

PLANNING APPLICATIONS - TO BE DETERMINED

7/2007/0319/DM

APPLICATION DATE: 21 May 2007

PROPOSAL: **ERECTION OF CONFERENCE FACILITY**

LOCATION: **LAND AT CORNER OF HEIGHTINGTON LANE/LONG TENS WAY
AYCLIFFE INDUSTRIAL ESTATE NEWTON AYCLIFFE CO
DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Xcel Holdings Ltd
52 High Street, Loftus, Saltburn by the Sea, TS13 4HA

CONSULTATIONS

1. Cllr. Sarah Jane Iveson
2. Cllr. W.M. Blenkinsopp
3. GREAT AYCLIFFE TC
4. Cllr. Alan Warburton
5. DCC (PLANNING)
6. DCC (TRAFFIC)
7. NORTHUMBRIAN WATER
8. AIP - OWNERS
9. BUILDING CONTROL
10. BR GAS
11. N.ELEC (DARLO)
12. BR TELECOM
13. ENV AGENCY
14. DCC (PROWS)
15. ENGINEERS
16. ENV. HEALTH
17. LANDSCAPE ARCH
18. L.PLAN
19. ECONOMIC DEV
20. DESIGN
21. N.ELEC. (DUR)
22. WILDLIFE TRUST
23. ENGLISH NATURE
24. County Durham Development Company
25. VALUER
26. ENGINEERS
27. DCC (TRAFFIC)

NEIGHBOUR/INDUSTRIAL

Waste Transfer Station
Travik Chemicals
ALM Products Ltd
Tyne Tees Packaging
Durham Precision Engineering
Inkland Ltd
Europa Sofa Beds Ltd
Sable Rail Services Ltd

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Krupp Hoesch Woodland Ltd
PWS Distributors
Vocational Learning Trust

BOROUGH PLANNING POLICIES

E14	Safeguarding Plant and Animal Species Protected by Law
D1	General Principles for the Layout and Design of New Developments
D4	Layout and Design of New Industrial and Business Development
IB2	Designation of Type of Industrial Estates
IB5	Acceptable uses in Prestige Business Areas

THE PROPOSAL

This application accompanied by a design statement, Travel Plan and ecological statement seeks planning permission for the erection of a conference facility on a 4.08 acre site at the corner of Heighington Lane and Long Tens Way, Aycliffe Industrial Park, Newton Aycliffe. The site is bounded by Heighington Lane to the north, Long Tens Way to the west, Grindon Way to the south and an area of undeveloped land to the east, which has planning approval to construct an Industrial Learning Centre.

The site demonstrates a 3.5m slope from end to end, with the southern section of the site being higher. The site consists mainly of open grassland and this is bounded to the west and south by mature hedgerows. An intermittent hedgerow is also located along the eastern boundary of the site. A 10-15m wide tree bund is located within the site along the northern boundary.

The proposed building would be a mix of one and two storeys and this would provide multi-purpose accommodation including a main 1000 person auditorium facility, 250 person exhibition hall, a range of smaller seminar rooms with associated functions such as day care facilities and coffee bar.

Vehicular access to the site would be via a newly created access from Long Tens Way with onsite car parking provision designed for 140 cars, including disabled spaces and parking for three coaches.

It should be noted that a planning application for a Conference Centre at an alternative site at Spring Road, Aycliffe Industrial Park (7/2006/0296/DM) submitted by the same applicant was granted planning approval in August 2006. Since this time, however, the applicant has sold the Spring Road application site, hence, the need for this new planning application.

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CONSULTATION RESPONSES

Aycliffe Town Council have made no comment to date.

Durham County Highway Engineer initially raised concern that the proposed internal parking layout did not satisfactorily accommodate buses / coach turning manoeuvres and did not include provision for on site coach parking. He also suggested that an additional pedestrian footpath link be incorporated within the scheme linking the main auditorium with the existing footpath at Long Tens Way. The applicant has taken on board these issues and the scheme has been amended accordingly. The County Highway Engineer is now satisfied with the revised scheme, however, he has suggested that the implementation of a Green Travel Plan be conditioned on occupation of the facility by staff.

The Environment Agency has raised no objections but have suggested that a planning condition be attached requiring details of a scheme to limit surface water run-off be provided and approved in writing prior to the commencement of works, in order to prevent the risk of increased flooding.

English Nature has raised no objection to the scheme in principle but because of the lack of information initially provided they suggested that the Local Planning Authority liaise with the Council's Countryside Officer regarding this proposal and its potential impact upon ecological interests in the area. The detailed comments of the Countryside Officer are included in the Planning Considerations section of this report.

Environmental Health has offered comments on the operation of noisy plant and machinery and the burning of materials on site as such several conditions are suggested. It was also suggested that the applicant liaise directly with this Division regarding the proposed catering operations on site.

The Public Rights of Way Officer has stated that Public Bridleway No.6 Great Aycliffe Parish runs adjacent to the western boundary of the site. Although the majority of this bridleway will remain unaffected by this proposal it was noted that the proposed access points would cross the bridleway. As such, these should be implemented as a footway crossing with dropped kerbs and sufficient sight lines to ensure the safety of bridleway users.

The Tree Officer and Landscape Officer of this Council have both stated that this application includes some innovative planting designs and well designed landscaping works. The Tree Officer has made several detailed recommendations regarding the long term management of the site and recommends that the southern hedgerow should not be 'tidied' up but left as an informal screen. It was also suggested that a no dig system of paving be utilised within the root protection zone. Several planning conditions were suggested in order to safeguard the existing trees and hedgerows within the site.

Although site notices were posted around the site, an advertisement placed in the local press and letters were sent to neighbouring occupiers advising of the application, no representations were received regarding this proposal.

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PLANNING CONSIDERATIONS

The main planning considerations in this case are:

- Compliance with National Planning Policy and Guidance and Local Plan Policies.
- Proposed Use of the Conference Centre
- Impact on Ecology
- Design and Access

Compliance with National Planning Policy and Guidance, Local Plan Policies,

This scheme is proposed to be located on a part of the Aycliffe Industrial Park that is classified as a prestige industrial area by Policy IB2 (a) of the Borough Local Plan. Policy IB5 (Acceptable Uses in General Industrial Areas) outlines that business, general industry and warehousing are acceptable uses on general industrial areas, and other developments that do not fall under one of these three categories, are to be considered after taking into account what the purpose of general industrial areas are as set out in Policy IB1. Essentially the overall objective of the industrial estate is the creation and growth of employment opportunities.

In accordance with PPS6 (Town Centres), the arts, culture and tourism (theatres, museums, galleries and concert halls, hotels, and conference facilities) are governed by the policies contained in the statement, in the same way as retail proposals. The key issue from this policy statement is the sequential approach to development. The sequential approach requires that locations be considered in the following order:

- First, locations in appropriate existing centres where suitable sites or buildings for conversion are, or are likely to become, available within the development plan document period, taking account of an appropriate scale of development in relation to the role and function of the centre; and then
- Edge-of-centre locations, with preference given to sites that are or will be well-connected to the centre; and then
- Out-of-centre sites, with preference given to sites which are or will be well served by a choice of means of transport and which are close to the centre and have a high likelihood of forming links with the centre.

Given the scale and requirements of this conference facility it is considered that it could not be located in a town centre location, even if a flexible and realistic approach was taken with regard to the conference building scale and format in order to fit the building onto a more central site. The chosen location within the Aycliffe Industrial Estate is an edge of centre location which is well connected with the town centre, but which is also well placed to provide a facility to its "targeted audience" essentially the businesses based on the industrial estate. Additionally the infrastructure will be able to accommodate the development and provide accessibility to the A1(M) and the nearby train station which links in to the east coast mainline.

It is widely accepted that the manufacturing industry within the UK is in decline, and demand for industrial accommodation in the NE is low. This is highlighted by the slow take up rates of the undeveloped industrial land at Aycliffe Industrial Estate. This demonstrates that uses away from the manufacturing sector (which are normally associated with industrial estates) must be considered as a way of regenerating and bringing empty land and buildings into active use. The development of this industrial land for conferencing facilities could act as a catalyst for

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revitalising the overall industrial estate and have the potential to lever in other inward investment to Aycliffe Industrial Estate, and in particular companies who require a high quality conference facility close by. It is considered that the proposal would not have an adverse environmental impact, the site performs well against the sequential test and the site is accessible to non-car users and can be serviced appropriately.

Regional Planning Guidance

The emerging Regional Spatial Strategy (RSS) aims to manage structural economic change within the NE, and the transition towards a more broadly based economy centred on information based 'knowledge' industries and service sector. Policy 1 of the RSS aims to deliver a North East Renaissance, and a key component of this is to deliver economic prosperity and growth, and Policy 12 strives to encourage the creation, growth and survival of new and existing enterprises, and to facilitate the continuing adaptation and restructuring of the region's economy. This proposal will not contravene these objectives.

Part (C) of Policy 40 of the emerging RSS stipulates that renewable energy generation should be embedded in the design and implementation of new developments. A wide range of renewable technologies and design approaches are available and can be readily embedded into many forms of development. The RSS requires major new developments to have embedded within them a **minimum of 10%** energy supply from renewable sources.

Proposed Use of the Conference Centre

The applicant considers, following market research, that local businesses have expressed a need for easily accessible centre for large and small conferences, business presentations, board meetings, seminars, AGM's and private functions. They consider that there is nowhere in the immediate area that can facilitate a large-scale conference with theatre style seating. In the supporting information it is stated that Redworth Hall can only accommodate 300 people theatre style. The applicant has advised that all the facilities would be available for use by local people with the meeting rooms available at concessionary rates by the voluntary/community and faith sector. It is proposed that the centre would be open from 9am until 11pm 7 days a week. In addition, the applicant considers that as childcare is increasingly a major consideration in attracting employees a full range of child care facilities for up to 60 children is proposed which would be available 5 days a week.

The principle of siting a conference centre at Aycliffe Industrial Estate, which is located in a location that is easily accessible and which would serve its primary users the business community, has previously been accepted at the time of the earlier planning approval granted in 2006.

Impact on Ecology

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'.

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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 planning permission is granted'.

It has been identified that the application site lies within the 500m radius of two Great Crested Newt breeding ponds. As such, a comprehensive report has been prepared regarding this proposal and potential affects upon Great Crested Newts in the area. This report includes a range of mitigation measures prior to and during construction works and it is proposed that the landscaping within the site be designed in such a manner to favour amphibians with additional mitigation works proposed off site adjacent to existing ponds which are located some 300 metres south of the application site as part the newt receptor at the corner of Millennium Way and Long Tens Way. It was, however, suggested that further details be requested regarding the method of construction of the headwall and sustainable urban drainage system proposed and the proposed timing of these works.

A bat survey did not find any evidence of bats roosting within the site. However, because two trees within the site, which are to be felled, were identified as being potential roosting sites, it has been recommended that a condition be attached requiring the presence of a licensed bat worker on site during the felling of the trees in question. It has also been recommended that no other tree works be carried out until bat surveys including checking surveys in winter and / or emergence surveys in spring / summer have been submitted to the Local Planning Authority for review.

In terms of other protected species the application site was assessed for the presence of badgers, water voles and birds 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 subject to the imposition of conditions to address the above issues.

Design and Access

The proposed development consists of a mixed height - two storey / single storey building with contemporary architectural elements such as varying roof shapes, use of glazing and a mix of complementary materials that contribute to creating a distinctive building.

The largest section of the building the main auditorium has been located at the northwestern corner of the site adjacent to Long Tens Way and Heighington Lane. This part of the building would vary in height from 8.0m to 12.1m, the mono pitch roof falling from east to west and a feature signage tower is also proposed at the corner of the proposed building. The western elevation, and outer side of this building, would incorporate an overhanging roof and a row of eight feature columns. The northern flank of the building serving the seminar rooms and office suite facing onto Heighington Lane is also double storey ranging in height from 6.8m to 9.5m. The eastern wing of the building comprising the exhibition hall and the children's care facilities is predominantly with the eaves level ranging from 3.2m and 4.3m to ridge height of 6.6m.

It is proposed to construct the building from a mix of both brickwork and render with standing seam metal roofing. The main entrance will provide the focal point to the elevation fronting the

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car park with a landscaped boulevard with sitting areas framing the main approach to the building

It is considered the design of the proposed building would provide a strong focal point in this prominent location and is of a high quality design and which accords with Policies D1 (General Principles for the Layout and Design of New Developments) and D4 (Layout and Design of New Industrial and Business Development).

Sustainability issues have helped inform the design of the building including natural ventilation, cooling, water recycling. The building has also been designed in such a manner so as to maximise the use of natural light within the development. A planning condition is proposed in order to ensure that this scheme is designed so as to provide for 10% embedded renewable energy, as required by the emerging Regional Spatial Strategy.

Access to the site would be via the existing road system and an existing bus route on St Andrews Way is approximately 0.3 miles from the site. The local train station at Heighington is approximately 0.25 miles to the west of the site. A detailed travel plan has been submitted that indicates that a train operates 7 days a week to Heighington. The travel plan sets out a package of measures, which are tailored to the particular characteristics of this development and its user groups, and it proposes the appointment of a senior manager as the Travel Plan coordinator. It is also proposed that there would be an employee pick up / drop off service. It is considered that the proposed Travel Plan and access arrangements are considered acceptable.

CONCLUSION

The proposed conference facility is considered to be an acceptable use in the Prestige Industrial Estate and in accordance with Local Plan Policies IB2 and IB5 and is located in a sustainable location. The proposed facility would provide a modern facility that would be a benefit to the business on the industrial park and further a field.

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.

RECOMMENDATION

It is recommended that conditional planning permission should 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. 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 plans received 20th June 2007.

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

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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. 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 trapped gullies installed in accordance with a scheme previously submitted to and approved by the Local Planning Authority. Roof water shall not pass through the gully.

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

5. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

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

6. 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.

7. 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.

8. The car park shown on the plan hereby approved shall be marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local Planning Authority. The car park shall be retained and maintained in accordance with the approved details for as long as the use remains.

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

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9. 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.

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.

10. 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.

11. No development shall be commenced until details of all means of enclosure on the site have been submitted in writing and approved by the Local Planning Authority. The development shall be undertaken in accordance with these approved details unless otherwise agreed 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), and Policy D5 (Layout of New Housing Development), of the Sedgefield Borough Local Plan.

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 and details.

Reason :To prevent the increased risk of flooding.

13. Prior to the commencement of development a scheme to minimise energy consumption shall be submitted 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 Note1, Policies EN1 and EN7.

14. 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. Additionally any trees felled during the bird-breeding season must be checked for nesting birds by a competent person immediately prior to the felling taking place.

Reason: In order to safeguard protected species in accordance with Policy E14 (Safeguarding Plant and Animal Species by law) of the Sedgefield Borough Local Plan and to ensure that no breaches of the wildlife and Countryside Act occur.

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15. Tree numbers 9 and 10 identified within the Xcel Conference Centre arboricultural survey dated March 2007 shall not be felled without the presence of a licensed bat worker.

Reason: In order to safeguard protected species in accordance with Policy E14 (Safeguarding Plant and Animal Species by law) of the Sedgefield Borough Local Plan and to ensure that no breaches of the wildlife and Countryside Act occur.

16. The development hereby approved shall be carried out in accordance with the mitigation detailed in Section E of the Great Crested Newt report (Durham Wildlife Services Excel Holdings Ltd, May 2007). No development shall commence until additional information regarding the headwall and sustainable urban drainage system has been submitted to and agreed by the Local Planning Authority, as outlined in the consultation response from the Countryside Officer dated 10th August 2007.

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.

17. The development hereby approved shall be carried out in accordance with the mitigation detailed in Section E of the Bat report (Durham Wildlife Services Excel Holdings Ltd, August 2007). No development shall commence until additional information regarding the mitigation strategy in the Bat report has been submitted to and agreed by the Local Planning Authority, as outlined in the consultation response from the Countryside Officer dated 10th August 2007.

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.

18. No trees are to felled other than tree numbers 9,10 and 12 as identified within the Excel Conference Centre arboricultural survey dated March 2007, notwithstanding the contents of the aforementioned report no other trees or hedgerows on site shall be felled or pruned without the prior consent of the Local Planning Authority and not until suitable bat surveys have been forwarded to the and approved by the Local Planning Authority.

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

19. No trees and/or hedgerows shall have the topsoil beneath the canopies disturbed, compacted, removed or excavated without the prior consent of the Local Planning Authority. Any such works must be the subject of a method statement submitted to and approved by the Local Planning Authority.

Reason: To ensure that satisfactory works are undertaken and to comply with Policy E15 (safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Plan.

20. No development shall be commenced until details and plans of protective fencing for trees and hedgerows have been submitted, inspected and approved by the Local Planning Authority. The location of the fencing shall be annotated on a plan and the design of protective fencing details shall follow the guidelines set out in BS 5837:2005 Trees in relation to construction - Recommendations. Fencing must conform to the style illustrated in Paragraph 9 fig 2. and must be erected prior to any vehicle or machinery access to the site.

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Reason: To ensure that satisfactory works are undertaken and to comply with Policy E15 (safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Plan.

21. Site Works (including Deliveries and temporary site generators) shall only be carried out between 0800 –1900 hours Monday to Friday, 0900 –1400 hours on Saturday with no noisy work audible at the site boundary permitted on Sundays or Bank Holidays.

Reason : To ensure that occupants of nearby properties are not adversely affected by noise during the construction of the development, and to comply with Policy D10 of the Sedgefield Local Plan.

22. The Travel Plan dated May 2007 shall be implemented at the time that the building in question is first utilised by visiting members of the public and this shall be continued in perpetuity thereafter with any variations to be submitted and agreed by the Local Planning Authority.

Reason: So as to ensure that this development is accessible via a range of transport mediums including, public transport, private coach, rail, cycle users and pedestrians rather than being reliant solely upon the private car to comply with Policy D3 of the Sedgefield Borough Plan.

INFORMATIVE : REASON FOR THE 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 set out below, and all other relevant material considerations, including Supplementary Planning Guidance

E14 – Safeguarding Plant and Animal Species Protected by Law

D1 – General principles for the layout and Design of New Developments

D4 – Layout and Design of New Industrial and Business Development

IB2 – Designation of Type of Industrial Estates

IB5 – Acceptable Uses in Prestige Business Areas

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