

# Item 4

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

---

1. 7/2008/0327/DM APPLICATION DATE: 21 July 2008

PROPOSAL: **ERECTION OF 2NO. LIGHT INDUSTRIAL UNITS WITH ANCILLARY OFFICES**

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

APPLICATION TYPE: Detailed Application

APPLICANT: Easter Properties  
4 Grosvenor Place, London, SW1X 7EG

#### CONSULTATIONS

1. Cllr. Alan Warburton
2. GREAT AYCLIFFE TC
3. Cllr. Sarah Jane Iveson
4. Cllr. W.M. Blenkinsopp
5. DCC (TRAFFIC)
6. Sanderson Weatherall
7. NEDL
8. Network Rail
9. DCC (PROWS)
10. POLICE HQ
11. LANDSCAPE ARCH
12. ECONOMIC DEV
13. L.PLANS
14. Lee White
15. ENV. HEALTH
16. ENGINEERS
17. ENV AGENCY
18. RAMBLER
19. ENGLISH NATURE
20. NORTHUMBRIAN WATER
21. DARLO BORO
22. Freshwater Group

#### NEIGHBOUR/INDUSTRIAL

Waste Transfer Station  
Travik Chemicals  
Inkland Ltd  
Unit 2  
Drivers Jonas

#### BOROUGH PLANNING POLICIES

- T6 Improvements in Road Safety  
T7 Traffic Generated by New Development  
D1 General Principles for the Layout and Design of New Developments

## SEDFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

---

IB5	Acceptable uses in Prestige Business Areas
E15	Safeguarding of Woodlands, Trees and Hedgerows
D4	Layout and Design of New Industrial and Business Development
IB1	Types of Industry and Business Areas

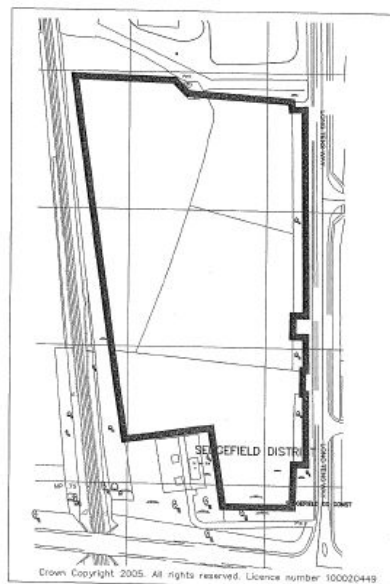
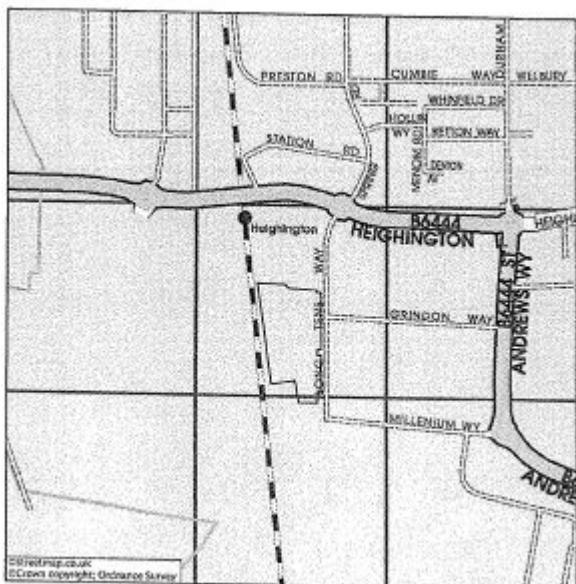
---

#### BACKGROUND

Detailed planning approval was first granted to construct 9 industrial units at this location in September 2006. The application provided a total floorspace of 14,695 sq. m for Class B1 (business), Class B2 (general industrial use) and Class B8 (storage and distribution) and associated car parking and servicing at this 3.91 hectare site at Long Tens Way, Newton Aycliffe (App. No. 2005/0826). To date this planning approval has not been implemented.

A second planning application seeking planning approval for 11 units to be constructed on the site was approved in June 2007. This application (App. No. 2007/0093) sought consent to erect 11 industrial units and to amend the layout so that the unit size could be varied to suit market demand. The type of usage and the total floor of the revised scheme remained unchanged.

The development site as a whole is bounded to the north by a waste transfer station, Long Tens Way to the east, Millennium Way, an electricity sub station and open fields to the south, and the railway line to the west, as illustrated on the location plan outlined below.



The site is a Greenfield site and consists of 4 fields that have previously been used for grazing animals. 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.

#### THE CURRENT PROPOSAL

The current application site forms the central section of the larger development previously approved in June 2007.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

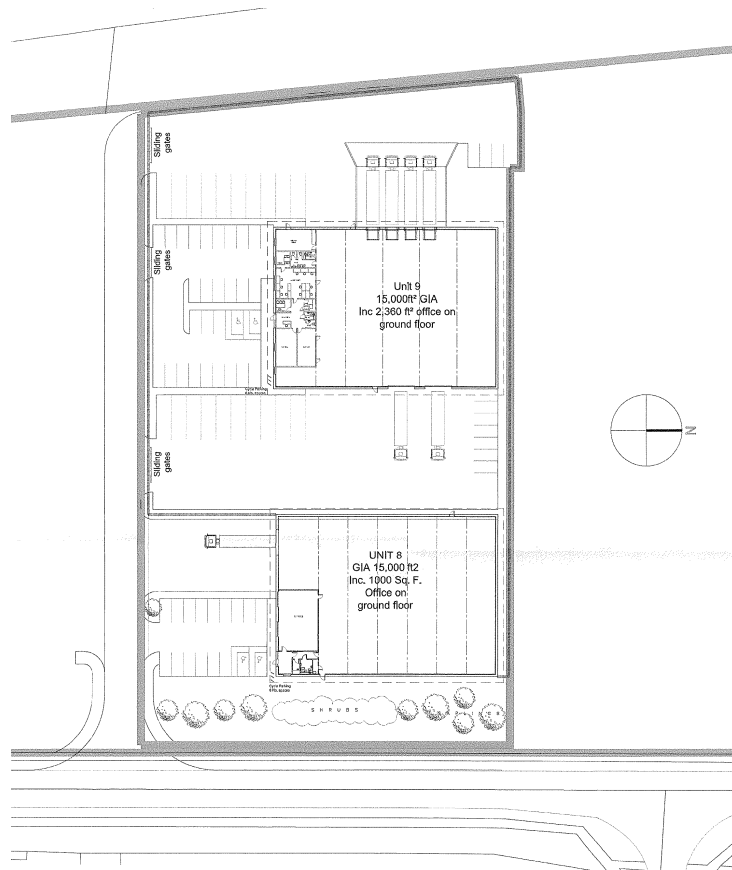
---

It is now proposed to amend the layout of this section of the site so that two units (providing a total floor space of 2,949 sqm.) are now constructed rather than the three units formerly approved.

The existing tree shelterbelt along the eastern boundary of the site alongside Long Tens Way is to be retained and supplemented with additional planning as part of the larger development of the site.

Access to the development is proposed via an existing access point off Long Tens Way. A total of 64 car parking spaces (4 disabled spaces), 20 loading bays for heavy good vehicles and 12 cycle spaces will be provided on site.

The proposed layout and access arrangements are shown below.



A Design and Access Statement has been submitted in support of this planning application together with supporting information including an economic statement and an extended phase 1 survey update.

The accompanying economic statement submitted in support of the planning application states that the proposal will help address the lack of modern high quality B1/B2 and B8 Industrial Space available to long lease purchase by owner occupiers. It has been estimated that 41 jobs are likely to be created as a result of this proposal.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

---

**CONSULTATION AND PUBLICITY**

**External Consultees**

**Great Aycliffe Town Council** has not commented upon this proposal.

**The Highway Authority** originally raised concern that the 17 car parking spaces to service unit 8 appeared to be notably less than the maximum figure of 46 outlined within the County Council's Parking Standards. As a result, a revised scheme has been submitted showing the number of spaces to serve this unit increased to 25 spaces. The revised scheme is now considered acceptable.

**Durham County Council Rights of Way Officer** has stated that this proposal would not affect any Public Rights of Way.

**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.

**The Environment Agency** originally objected to the proposal due to lack of appropriate information to demonstrate that the risk of pollution to controlled waters is acceptable. This information has now been forwarded to the Agency, who have confirmed that they now have no objections, but have advised that a planning condition be imposed relating to surface water run off.

**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.

**Network Rail** was consulted regarding this proposal but no response has been received regarding this proposal.

**The Ramblers Association** (Darlington Branch) has raised no objection to this proposal.

**Internal Consultees**

**Engineering Services Team** stated that a desk top study of the site should be made to confirm that the site is not contaminated.

**Environmental Health Team** has raised no objection to this proposal.

**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 this scheme would not be substantially different to the larger scheme previously approved for the whole of this development site. The importance of retaining and enhancing the existing shelter belt adjacent to Long Tens Way is acknowledged, however, the detailed

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

---

landscaping proposals can be addressed by imposing normal landscaping conditions if planning permission is granted for the current proposal, as was the case with the previous applications relating to this site.

#### **Publicity Responses**

Although site notices were displayed, an advertisement placed in the local press and letters sent to neighbouring occupiers to publicise the application no comments have been received regarding this proposal.

#### **PLANNING CONSIDERATIONS**

The main planning considerations are as follows:

- Compliance with National Planning Policy and Guidance and Local Plan Policies, Supplementary Planning Guidance
- Design and layout
- Energy efficiency
- Ecology and Nature Conservation

#### **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.

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.

#### **Design and Layout**

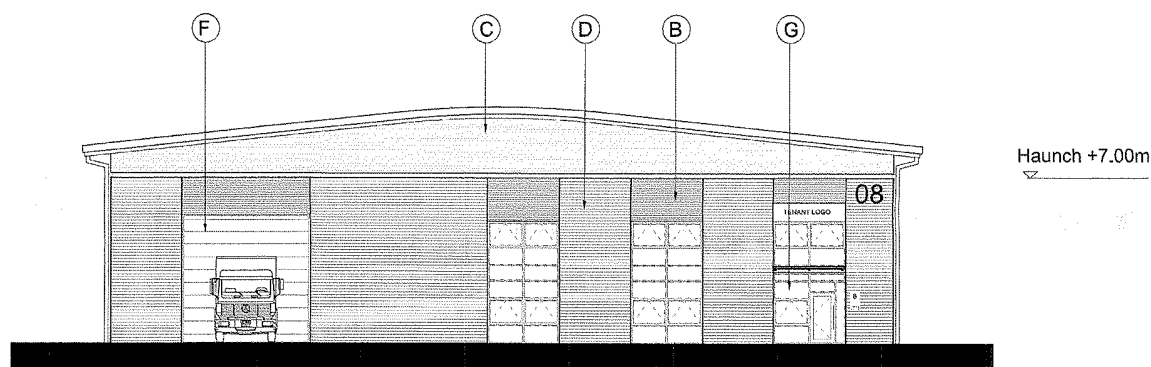
The application proposes a revision of the previously approved layout for the central section of this approved industrial development. It was originally proposed to erect three industrial units within this section of the site. These units comprised a single unit with a second pair of industrial units served from this central vehicular access.

The two units now proposed have been specifically designed so that the foot print of Unit 8 aligns with that of the building previously approved fronting Long Tens Way, thereby, safeguarding the existing shelter belt which is to be retained and enhanced.

The two units proposed would be constructed with a steel superstructure and a mix of cladding systems to match that of the buildings already approved within this wider scheme. The principal elevations fronting onto the internal estate road have been enhanced by the introduction of increased glazing and introduced coloured cladding, as illustrated below.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

---



**05** South Elevation  
1:200 @A1

Access to the site remains unaltered from the previous scheme and although the area of parking service areas have been enlarged slightly to facilitate access to the new units this enlarged area is situated on the western boundary of the site which will be well screened by the shelter belt on Long Tens Way and the buildings themselves. It should also be noted that a tree belt and area of undeveloped open space would be retained to the west of the application site and to the east of the existing railway line.

### **Energy Efficiency**

Policy 38 of the Regional Spatial Strategy requires 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.

### **Ecology and Nature Conservation**

The potential impact of proposed development upon wildlife species protected by law is of paramount importance in making any planning decision. It is a material planning consideration which, if not properly addressed, could place the Local Planning Authority vulnerable to legal challenge on a decision to grant planning permission without taking into account all relevant planning considerations. Subsequent injury to, or loss of protected wildlife species or associated habitat could leave the authority, including its officers and Members, at risk of criminal prosecution.

Circular 06/2005 emphasises the weight that must be attached to the impact that development may have upon protected wildlife species in Paragraph 99;

***“It is essential that the presence or otherwise of protected species, and the extent that they be affected by the proposed development, is established before the planning***

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

---

***permission is granted, otherwise all relevant considerations may not have been addressed in making the decision”.***

Extensive surveys were carried out at the time of the earlier planning applications at this site and a mitigation strategy was put forward to safeguard and enhance bio-diversity interests in this area. Additional phase 1 surveys were then carried out in February 2007 and again in June 2008. These surveys have demonstrated that no significant ecological changes have taken place on the site since the above mentioned surveys were carried out.

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

**CONCLUSION**

It has been demonstrated that the revised layout would compliment the existing approval and is in accordance with national and local plan policy. The proposed development would result in a high quality development and be of a high architectural standard commensurate with its location in a prestige business area and, if implemented, would provide much needed employment opportunities within the Borough.

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 the application 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.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

---

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 plans recd. 03 October 2008.

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 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 Part (D) of Policy 38 of the Regional Spatial Strategy.

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 and the updated ecological survey info. Contained within Extended Phase 1 Survey – Land at Long Tens Way, Aycliffe Industrial Estate carried out on 26th January 2006 and followed up by the two update reports conducted in February 2007 and June 2008) including, but not restricted to the provision of habitat mitigation and enhancement works, undertaking confirming surveys: adherence to precautionary working methods.



## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

---

Reason: In order to safeguard protected species in accordance with Planning Policy Statement 9 – Biodiversity and Geological Conservation.

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 Planning Policy Statement 23 : Planning and Pollution Control

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 Planning Policy Statement 23 : Planning and Pollution Control

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.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Planning Policy Statement 23 : Planning and Pollution Control

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 Planning Policy Statement 23 : Planning and Pollution Control

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 Planning Policy Statement 23 : Planning and Pollution Control

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 D3 (Design for Access) of the Sedgefield Borough Local Plan.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

---

14. 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.

15. 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 D3 (Design for Access) of the Sedgefield Borough Local Plan.

16. 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.

17. 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 Planning Policy Statement 23 : Planning and Pollution Control

18. 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 Planning Policy Statement 23 : Planning and Pollution Control

19. 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 Planning Policy Statement 23 : Planning and Pollution Control

20. 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 D4 (Layout and Design of New Industrial and Business Premises) of the Sedgefield Borough Local Plan.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

---

21. 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 D4 (Layout and Design of all New Industrial and Business Development), of the Sedgefield Borough Local Plan.

22. 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 Planning Policy Statement 9 - Biodiversity and Geological Conservation

#### **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'

This page is intentionally left blank