policy
- Design and layout of buildings
- Access, parking and highway safety
- Landscape / ecological / archaeological impact
- Renewable energy provision

Compliance with National, Regional and Local Policy

The application site is the site of the former Sedgefield Community Hospital which closed a number of years ago. The buildings have subsequently been demolished, but much of the infrastructure, including concrete floors of the ward blocks, remains. The site is therefore regarded as a brownfield site, lying midway between the settlements of Sedgefield and Fishburn.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

There has been significant change in the locality with the closure of the community hospital, Winterton Hospital and the associated South View Annex, and this was anticipated in the preparation of the Sedgefield Borough Local Plan, which prescribed policy for the future redevelopment of these sites.

POLICY L15 THE COUNCIL IN CONSIDERING THE FUTURE USES OF THE WINTERTON HOSPITAL AND SEDGEFIELD COMMUNITY HOSPITAL SITES WILL REQUIRE DEVELOPMENT PROPOSALS TO FORM PART OF A COMPREHENSIVE PLANNING SCHEME THAT:-

- (A) CONSERVES THE LANDSCAPE SETTING OF THE WINTERTON HOSPITAL SITE;**
- (B) RETAINS ANY BUILDINGS AND OTHER SITE FEATURES OF IMPORTANCE;**
- (C) INCLUDES BUSINESS USES AS A SIGNIFICANT PART OF ANY MIXED DEVELOPMENT SCHEME;**
- (D) SECURES THE RECLAMATION OF ANY RESIDUAL LAND AREAS TO OPEN LAND USES; AND**
- (E) MAINTAINS THE OPEN LAND BETWEEN THE WINTERTON HOSPITAL SITE AND THE SEDGEFIELD COMMUNITY HOSPITAL SITE.**

ACCEPTABLE USES WITHIN A MIXED DEVELOPMENT SCHEME ON THE WINTERTON SITE INCLUDE:-

**BUSINESS
HOUSING
COMMUNITY HOSPITAL
HOTELS AND HOSTELS
RESIDENTIAL INSTITUTIONS
PUBLIC HOUSE OR RESTAURANT**

ACCEPTABLE USES ON THE SEDGEFIELD COMMUNITY HOSPITAL SITE INCLUDE:-

**COMMUNITY HOSPITAL
RESIDENTIAL INSTITUTIONS
OPEN LAND USES**

ACCEPTABLE USES ON THE SOUTH VIEW ANNEX SITE INCLUDES:-

**COMMUNITY HOSPITAL
HOUSING**

The status of the proposed use in respect of its compliance with Policy L15 has been examined carefully by the Forward Planning Team, particularly as the Town and Country Planning (Use Classes) Order 1987 was amended in 2006 to provide a new sub-class for 'secure residential institutions' (class C2A). At the time that Policy L15 was adopted, the proposal would have constituted a 'residential institution' under class C2, because it would provide "*residential accommodation and care to people in need of care.....or use as a hospital or nursing home, or as a residential school, college or training centre.*" Despite the introduction of the new use class

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

in 2006, the nature of the use is considered still to fall within, and comply with, Policy L15.

As pointed out by the North East Assembly, the Local Planning Authority would need to be satisfied that there are no sequentially preferable sites within existing settlements to accommodate the development, or whether to apply any sequential test more flexibly because of the operational requirements of the development.

The operational requirements of the development are set out in the application as follows.

The site must -

- 1 Be within an identified and targeted regional area:**
The site lies within the North East Strategic Health Authority Region, an area targeted for development by Care Principles in response to service demand and healthcare policy. The site meets this criterion.
- 2 Be within a pleasant rural environment or on the urban fringe:**
The hospital is located on readily accessible allocated land between the settlements of Sedgefield and Fishburn as well as being close to Spennymoor, Darlington, Newton Aycliffe, Stockton on Tees Middlesbrough and Durham. The site is well screened with views out across the adjacent countryside as well as being served by a robust transport network. The site meets this criterion.
- 3 Be between 5 and 20 acres in size (larger sites will also be considered):**
The hospital site comprises approximately 13 acres of land. The site meets this criterion.
- 4 Be relatively flat and developable:**
The site is flat, allocated for healthcare development within the local plan, previously supported a healthcare use at the site for over 150 years and has access to a local population with significant experience of and skills associated with the healthcare sector. The site offers an excellent opportunity to develop additional services to deliver regionalised healthcare provision. The site meets this criterion.
- 5 Be within 0-15 miles of a large town or population centre:**
The hospital is located on readily accessible allocated land between the settlements of Sedgefield and Fishburn as well as being close to Spennymoor, Darlington, Newton Aycliffe, Stockton on Tees Middlesbrough and Durham. The site meets this criterion.
- 6 Be located near to principal transport routes:**
The site affords excellent access to major regional rail and road transport networks – the A1M, A689, A177, A19 along with national and regionalised rail access at Durham, Darlington, Newton Aycliffe, Stockton on Tees and Middlesbrough. The site also lies adjacent to a bus route. The site meets this criterion.
- 7 Have ready access to adequately sized utilities:**
The hospital site has adequate utilities provision in respect of capacity and location. Mains drainage and water are available, along with gas, power and telecommunication (voice and data) services. The location of the site and its proximity to major transport links has facilitated this. The site meets this criterion.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

- 8 Have an existing building footprint of 3000 to 6500 square metres:**
The previous hospital buildings footprint was considerably in excess of 6000 square metres and comprised a mixture of single and two-storey structures dispersed across the hospital site. The site meets this criterion.
- 9 Ideally have no listed buildings on the site which because of their listing would constrain or constrict the development:**
The hospital site does not have any listed buildings, nor is it located within a Conservation Area, Site of Special Scientific Interest, and Area of Outstanding Natural Beauty or have any other special listing or protection status that would prohibit development. The site meets this criterion.
- 10 Have an appropriate planning use classification:**
The site is allocated for healthcare within the local plan and the proposed use has been confirmed as appropriate by the local planning authority. The site meets this criterion. No other site that has been available for consideration and appraisal in the search area has met the site selection and appraisal criteria listed above to the extent and depth that the former Sedgefield Community Hospital site has.

The applicant also states that *“None of the potential alternative sites that have been considered could support Care Principles services and facilities as effectively as this site.”*

It is therefore considered that the applicant has satisfactorily demonstrated sequential site selection based on well defined operational criteria, and that this reflects the objectives of Regional Planning Guidance (RPG)1 and the emerging Regional Spatial Strategy (RSS).

Planning Policy Statement (PPS)1 (Delivering Sustainable Development) sets out national guidance on how to achieve sustainable development, and states:

“Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- *making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;*
- *contributing to sustainable economic development;*
- *protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;*
- *ensuring high quality development through good and inclusive design, and the efficient use of resources; and,*
- *ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.”*

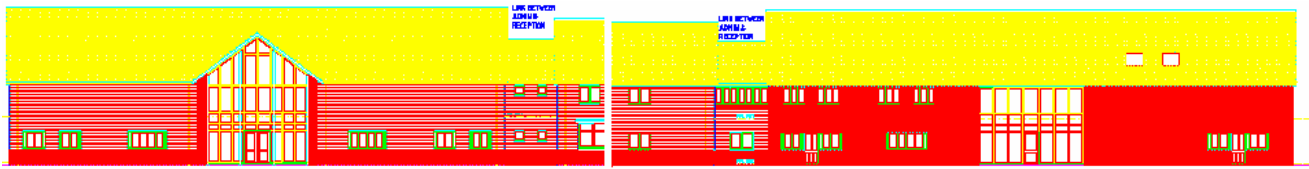
The proposal is considered to meet all the principal objectives of PPS1.

Design and layout of buildings

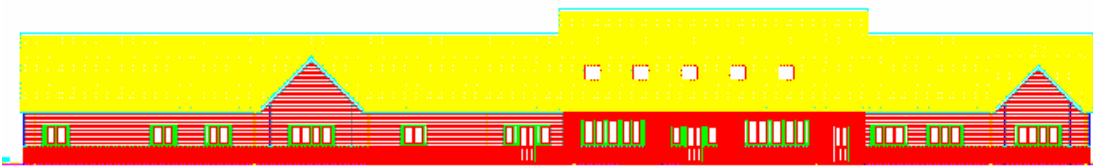
The design and layout of the development has been well thought out, with clear and logical positioning of key buildings and supporting infrastructure, such as access and parking. The buildings would use a variety of materials in their construction and external finishes, including facing bricks, traditional roof tiles and timber cladding. Imaginative use of window detailing

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

would be a key part of the design of the reception, administration and dining buildings, with all three being given a different treatment to add visual interest.



Front elevation of reception, administration and dining buildings



Front elevation of house 1

Existing peripheral mature landscaping would be retained and enhanced.

The only area of concern has related to the 5.2 metre high security fence, which is a mandatory feature of the medium secure facility. It must however be appreciated that it only encloses approximately half the site, and at its closest point to the main road, it would be 15 metres away, behind an existing belt of mature conifers. Additional planting would be carried out to extend the landscape screening of the fence. The colour and design of the fence could also be controlled to some extent by way of condition. For all these reasons, it is not considered that the fence would have a significant visual impact on the landscape, or any major impact upon the future viability of NETPark. The proposal is considered to comply with general design policy D1 of the Local Plan.

Access, parking and highway safety

Access to the site would be by way of an improved access point on the B1278. A short driveway would lead to a series of car parking bays to the front of the entrance blocks. Some footpath improvement would take place and redundant access points would be stopped up. The Highway Authority is satisfied with the engineering aspects of the proposal. A travel plan submitted with the application is however considered to lack detail in some areas, and the applicant is addressing this matter. In the meantime, the number of car parking spaces has been reduced in accordance with travel plan advice offered by the Highways Authority, and a condition could be imposed to require the outstanding matters to be resolved prior to the facility becoming operational. The proposal is considered to comply with traffic generation policy T7 of the Local Plan.

Landscape / ecological / archaeological impact

The Landscape Architect has concluded that indicative landscape proposals submitted with the application have generally been well considered and is satisfied that imposition of the usual landscaping conditions would achieve a satisfactory form of development.

Natural England is satisfied that the ecological survey work has adequately addressed all key areas of impact upon wildlife species, including those protected by law. A condition is

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

recommended to ensure that development proceeds in accordance with mitigation measures identified in the report.

The County Archaeologist has concluded that the potential for sub-surface archaeological remains is very low and is satisfied that no related conditions will be required if planning permission is granted.

Renewable energy provision

The application gives a commitment to inclusion of embedded renewable energy technologies and the reduction of energy consumption in a renewable energy statement which accompanies the application. This is in the spirit of RPG1 policies EN1 and EN7, which encourage renewable energy and energy efficiency, and the emerging RSS which requires the incorporation of 10% embedded renewable energy in major new developments of all types. An appropriate condition ought however to be imposed in order to achieve the 10% target from the range of energy sources which the applicant has identified in the statement.

CONCLUSION

The proposal is considered to meet the redevelopment objectives of the Local Plan in relation to the former Sedgefield Community Hospital site, which forms part of a larger collection of healthcare related uses to the north of Sedgefield. Apart from the South View Annex site, which now contains a new community hospital, much of the remaining land has been developed for residential and high-tech industrial uses.

A large part of the area contains NETPark, for which a flexible development framework has been prepared. This does not however have the formal status of an approved and adopted development plan, and currently reflects the fact that NETPark is a long term project and that the site is in several ownerships. Netpark has just over 5 hectares already developed, with three more development 'episodes' identified in the framework, of 4.56 Ha (episode 1), 4.37 (episode 2) and 3.16 (episode 3). Whilst the current proposal would occupy part of the NETPark site, it is located at the north-eastern corner within an area referred to in the framework as 'future episodes' comprising 16.64 Hectares. The current proposal would occupy only 5.26Ha of that land.

The objection by County Durham Development Company (and NETPark Executive Board) is not however made on the grounds of the loss of land to a non-industrial use, but rather on the likely impact of the proposal on the future development of NETPark. It is considered that the design and layout of the development, together with a good quality landscaping scheme, would be wholly compatible with the future development of NETPark, and that it would be very unlikely to have a negative impact upon future economic development viability of the area.

The other objections have been given due consideration. The Highway Authority is satisfied that the proposal would not impact negatively upon highway safety, and that there would be specific improvements including provision of safe crossing points for pedestrians and stopping up of redundant accesses on the B1278. Whilst not fully acceptable to the Highway Authority, the submitted travel plan has prompted discussions that have led to amendments to the parking provision in the interests of sustainability. The remaining issues can be addressed and implemented prior to occupation of the development, and an appropriate condition imposed to require this to happen.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

Whilst the perception of the facility posing a risk to others in the immediate area is understood, the development would meet the required security standards for which the 5.2 metre high security fence is mandatory. The applicants run several similar facilities elsewhere in the UK, and have stated that they have not had problems with patients absconding.

RECOMMENDATION: Approve subject to the following Conditions:

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The premises to which this permission relates shall be used as a medium secure residential healthcare facility and for no other purpose in Class C2A (Secure Residential Institutions) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

Reason: To ensure that occupiers of nearby properties are not adversely affected by the development, and to comply with Policy D5 (Layout of New Housing Development), of the Sedgefield Borough Local Plan.

3. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

4. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: Amended site layout plan reference SEDG.A.01, amendment date May 07, received on 21st May 2007.

Reason: To ensure that the development is carried out in accordance with the approved documents.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

7. Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing.

Reason: In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.

8. Development shall not be carried out otherwise than in accordance with:

The Option 1 mitigation detailed within Ecological Impact Assessment Report, February 2007, of Former Sedgefield Community Hospital Site, prepared by Ecology Consultancy, including, but not restricted to obtaining a European Protected Species licence for bats; adherence to timing and spatial restrictions, provision of mitigation in advance; adherence to precautionary working methods; provision of a bat loft(s). Strict adherence to the precautionary working practices and timing restrictions with regard to badger and bird species.

Reason: To conserve protected species and their habitat and to comply with Policy E14 of the Sedgefield Borough Local Plan.

9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved by the Local Planning Authority. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

10. Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: The site is contaminated/potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer

11. Prior to the commencement of development, a scheme for disposal of sewage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

12. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

13. The proposed development shall be served by a new access(es) constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980.

Reason: To ensure the formation of a satisfactory means of access in the interests of highway safety, and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

14. The development hereby approved shall not be occupied or otherwise brought into operation until the submitted travel plan has been amended, revised or replaced, and submitted and approved by the Local Planning Authority. The provisions of the approved travel plan shall be implemented immediately upon first operational occupation of the development hereby approved and shall continue to operate in accordance with the provisions of this travel plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a sustainable form of development.

15. The development hereby approved shall not be commenced until details of all means of enclosure, including the design, construction and colour of the 5.2 metre high security fence have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

16. The development shall not be occupied until the vehicle parking areas have been laid out in accordance with the approved plans, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development, to make proper provision for off-street parking and to comply with Policy T9 (Provision of Car Parking) of the Sedgefield Borough Local Plan.

17. Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times during the period of site operations connected with construction.

Reason: In the interest of amenity and to reduce the amount of mud on the roads and in accordance with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

18. Construction work and deliveries associated with the proposal shall only take place between the hours of 8am and 6pm Monday to Friday, 9am to 2pm on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

19. During the course of construction, no waste materials shall be burned on the site and no building, packing or other materials shall be allowed to blow off the site.

Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

20. No development shall take place until a dust management plan has been submitted to and approved by the Local Planning Authority. The plan shall contain details of water suppression, containment of finely divided materials, how internal roads and highways will be cleaned, and details of daily visual inspections.

Reason: In order to protect the amenity of local residents and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

21. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A desk study identifying:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In order to ensure that any contamination is identified and all necessary remediation measures are undertaken in the interests of public health and to prevent the pollution of the water environment in accordance with Policy D11 (Location of Pollution Sensitive Developments) of the Sedgefield Borough Local Plan.

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

In the opinion of the Local Planning Authority the proposed development would be an acceptable use of the former Sedgefield Community Hospital site as part of the comprehensive redevelopment of the sites of former health care uses in the locality.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan, set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

L15 - Winterton Hospital Estate

D1 - General Principles for the Layout and Design of New Developments

T7 - Traffic Generated by New Developments

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