

# COMMITTEE REPORT

---

### APPLICATION DETAILS

---

<b>APPLICATION NO:</b>	DM/20/03644/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Demolition of existing toolroom and warehouse and construction of new warehouse, change of use of existing warehouse to offices and tool room (amended plans reducing height of western warehouse to 6.6m ridge and 5m eaves, drainage scheme, construction management plan, revised site layout plan depicting car and cycle parking received 1.3.2021)
<b>NAME OF APPLICANT:</b>	Mr Stephen Shaw
<b>ADDRESS:</b>	Units 1-6 Gas Lane Industrial Estate, Gas Lane, Middleton in Teesdale, DL12 0TN
<b>ELECTORAL DIVISION:</b>	Barnard Castle East
<b>CASE OFFICER:</b>	Amy Williamson, Senior Planning Officer, 03000 261391, amy.williamson@durham.gov.uk

---

### DESCRIPTION OF THE SITE AND PROPOSALS

---

#### The Site

1. The application site measures 0.71ha in area and is located on the southern fringe of the Village of Middleton in Teesdale to the south west of the County. The application site comprises around 0.31ha occupied by the existing premises including single storey brick buildings, dating from around the 1980's, and more modern commercial buildings clad in corrugated sheeting and a yard/parking area, together with around 0.4ha of land currently in agricultural use to the south. The site is operated by Technimark who principally manufacture plastic injection moulded components for the medical, pharmaceutical, and healthcare industry. The site currently employs 92 no. staff and operates across various shift patterns 24 hours per day. The existing Technimark site is considered to fall under a B2 general industrial use
2. Access to the site is taken from the adopted highway Gas Lane, at the north-eastern corner of the site that leads to a central courtyard providing parking and delivery access. There are pockets of undeveloped land and landscaping areas scattered around the site.
3. Immediately to the north of the site lies a paddock containing an agricultural building with allotments/gardens behind. Planning permission DM/18/00120/FPA and DM/20/00039/VOC granted consent for erection of a new build dwelling in the paddock to the north of the Technimark site, however this has not yet been constructed. Beyond the paddock, St Aidans Chapel, a mid 20<sup>th</sup> century building, adjoins the B6282

on a triangular shaped site between Dale View and Gas Lane. To the east lies the highway Gas Lane, where a range of existing civic buildings including the fire station, village hall and primary and nursery school of late 20<sup>th</sup> century modern appearance are located. A cricket club, sewerage works, other industrial premises and a dwelling known as the Gables, lie further south along Gas Lane beyond the extent of the adopted highway. To the south of the site an undeveloped agricultural field leading to the River Tees is located along with footpath no. 49 (Middleton in Teesdale)

4. Land to the west of the site is of residential character, comprising a series of historic terraced dwellings at Newtown and River Terrace. Dwellings continue northwards along Masterman Place and Dale View to meet the B6282.
5. The existing Technimark premises and field to the south proposed for the extension lie within the Middleton in Teesdale Conservation Area and within a designated area of higher landscape value.

### The Proposals

6. Planning permission is sought for the demolition of an existing tool room towards the eastern site boundary and a warehouse to the southern boundary. The development would facilitate a reconfiguration of the internal site layout and the expansion of the site on the existing agricultural field to the south.
7. A new 1890sqm warehouse is then proposed to be constructed to the south of an manufacturing building to the western boundary of the site. The building would measure a maximum of 57.3m in length and 37.2m in width. The building would have two pitched roofs, one measuring 8m to ridge height and 6.3m to eaves height and the other on the lower western element, would be at a reduced height of 6.6m to ridge height and 5.3m to eaves, following the submission of amended plans. The building would be set in a minimum of 13.8m from the western site boundary and a distance of 7m from the southern boundary.
8. The warehouse would be finished externally in green profiled sheet cladding, to match existing buildings on the site of similar appearance. The warehouse would be accessed via roller shutter doors to the east side leading to an external lay down/storage area. Although the submitted plans indicate the new building would be used as a warehouse, the applicant has confirmed that if there is a need for additional manufacturing space in the future, the building may be used for manufacturing operations as part of the wider B2 (general industrial) use of the site.
9. An existing warehouse to the south east corner is proposed to be converted to a tool room and offices. A new glazed lobby would be added to the northern elevation, which would also feature a natural stone plinth and lobby walls, larch and merlin grey composite cladding. Offices attached to the existing manufacturing building within the centre of the site are proposed to be changed to staff welfare facilities.
10. A new 38 space car park would be provided to the east of the new warehouse building and an additional 16 no. parking spaces provided to the north of the converted tool room and office building. In total 83 parking spaces would be available within the wider site, comprising both the existing and proposed car parks.
11. The proposal would involve the loss of 12 no. trees within the existing landscaped area on central and eastern parts of the site to accommodate the development. Screen planting of the proposed warehouse would be provided immediately to the west of it and a 3m high native species hedge and rebuilt drystone wall is proposed to the

southern boundary. Further tree planting and soft landscaping are proposed within the site and along parts of the eastern boundary.

12. The applicant has stated that the proposed development is required to expand facilities on the site. Technimark produces medical, pharmaceutical and healthcare goods, some of which are used to fight the covid19 pandemic and for the roll out of the vaccine programme. As such there has been a substantial increase in orders during 2020 and additional space is required to meet increasing demand. It is stated that this is forecast to lead to an increase of around 30-40 jobs at the site, ranging from manual labour to skilled positions and would include apprenticeships for younger people.
13. The application has been called to committee at the request of Councillor Richard Bell, to allow the impacts on the Newtown area to be considered given the scale of the development and potential noise issues.

---

## **PLANNING HISTORY**

---

14. The small brick industrial units on the northern side of the site were first established in the early 1980's and extended to the south and west sides during the late 1980's and 1990's. Planning permission 6/2005/0143/DM granted consent for a further extension to form the manufacturing building to the south west side of the site. Planning permission 6/2014/0012/DM granted consent for the storage building situated to the south east corner of the site.

---

## **PLANNING POLICY**

---

### **NATIONAL POLICY**

15. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
16. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
17. *NPPF Part 4 Decision-making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
18. *NPPF Part 6 Building a Strong, Competitive Economy* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the

country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.

19. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
20. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
21. *NPPF Part 11 Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
22. *NPPF Part 12 Achieving Well-Designed Places* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
23. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
24. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from Page 73 pollution and land stability and remediating contaminated or other degraded land where appropriate.
25. *NPPF Part 16 Conserving and enhancing the historic environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
26. *NPPF Part 17 Facilitating the Sustainable Use of Materials* - It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

## **NATIONAL PLANNING PRACTICE GUIDANCE:**

27. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; historic environment; design process and tools; determining a planning application; flood risk; healthy and safe communities; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; noise; public rights of way and local green space; planning obligations;; use of planning conditions; and; water supply, wastewater and water quality.

<https://www.gov.uk/government/collections/planning-practice-guidance>

## **LOCAL PLAN POLICY:**

### The County Durham Plan (CDP)

28. Policy 1 (Quantity of Development) outlines the levels of employment land and housing delivery considered to be required across the plan period.
29. Policy 2 (Employment Land) Policy 2 supports development of and extensions to B1, B2 and B8 developments within specified employment allocations, but also protects other existing employment sites from being changed to non-employment uses, unless appropriate marketing has been undertaken for employment uses, and that the use would not compromise the main use of the site for B class uses and would comply with retail Policy 9 where main town centre uses are being proposed.
30. Policy 6 (Development on unallocated sites) states the development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.
31. Policy 10 (Development in the Countryside) states that development will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside.
32. Policy 14 (Best and Most Versatile Agricultural Land and Soil Resources). Development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. Soil on previously undeveloped land should be properly managed.

33. Policy 21 (Delivering sustainable transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
34. Policy 26 (Green Infrastructure) states that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
35. Policy 29 (Sustainable Design) details general design principles for all development stating that new development should contribute positively to an areas' character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities.
36. Policy 31 (Amenity and pollution) sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
37. Policy 32 (Despoiled, degraded, derelict, contaminated and unstable land) requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
38. Policy 35 (Water management) requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.
39. Policy 36 (Water infrastructure) advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defense infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
40. Policy 38 (North Pennines Area of Outstanding Natural Beauty (AONB)) sets out that the AONB will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Development

in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes.

41. Policy 39 (Landscape) states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts
42. Policy 40 (Trees, woodlands and hedges) states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
43. Policy 41 (Biodiversity and Geodiversity) states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
44. Policy 43 (Protected Species and Nationally and Locally Protected Sites) development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
45. Policy 44 (Historic Environment) seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.
46. Policy 56 (Safeguarding Mineral Resources) states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

---

## CONSULTATION AND PUBLICITY RESPONSES

---

### STATUTORY RESPONSES:

47. *Middleton in Teesdale and Newbiggin Parish Council* – Support the application. The following issues of concern were raised:
- Is there scope to reduce the height of the buildings
  - Is it possible to clad the exterior of the buildings in stone to reduce visual impacts
  - The existing site generates excessive light pollution and also blocks light to the southern section of Gas Lane
  - Noise from the existing site has created problems in the past, noise reduction/mitigation is essential should the development proceed
  - Traffic movements along Gas Lane could be potentially dangerous given existing uses, in particular during school dropping off and picking up times
  - It is queried whether there is adequate space within the site for the tree planting indicated. New trees should be mature/semi mature to provide screening as quickly as possible rather than use of whips/saplings
48. *Highway Authority* – Following the submission of amended plans and other supporting information, advise that on-site parking provision, relative to cited employee numbers both existing and proposed, would clearly improve materially compared to existing provision. In that respect, it is noted that the site is in a small town located within a rural area and that car borne transport is the likely chosen method of transport for many employees, in particular those living outside the town, and will continue to be favoured. Accordingly, and not least due to a desire to avoid adding to parking demand external to the site, or prejudicing the adopted head turning head facility located within the site, in-curtilage parking provision is important. Shift changes are likely to be periods of highest total demand. In-curtilage parking ratios relative to cited staff projections would materially improve under these proposals and car-share and EV parking spaces are now shown on the amended site plan, together with cycle parking provision. Car parking should be demarcated by white lines to maximise capacity and utilised for parking only and not for any other purpose, this should be agreed by condition.
49. The estimate of additional employees is 33. no. over 5 years with an increase in commercial vehicle movements of an average of 9 vehicles across a working day. On an hourly basis this is not deemed material to the continued use of Gas Lane. The application makes clear the respective peak periods of existing Gas Lane usage (school pick up and drop offs) are acknowledged by the applicant and that where possible commercial traffic is encouraged to avoid such periods.
50. Previous comments about kerbed protection of DCC lighting column no. 187 (at SE corner of turning head) do not appear to have been addressed in the amended plans and it is shown within an area of trafficked carriageway. The column should be protected by a kerb in line with the original comments or as an alternative relocated by DCC to the block paved footway immediately to the east, at the applicant's expense.
51. *Drainage and Coastal Protection* – No objections subject to condition requiring development to be carried out in accordance with Flood Risk and Drainage Strategy and to agree the final design of the drainage scheme.



52. *Natural England* – Advise that based on the plans submitted, it is considered that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites and therefore no objections are raised.
53. *Environment Agency* – No response received

#### **INTERNAL CONSULTEE RESPONSES:**

54. *Archaeology* – Advise that there are no known heritage assets within the proposed development area and none nearby which would suggest high potential for undiscovered below-ground remains. There is therefore no archaeological objection to the proposals.
55. *Design and Conservation* - The application site lies within the Middleton in Teesdale Conservation Area and as such the impact of the proposal on the significance, character and appearance of the designated asset should be a primary consideration in the determination of this application. The submitted heritage statement fails to identify the appropriate significance of the site or reach any substantiated conclusions on the impact, however an improved statement is unlikely to change the heritage and design conclusions. The design of the elements, other than the proposed large warehouse are all considered acceptable, they take a different design approach to the existing buildings, but it is complimentary and adds some modern detailing to reflect the new uses and increase in scale. The proposal is considered to be in conflict with some elements of Policy 44 of the County Durham Plan by virtue of the scale and massing of the new warehouse building causing less than substantial harm to the character and appearance of the conservation area especially the localised rural setting of the New Town character area and the incursion in to the green buffer which wraps around the conservation area in a southerly direction to the river, albeit a significant area of green buffer would be retained between the proposed building and river. It is advised that this localised and less than substantial harm be balanced against any discernible and deliverable public benefits in the determination of this application in accordance with para. 196 of the NPPF.
56. *Ecology* – Originally noted that areas of habitat creation as detailed in the Ecological Report and bird and bat boxes should be depicted on the proposed plans to give confidence of delivery and advise this has now been achieved following submission of the drawing no. L020033-018 Proposed Landscaping Principles. A condition requiring implementation of the development in accordance with the metric calculation, drawing no. L020033-018 Proposed Landscaping Principles and the recommendations detailed in Section 5.1 of the Ecological Appraisal Assessment report (Naturally Wild, November 2020) is recommended.
57. *Environmental Health Air Quality* – Following submission of confirmation of construction and operational vehicle movements, it is advised that flows will fall well below the screening criteria set out in Institute of Air Quality Management and Environmental Protection UK guidance to suggest the potential for significant effect. Additionally it has been confirmed there would be no onsite energy plant. As such there is no requirement for an air quality assessment. No Objections are raised
58. *Environmental Health Contaminated Land* – Raise no objections, are satisfied with the conclusions of the Phase 1 and Phase 2 Contaminated Land Reports and advise there is no requirement for a contaminated land condition.
59. *Environmental Health Nuisance* - Notes that no previous complaints have been received in relation to issues of noise, dust or light issues. The development has the potential to be noise and odour generating during the operational phase and noise and

dust generating during the demolition/construction phase; there are several nearby sensitive receptors within close proximity. The noise and odour assessment have followed appropriate methodology and selected appropriate receptors, they have been undertaken by appropriately qualified consultants and the findings and conclusions of the assessments are considered satisfactory. Conditions restricting the use of forklift trucks outside to 6am-10pm, deliveries to 8am – 7pm, to agree details of external lighting and to control construction working hours are recommended.

60. Following submission of the updated CMP, the Officer advises this is satisfactory to ensure there would not be adverse impacts during the construction phase. A condition is recommended to ensure compliance with the CMP.
61. *Landscape* – Advise that the development would extend the industrial estate and its associated character further south towards the river Tees. The scale of the development will generate some negative impact on the setting of the adjacent conservation area. The proposed development will also locally negatively impact on the adjacent Area of Higher Landscape Value and AONB through intensification of use and inclusion of larger area of car parking. The development will be visible in elevated view points within the landscape to the north and south of the site. It is requested that trees are incorporated in the hedgerow to the southern boundary to provide enhanced screening and that the roof of the warehouse is coloured grey and uses non-reflective materials to help reduce landscape impacts.
62. *Spatial Policy* – Advise that Policies 6, 29, 31, 39 and 44 will form the key policy considerations for assessing the principle of development on this site. It is considered that the site is well-related to the settlement pattern and form and the development proposal should be assessed against, and has the potential to accord with, Policy 6. Given the scale, design, materials and positioning of the proposed development, it is considered that it has the potential to accord with Policies 29 and 44. Policy 31 concerns residential amenity, however this has been dealt with by the applicant in their Noise Impact and Odour surveys. Policy 39 in particular directs that development affecting AHLV's will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm. In line with Policy 44, development proposals must also respect the setting of the historic assets. This should be taken into consideration when designing the scheme, particularly relating to the layout, design and materials used. Development proposals will need to demonstrate that they achieve the principles of accessibility and sustainability in accordance with Policy 21.

#### **EXTERNAL CONSULTEE RESPONSES:**

63. *AONB Partnership* – Note the site sits outside the boundary of the North Pennines AONB but would be seen from a number of key views within the AONB. The development as proposed will have an impact on views from within the AONB, with a new somewhat intrusive and out of character feature being added to the landscape. Mitigation including tree planting, colour choice for walls and roof should be included although it is considered this would not balance the impact. Ensuring that the carpark is accommodated into the setting will require particular attention. Request to be involved in discussions about the nature of biodiversity net gain.
64. *Northumbrian Water Limited* – No objections

#### **PUBLIC RESPONSES:**

65. The application has been publicised by way of 2 no. site notices, a press advertisement and individual neighbour notification letters. An online public consultation event was

held on 24 February local residents were able to ask technical questions regarding the development proposals.

66. 30 no. letters of objection have been received in response, with a summary of the key areas of concern as follows:

#### Impacts on the Character and Appearance of the Surroundings

- Due to its large scale, mass and appearance, the development would have significant adverse impacts on the character of the village and conservation area, in particular the sub area of Newtown, constructed in the early 1800's by the London Lead Company. The character of the conservation area would not be preserved or enhanced, contrary to relevant legislation. More recent developments at the site have already eroded the character of the conservation area.
- It would result in the loss of a key area of green open space and would be an eyesore in views across the landscape and from public rights of way, eroding the natural beauty of the special landscape character.
- The development would have adverse impacts on the special landscape character of the North Pennines AONB.
- The height of the building should be lowered and a more suitable palette of materials used.
- The Design and Heritage Statement refers to a sub area created by existing modern buildings along Gas Lane. If it is considered these existing buildings already spoil the character of the village, then adding the proposed industrial extension will create even further disharmony.
- The site originally comprised a series of small starter units, which were carefully designed and better related in terms of their scale and design to the character of the village. The original purpose of the site has been lost since Technimark and its predecessor have taken over and now seeks to become a large industrial estate
- Two previous extensions to the site have not had regard to the character of the surroundings
- Local residents have been subject to stringent design criteria and use of traditional materials by the Council when carrying out works to their own properties in the past. The approach to the proposed development differs from this by allowing industrial building materials to be used within the conservation area.
- There is scope to reduce the scale of the buildings and provide a more appropriate design for the extension, using sympathetic materials with fewer impacts on the character of the surroundings and local residents.
- Insufficient detail about landscaping proposals is included in the application.

#### Residential Amenity

- There have been previous noise issues at the site, in particular from operations involving the polishing of concrete, permanent low levels of noise from the plant room and manufacturing process, HGVs and forklift trucks, shift changeovers during the night, together with music being played when windows are open. These would be worsened as a result of the development and would detract from the tranquil nature of the surroundings.
- The existing site is excessively illuminated at night. Some security lights shine directly to residents bedrooms causing significant disturbance. The application does not include a lighting assessment and the development is likely to lead to additional light pollution and affect the character of the conservation area. It is noted that the AONB is a designated dark skies area.

- The most recently erected warehouse, constructed in 2014, has resulted in a loss of light along the southern part of Gas Lane, meaning it is difficult for residents to use in the dark.
- The new warehouse would be situated immediately behind properties on Newtown and would dominate and obscure the view, it would not be a desirable outlook from these properties. The Newtown properties have their frontage to the east elevation overlooking the gardens and the application site.
- The property to the south of Gas Lane already has adverse views of the factory, the development would block all remaining views and result in a loss of privacy to these residents.
- The development would create more opportunities for people to hide, which could result in increased crime to surrounding residents.
- The development would result in a loss of light and over bearing impacts to properties on Newtown, largely resulting from the height of the buildings. A daylight assessment should be provided to quantify the impacts.
- Residents of Newtown have invested money into their properties over the years and the development would devalue their properties
- Proposed tree planting to the west side of the warehouse will take a long time to establish and would not adequately screen the building. There is also concern that trees could become excessively tall over time and add to the over bearing impacts of the development and could also affect the stability of the existing boundary wall.
- Any damage caused to adjacent properties during construction works should be repaired by Technimark or their contractors
- Manufacturing is likely to take place in the proposed warehouse in the future in proximity to residential properties which could increase noise pollution
- The plans do not show any windows to the new warehouse. Lighting the building by artificial light only would not be energy efficient. However any windows or roof lights are likely to result in light pollution within the local area during hours of darkness.
- There is no or little screening to the east of Newtown gardens as suggested in the application.
- Adjacent residents would experience a significant loss of visual and residential amenity, in terms of loss of outlook, loss of light, privacy, over bearing, traffic, noise, odour, light and air pollution
- The scheme should be amended to keep manufacturing and HGVs to the east side of the site away from properties on Newtown
- It is suggested that a partnership group is established to take matters forwards in a collaborative manner, so the village can benefit economically from Technimark whilst retaining its residential and historical character

## Highway Safety

- The site access will be unsafe for additional traffic, in particular larger vehicles, given potential conflicts with the school, village hall, fire station and other properties on Gas Lane. In particular this would be dangerous for children attending the local school and worse at dropping off and picking up times. A condition should be applied requiring no vehicle movements associated with the site during school drop off and collection times.
- The number of car parking spaces proposed is excessive and does not reflect the number of employees and the percentage of them identified as driving to work. A smaller car park would meet the demands of the site. If the car park were to be reduced this would provide scope to alter the position of the buildings and reduce their height.
- If jobs are intended for local people, why is such a large car park required.
- The local road network cannot support any additional vehicle movements.
- No transport or traffic assessment has been included with the application.

## The Planning Application

- Dimensions have not been shown on the submitted plans
- The description of the development on the planning application is misleading and does not mention expansion of the site or the change of use of agricultural land. Some residents have disregarded notification letters as they did not set out the true extent of the development. Expansion of the site is mentioned many times in the planning statement but not on the Council's notification letter.
- Some properties were not initially notified of the application and there has been little publicity of the application by the Council.
- The Heritage and Design Statement contains a number of formatting and grammatical errors, which diminishes confidence in its overall content.
- Some adjacent properties, such as River Terrace, that may be affected by the development are not depicted on the proposed site plans.
- Residents have been recently approached about a proposed upgrade to the electricity supply. Concern is raised the development is a done deal given these upgrades.
- Due to the pandemic, residents have been unable to organise a community response to the proposals. Some residents who do not have access to the internet have also been unable to view the plans online.
- The supporting documents forming part of the application are of poor quality. These should be reproduced to a better standard and local residents should be reconsulted. In particular the heritage statement is wholly inadequate and does not meet the requirements of the NPPF and the Council's Validation Checklist.
- There are discrepancies in the number of car parking spaces stated in the application.
- Residents are unhappy about the Parish Council's decision to support the application following a public zoom meeting. Little consideration was given to impacts on the conservation area by the Parish Council and residents views were not taken into account. There was no opportunity at the meeting for residents to reply following the Councillor's debate.
- Planners should view the site from the gardens of adjacent residents. No-one in the Council has discussed the proposals with those most affected.
- There has been a lack of community engagement from Technimark and they did not attend the Parish Council zoom meeting.
- The Council's Public Access Website was not working during part of the public consultation period, restricting residents ability to view the plans and make comments.

## Suitability of Location

- The site is located close to the centre of Middleton in Teesdale and is in a residential area, this is not an appropriate location for a large single occupier industrial site. Technimark have already outgrown the existing site and the proposals attempt to shoe horn in more development in a tight space.
- It is considered likely that Technimark will move away from this site in the future, as further expansion will be required, which would not be achievable in this location. Meaning a vacant industrial site would be left in the middle of the village.
- The site is located outside the settlement boundary of Middleton in Teesdale.
- The adverse impacts of the development would make the area less attractive to tourists, which also makes an important contribution to the local economy.
- The development would be more suitable on an existing industrial estate such as in Barnard Castle or Bishop Auckland.
- The development would conflict with relevant national and local planning policies.
- The proposal is not a sustainable form of development, due to the percentage of employees that drive to the site and as it would involve over dominance of the industrial sector in a small rural area, rather than a more balanced range of uses.

- If approved, the development is likely to set a precedent for future expansion at the site.

## Impacts on Wildlife

- The application site provides a habitat for local wildlife, in particular as an extension of the River Tees corridor. Will appropriate surveys be carried out and relevant bodies consulted to ensure impacts on wildlife are given due consideration.

## Other Matters

- The requirement for such a large extension is not substantiated in the application
- The company's comments in the planning statement about relocating to a new site beyond the travelling distance of many existing employees is considered to be an emotional threat. It is considered more likely that companies would seek to retain staff, rather than spending significant amounts of money on training up new staff in another location.
- Would the extension be constructed in time to assist in the fight against the covid19 pandemic, or would this be substantially resolved by the time the development is complete, rendering it unnecessary.
- There are currently global issues of plastic pollution and increasing carbon footprint, as such production of plastic items should not be encouraged. This is in conflict with the Council's Climate Change Plan.
- Last year Northumbrian Water had to unblock a waste pipe from the factory across the field, was this as the result of plastic particles causing a blockage and potentially finding their way to the River Tees and associated wildlife?
- The company is American owned with 11 sites across the world, profits would not benefit the local area and local people. This sends a poor message to the next generation of letting large businesses take advantage of local, rural communities.
- What measures are in place to deal with a major incident at the site, such as a fire where chemicals etc could combust. Middleton in Teesdale has a poor road network and is often subject to inclement weather during the winter.
- Local residents have not been considered by Technimark in producing these proposals and are seen as standing in the way of the expansion.

67. 10 no. letters of support have been received in response, with a summary of the key points as follows:

- The company provides stable, well paid and skilled employment within the local area, avoiding the need to other areas travel for work
- Technimark adopt flexible working practices and are a good company to work for, many employees have worked there for a long time and these is a family type culture within the company
- The development will ensure employment and job security for local people for the foreseeable future
- Technimark have invested in technology and is recognised as one of the best injection moulding companies within the U.K, winning multiple awards within the industry
- Technimark give back to the local community as much as possible through fundraising for local charities and organisations and the company have also assisted the local primary school with logistics issues
- The company supports a wide range of local businesses, including trades people, shops and hotels, both from employees on breaks and before and after work and visitors to the site
- Other local job losses have recently been announced at GSK, Barnard Castle, which is a significant blow to the local area

- New positions within the company are recruited locally, in particular apprentices
- Employees have been key workers throughout the pandemic and have continued to work throughout manufacturing life saving and sustaining devices, ensuring the supply chain was not interrupted at this critical time
- If the site were to close, many people, particularly younger people, would have to leave the area to find work as there aren't many employment opportunities in this area. The development would keep the younger generation within the village and prevent it from becoming a retirement village or a high level of second homes, which is already an issue with an aging population.
- Many local people are proud to have a successful business operating from Middleton in Teesdale, the development would provide huge benefits to the community in terms of sustaining and creating jobs if approved
- There are vast areas of open space within the Teesdale area, the benefits of this development would outweigh loss of one small area of open space within the village and of a limited number of views
- The impact on tourism will be negligible, the Teesdale Way to the south of the site already passes a sewage works and scrap yard, so the development would be seen within this context.
- Employment is a major national concern following the pandemic and Brexit. The expansion of the company and job creation in this context is only a good thing.

68. Following the submission of amended plans reducing the height of the western warehouse and other supporting information, notification letters were sent to neighbouring residents and others that had previously commented on the application. At the time of publication of the report 15 no. letters of objection had been received raising the following points:

- Dimensions are still not included or cannot be scaled from the amended plans
- Residents have had technical issues viewing the plans on the Council's Public Access website
- The token reduction in height of 1m will have no benefit to local residents. The development is still inappropriate for the site and unsympathetic to the conservation area and AONB. Residents original comments are still valid and issues raised previously are not addressed in the amended plans.
- The 8m high warehouse is unchanged and would still affect the view from adjacent properties and lead to over shadowing of properties and gardens. Given ground levels this could sit even higher above existing properties.
- There is no intention to incorporate green energy into the development, with only 25% provided by the energy supplier produced sustainably, this is unsustainable and in conflict with environmental objectives in the NPPF
- No lighting assessment has been submitted with the additional information
- The quoted number of 20 vehicle movements per day (1 every 35 minutes) does not take into account school pick up and drop off times
- The soakaways could flood and impact on adjacent residents
- Existing streetlights within the site have been broken for some time and have not been repaired which has led to new lighting being erected by the applicant. External lighting at the site should be motion sensor lighting to only come on when required.
- The warehouse to the east of the site constructed in 2013 still reduces light to the southern side of Gas Lane and this issue would not be remedied by the amended scheme. The applicant acknowledged at the public meeting this building was too big to be located next to residential properties, but this has now been disregarded in relation to the current application.
- Residents will experience a loss of privacy from the car park and from windows in the warehouse proposed to be converted to offices
- The car park would generate noise and light 24 hours per day

- The proposed job creation is not guaranteed
- Concern is raised about the long term sustainability of the business in this location and that the company may need to relocate in 5 years time leaving uncharacteristic legacy buildings, this should be considered now instead of the extension
- Some of the employees supporting the application do not live in Middleton in Teesdale
- The reduction in height will reveal even more of the taller building in views from Newtown and would not address the sheer mass of the building
- The materials for the warehouse are driven by cost and this building which would be visible to residents has not been given the same treatment as the offices which would have a more attractive design
- Use of the proposed warehouse for manufacturing in the future is not mentioned on the submitted plans and would result in adverse noise impacts to residents of Newtown. Additional warehousing or further extension to the site may be required if part of the proposed warehouse is lost to manufacturing and traffic is likely to increase once implemented in 3 years time.
- The landscape buffer between the warehouse and Newtown is still a concern, no details of the tree species and size has been provided and should be controlled to ensure trees do not exacerbate light loss
- Technimark should consider a split site now to enable retention of the local workforce and to accommodate growth, this may not be economical but would demonstrate the company's commitment to the local workforce and the village.
- The Highways comments do not refer to the property known as the Gables and the sewerage works which also have accesses down Gas Lane
- The car park is excessively large for the extension proposed and concern is raised this could be linked to further expansion of the site in the future
- Construction works will have unacceptable impacts on local residents, in particular noise and disturbance from construction activities and additional traffic
- Middleton Forge, Hyperdrug, the Auction Mart, the school and fire station are not considered comparable to the proposed development
- The addition of bat and bird boxes is not sufficient to mitigate for the loss of wildlife

#### **APPLICANTS STATEMENT:**

69. Technimark is a manufacturer of plastic components used in the Medical and Pharmaceutical sectors and is currently involved in manufacturing components directly used in the production of the COVID-19 vaccine and the treatment of COVID-19 patients.
70. Technimark are at the heart of the local community and have operated from Gas Lane for over 30 years. In addition to employing over 90 people, 30% of which live within 1 mile of the site and 75% live within 15 miles we also support the local economy through our business with local shops, pubs, hotels and many other trades. Technimark and its staff have and continue to fundraise significant amounts of money every year local charities and local causes such as Middleton School when we supported their direct appeal to help improve the IT equipment for those families whose children were at a disadvantage during lockdown to help their continued learning. Technimark support the local fire station by allowing staff who are retained fire fighters to leave site at any time to help with emergency call outs. Technimark are also a key supplier to GSK in Barnard Castle.
71. This application was made following a significant period of pre-application discussions and further enhancements have been made to the proposals in response to consultee comments and to address concerns raised by the local public. In the last 20 years and prior to our application Technimark have never received any complaints relating to noise, odour or artificial light, we want to be a good neighbour and we will actively



listen to specific concerns and work with our neighbours to overcome any such concerns.

72. This expansion is necessary to cater for increased demand and defined growth over the following years. Technimark have a commitment this year to invest over £1.1m in the expansion, work which will be carried out by local businesses employing local people, we also expect a further £1m plus to be invested in the preceding 12-18 months on equipment and infrastructure. This planned growth will also bring with it employment opportunities for more than 30 local people, jobs ranging from manual labour to highly skilled positions, including youth apprenticeship schemes.
73. There is a risk that if Technimark are unable to expand the current site that the business may need to move out of the area to secure a suitable premise. However, should the expansion go ahead the Technimark can continue to grow at the current rate for the next 5-10 years and become a secure and sustainable business for many years to come. Technimark do not have a plan or a forecast beyond the next 10 years as there are too many variables to consider however the likelihood of the facility closing after that point is low risk due the investment in infrastructure that is expected.
74. Technimark respectfully request that councillors look to support the officer's recommendation of approval to secure the employment of existing employees and create additional employment opportunities for local people.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at

<https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

---

## **PLANNING CONSIDERATIONS AND ASSESSMENT**

---

75. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues relate to the principle of development, locational sustainability, landscape/visual impact, impacts on heritage assets, local amenity, highways, flooding and drainage, ecology, ground conditions, and other matters.

Principle of the development

76. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035 and is therefore considered up to date. Paragraph 11c of the NPPF requires applications for development proposals that accord with an up to date development plan to be approved without delay.
77. Policy 2 of the CDP allocates employment land for industrial and businesses purposes to meet the needs of employment land over the Plan period. However, Policy 6 of the CDP recognises that in addition to the development of specifically allocated sites, there will be situation where future opportunities arise for additional new development over and above that identified, this includes for employment and economic generating uses. Policy 6 sets out the that the development of sites which are not allocated in the Plan

which are either (i) in the built up area; or (ii) outside the built up area but well related to a settlement will be permitted provided the proposal accords with all relevant development plan policies and:

- a. is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
- b. does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;
- c. does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
- d. is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
- e. will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
- f. has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g. does not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;
- h. minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i. where relevant, makes as much use as possible of previously developed (brownfield) land; and
- j. where appropriate, it reflects priorities for urban regeneration.

78. The County Durham Plan defines 'the built up area' as land contained within the main body of existing built development of a settlement or is within a settlement boundary defined in a Neighbourhood Plan. Areas falling outside this definition will be regarded as countryside. In this respect, the part of the site is considered to fall beyond the built up area of Middleton -in- Teesdale, although recognising that existing development does extend beyond the site further to the south. However, it is considered that the site is well-related to the settlement, and therefore subject to a detailed analysis of the impacts of the development, including against the criteria of Policy 6 the development is considered to be acceptable in principle.

79. As the application site is located outside of the built-up area of Middleton in Teesdale it is considered to be technically in the countryside, although well related to the settlement. CDP Policy 10 relates to development in the countryside and advises that development will not be permitted unless allowed for by specific policies in the Plan. The proposed development is considered to be one of these forms of development as it is allowed for by Policy 6. Consideration will however need to be given to the general development principles of development within the countryside. This is considered in detail in later sections of the report.

80. The NPPF sets that the purpose of the planning system is to contribute towards the achievement of sustainable development. Achieving sustainable development means

that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives. These are categorised as economic, social and environmental objectives. The assessment of the development against the social and environmental objectives are detailed below, however in terms of the economic objectives, Part 6 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. It also stipulates that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In particular in rural areas, paragraph 83 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of businesses in rural areas.

81. The development would ensure medium term retention of the Technimark site within Middleton in Teesdale, securing the existing 92 no. jobs at the site and involving the expansion of the business to employ around 30-40 new members of staff in a range of positions from manual labour, to skilled jobs and apprenticeships and increasing turnover to over £15 million over the next 5 years to 2025. Technimark advise that they support a range of other local businesses in terms of sourcing supplies and services, daily essentials and corporate hospitality purposes.
82. The application states that due to the need to expand the business, if it is not possible to adapt the current site further a new site would need to be found as it would be inefficient and not economically viable to operate across 2 no. smaller sites given the nature and scale of production. The identified potential location for an alternative site is over 30 miles away from Middleton in Teesdale, meaning commuting is unlikely to be feasible for many of the locally based employees and could result in job losses in this area. At present 28 of the 92 employees (30%) live within 1 mile of the site and 69 employees (75%) live within 15 miles.
83. Having regard to the economic and employment benefits of the proposed extension, it is considered this broadly reflects priorities for urban regeneration, in accordance with part j of policy 6.

#### Locational Sustainability

84. Policy 6 part f requires that new development within or outside but well related to existing settlements has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement. Policy 10 part p, states that new development in the countryside should not be solely reliant upon, or in the case of an existing use, significantly intensify accessibility by unsustainable modes of transport. Policy 21 of the CDP requires new development to deliver sustainable transport, including by providing appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users.
85. Paragraph 103 of the NPPF states that planning should actively manage patterns of growth to support the objectives of sustainable transport, including opportunities to promote public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
86. In this respect, the site is situated in a central position within Middleton in Teesdale around 400m from the village centre and would be easily accessible to local employees residing in the village on foot or by cycling. Similarly shops and services within the village would be accessible to employees during breaks or before or after

work. Access to the site and to services in the village would be at the lower limits of the acceptable walking distance (800/1000m respectively) suggested by The Institution of Highways and Transportation (CIHT) in their document "Providing for Journeys".

87. There are east and west bound bus stops around 250m away on California Row to the east and around 420m at Horsemarket to the west. There are a range of daytime services Monday to Saturday to Barnard Castle and Langdon Beck via intervening settlements from these bus stops. Whilst appreciating the business operates 24 hours per day 7 days a week across various shifts and public transport may not be accessible to all employees for this reason, the site would be accessible to some day time shift workers residing in Barnard Castle and nearby settlements via public transport.
88. Whilst given the size of the development there is no formal requirement for a travel plan, Technimark have voluntarily engaged with the Council's Travel Planning Team to promote more sustainable modes of travel to the site. Car Sharing will be encouraged after the Covid19 pandemic, with designated car sharing bays provided. Cycle parking and showers will be provided together with access to the government's cycle to work scheme. Electric car charging points would also be provided on the site. These measures, in addition to the proximity of the site to the village centre and public transport connections, would ensure it can be reached by sustainable modes of travel.
89. Issues of scale and massing are considered in further detail below, however in broad terms the size of the extension would be comparable to other existing buildings including the other industrial premises and the Auction Mart to the west of the village. Service provision within the settlement is also considered capable of supporting the proposed extension of the premises.
90. Having regard to the accessibility by sustainable modes of travel, the proportionality to the size of the settlement and service provision, it is considered the development would accord with Policy 6 Part f, Policy 10 Part p and Policy 21 of the CDP and Part 9 of the NPPF in this respect.

#### Landscape and Visual Impacts

91. Policy 6 part d, of the CDP requires that development on unallocated sites is appropriate in terms of scale, design, layout and location to the character, function, form and setting of the settlement. Policy 10 also seeks to protect townscape qualities, including important vistas and the intrinsic character and beauty of the wider countryside.
92. Policy 39 of the County Durham Plan states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. These are similar requirements to those outlined at Policy 6. Policy 39 also sets out that development affecting Areas of Higher Landscape Value (which the site is located in) will only be permitted where it conserves the special qualities of the landscape unless the benefits of development in that location clearly outweigh the harm. Policy 40 seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided. Parts 12 and 15 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment by (amongst other things) protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

93. The boundary of the North Pennines Area of Outstanding Natural Beauty (AONB) wraps around the north and west sides of Middleton in Teesdale. The village itself and the application site are not located within the AONB, however there are elevated, long distance views into the settlement from the AONB. Policy 38 of the CDP states that the North Pennines Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes.
94. Section 85 of the Countryside and Rights of Way Act (2000) places a duty on local authorities and other public bodies to have due regard to the purpose of AONB designation (the conservation and enhancement of natural beauty) in the discharging of their functions. Para. 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.
95. The proposed new warehousing and adjoining car park would predominantly be seen in localised views from the Newtown area to the west and the southern section of Gas Lane, which is a private road. The rear lane to the west of properties on Newtown contains tall boundary walls along the western boundary, which together with the presence of the dwellings themselves, trees and other vegetation, restricts views eastwards towards the application site from the public realm, generally only affording limited glimpses through private gardens.
96. There is a larger gap between nos. 3 and 4 Newtown, but the boundary adjacent to the public realm is well screened by tall evergreen hedging, with further vegetation and fencing providing screening in the gardens behind. The view south eastwards through this gap primarily faces the existing industrial buildings and the proposed new building would be seen in the background of these. Accordingly views of the proposed warehouse would be limited from this position.
97. An unclassified road runs parallel to the north of River Terrace culminating with a stone boundary wall. The proposed warehouse would be visible from the public realm to the west of the stone boundary wall and the eastern end of the unclassified road, looking in a north east direction. However, the wall itself, which appears to be around 1.5m in height, outbuildings and the boundary wall to the south of no. 15 Newtown, would provide some partial screening of the development. Although the proposed warehouse is still likely to be prominent in views from here, resulting in some localised visual and landscape harm. This unclassified road does not lead anywhere other than to access dwellings on River Terrace, as such it is most likely to be used by residents and their visitors.
98. Users of the unclassified road from the B6282 along Dale View, Masterman Place and Newtown and in the opposite direction heading northwards, which is used as a link to public right of way 49 on the northern river bank, would only experience limited glimpses of the proposed development. Proposed planting to the west of the warehouse would over time further screen the development from views in this direction. Views eastwards would be seen against the background of the existing industrial buildings and would not result in significant adverse visual impacts.
99. It is acknowledged there would be more direct impacts from dwellings and private gardens on Newtown and River Terrace, which are considered in the residential amenity section of the report below.

100. Views of the development from the public realm to the northern section of Gas Lane and Masterman Place and Dale View, which it is noted is slightly elevated above the site, would be screened by the existing buildings on the northern part of the site. Only part of the roof of the proposed new warehouse would be seen sitting above the existing buildings, in these views from the north. This would be viewed within the context of the existing industrial site and of modern buildings on Gas Lane, including the school, village hall and fire station. As such it is not considered that the proposed new warehouse would have an adverse visual impact in views from the north.
101. The southern section of Gas Lane beyond the entrance to the application site is a private road serving the sewerage works, other industrial premises and a dwelling. There are no public rights of way along this track and it serves only these private premises. There is an existing stone boundary wall to the west side of the private, southern section of Gas Lane, however this would provide little screening. The new warehouse and car park would be prominent in views from the private, southern section of Gas Lane, resulting in some localised landscape harm. However, this is not generally publicly accessible and would only be used by a small number of people accessing existing premises served by the private road.
102. Given topography and intervening buildings and vegetation, the proposed development would not be visible from the B6282 to the north, which is the main road through Middleton in Teesdale.
103. The frontage of the new office and tool room to the east side of the site (converted warehouse) would be visible along Gas Lane following demolition of the existing tool room. However, the frontage of this building would be improved, with large glazed panels, stone work, larch and merlin grey composite cladding. This would enhance the appearance of the building serving as an attractive reception point for visitors to the site and would not have any adverse visual impacts.
104. Public right of way 49, which also forms part of the route of the Teesdale Way, runs along the northern bank of the River Tees around 125m to the south of the proposed warehouse and car park. For a short section of around 100m there would be views northwards towards the development. An existing stone boundary wall immediately to the north of the footpath would provide some screening and this would be enhanced by the provision of a 3m hedge along the southern boundary of the site. The Landscape Officer recommends that a series of trees are also provided within the hedgerow to further soften the upper section of the proposed building. Precise details of all new planting could be agreed as part of a landscaping condition to ensure it is adequate and also to secure its implementation in a timely manner. On this basis it is considered that, whilst there would be views of the development from public right of way 49, these would be partially screened by existing and proposed landscaping features. The development would only be visible for a fairly short section of the footpath, with a linear belt of trees south of the Gables providing screening from the east and existing trees, dwellings and boundary walls at River Terrace providing screening from the west. Having regard to all of the above, visual impacts from public right of way 49 are not considered to be significantly adverse.
105. A further public right of way (no. 1) runs along the southern bank of the River Tees adjacent to Step Ends Farm, located around 180m to the south of the application site. Similarly to public right of way 49 this would have views of the development for a limited stretch, albeit at a further distance away. Views would be partially screened by existing trees along the river banks, together with new planting to the southern side of the site. Given the limited stretch where the development would be seen, the separation distance and existing and proposed screen planting, visual impacts from public right of way 1 would not be significantly adverse.

106. Within the wider landscape to the south of the site, public rights of way 8, 9 and 10, which form part of the Pennine Way, run on a north-south orientation up Intake Hill past the former Middleton Quarries to the south of the River Tees and the B6276. These public rights of way are within the North Pennines AONB and have elevated, long distance views of Middleton in Teesdale and the application site, at a distance of around 650-700m away. Topography and substantial riverside tree planting would screen the proposed development from lower sections of these rights of way, but it would be more visible in elevated locations. The proposed warehouse would be of a large scale and mass differing from the typical form and appearance of immediately surrounding buildings, although it would be viewed within the context of the built form of the settlement, the existing site and adjacent industrial buildings further south on Gas Lane, together with numerous large agricultural buildings on the northern hillside above the village. The warehouse would be visible in these elevated views from the south, resulting in some visual impacts and landscape harm.
107. Topography of the landscape to the northern side of Middleton in Teesdale is shallower and more undulating than that to the south. Public rights of way 43, 46 and 47 run northwards up the hillside close to Stanhope Gate and Spring Hill and have some elevated views over the village looking south west. This area is also within the North Pennines AONB. Views of the application site would typically be at a distance of around 1-1.5km. Existing buildings and trees in the vicinity of the village and topography would help provide screening, however given the scale, massing and appearance of the proposed warehouse it would still be visible, resulting in some visual and landscape harm.
108. The Landscape Officer and AONB Partnership advise that use of an appropriate colour palette to the exterior of the proposed warehouse, together with the new stone wall along the southern boundary and proposed planting, including additional trees within the southern hedgerow, would help to mitigate the impacts of the development. These points are considered pertinent and could be secured by condition. However it is considered that the mitigation would not fully address all visual impacts and landscape harm associated with the development
109. In order to accommodate the development it would be necessary to remove all existing trees from the interior courtyard and north eastern site boundary. These trees appear to date to the original development of the industrial units in the 1980's and are not significant veteran trees. Whilst they do make an attractive contribution to the character of the surroundings and their loss would be regrettable, the scheme does include significant areas of new planting including to the north and east of the office and tool room building from where the existing trees would be removed. It is considered that the trees that would be lost would be adequately mitigated by the provision of new tree and hedge planting on the site, in accordance with Policy 40 of the CDP.
110. Overall the development would be visible from public rights of way within the North Pennines AONB to the north and south and it is acknowledged this would result in some residual landscape harm. Notwithstanding the AONB designation, the site is considered to be viewed as part of the built up area of the village, rather than part of the open countryside. It is well contained by natural and built features and would be viewed as part of the built up area, rather than a feature, or an intrusion into the landscape. Having regards to Section 85 of the Countryside and Rights of Way Act 2000 it is considered that the proposal would not compromise the statutory purpose of AONB designation, which is to conserve and enhance the natural beauty of the area. As such there would be no conflict with Policy 38 of the CDP and paragraph 172 of the NPPF.

111. There would be some landscape harm, both in local views of the site from the Newtown/River Terrace area and the private, southern part of Gas Lane, together with wider impacts in long distance, elevated views. Use of an appropriate colour palate to the exterior of the proposed warehouse, together with the new stone wall along the southern boundary and proposed planting around the site, would help to mitigate some, but not all of the visual impacts. In the round this residual landscape harm is not considered to conflict with Policies 6 and 10 of the CDP or Parts 12 or 15 of the NPPF.
112. Policy 39 of the CDP states that development affecting AHLV will only be permitted where it conserves and, where appropriate enhances, the special qualities of the landscape, unless the benefits of the development in that location clearly outweigh the harm. This planning balance exercise is undertaken later in the report.

#### Impact on Heritage Assets

113. Policy 44 of the CDP sets out development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate. The policy permits flexibility in decision-making where harm is found to the heritage assets, with a public benefit test referenced similar to that within Part 16 of the NPPF. This states that at paragraph 196 where a proposed development will lead to substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
114. NPPF parts 12 and 16 also advocate the importance of achieving good design in new developments, which show sensitivity to heritage assets and the historic environment.
115. Given the location of the site within a conservation area regard is to be given to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. If harm is found this must be given considerable importance and weight by the decision-maker
116. Nos. 1-3 and 4a Masterman Place are grade II listed buildings located at the closest point around 150m to the north of the proposed warehouse. No. 16 Town End to the north of the site is also grade II listed. There is no intervisibility between these listed buildings and the application site due to the presence of intervening buildings. As such it is not considered that the development would have any impacts on the setting of the grade II listed buildings.
117. Middleton in Teesdale Conservation Area was designated in 1973 making it an early designation in conservation terms highlighting the longstanding quality of the built historic environment. The application site in part already has a very distinct industrial character, however the buildings of the current industrial estate are modest and generally relatively well integrated into their surroundings. The remainder of the site is open pasture which provides a green buffer to the south of the conservation area and has historically been undeveloped. The nearest buildings of interest are the nineteenth century Newtown to the west, a planned and co-ordinated development linked to the lead mining expansion of the time.
118. Para. 189 of the NPPF requires that applicants describe the significance of any heritage assets affected by development, usually by submission of a heritage



statement. The Design and Conservation Officer does not consider that the submitted heritage statement identifies the significance of the site or reaches any substantiated conclusions about the impact the development would have upon significance. However, it is advised that had the application could have been better supported and a revised statement addressing these matters provided, this would not change the Officer's conclusions relating to the heritage and design matters.

119. The Design and Conservation Officer advises that the other than the proposed warehouse, the remainder of the development is complimentary to the character of the surroundings, adding modern detailing to the existing buildings. Proposed demolition would be of late 20<sup>th</sup> century buildings, which do not make any particular contribution to the character of the conservation area.
120. In relation to the remained of the development, whilst the scale and massing of the proposed warehouse is large, the area is well screened from the B6282, the main road through the village and heart of the Conservation Area due to existing buildings. It would be more visible in localised views within Newtown and to southern side of Gas Lane. As identified above, there would also be longer distance views from elevated public rights of way to the north and south. However, where seen the warehouse would be within the context of the settlement including adjacent existing industrial buildings, fire station and modern buildings at the Primary School. The mass is slightly reduced by the use of two pitched roofs which give some height variation to the southern elevation. Proposed screen planting along the southern boundary, including the introduction of additional trees within the hedgerow and to the west adjacent to Newtown, would help to screen the development in localised views into the site from the conservation area.
121. The Design and Conservation Officer advises that the proposed new warehouse is of a scale and massing which does not reflect the historic or evolved grain of the settlement, it would encroach into the previously undeveloped landscape buffer to the south of the site which have historically remained undeveloped and provide a green buffer to the south of the village and wraps around the conservation area, albeit a significant area of green buffer would be retained. It is advised that this localised and less than substantial harm should be balanced against any public benefits of the development.
122. The Council's Archaeologist advises that there are no known heritage assets within the proposed development area and none nearby which would suggest high potential for undiscovered below-ground remains. As such no objections are raised and there is no requirement for any archaeological investigations as part of the development.
123. Overall, on the advice of the Design and Conservation Officer it is considered that the proposal would lead to localised less than substantial harm to the conservation area, through the built form of the building and the encroachment into a previously green buffer. While the level of harm is not considered to conflict with Policies 6 or 10 of the CDP, in line with Policy 44 of the CDP and Paragraph 196 of the NPPF this level of harm is required to be outweighed by the public benefits of the proposal. In this instance This planning balance exercise is undertaken later in the report

#### Local Amenity

124. Policy 6 part a of the CDP requires that development on unallocated sites is compatible with, and is not prejudicial to, any existing, allocated or permitted use of land. Policy 10 part r required new development in the countryside should not impact adversely upon residential or general amenity. Policy 29 part e of the CDP requires all

development to provide high standards of amenity and privacy and minimize the impact of development upon existing adjacent and nearby properties.

125. Policy 31 of the CDP seeks to support proposals only where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment. The policy sets out that developments will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions. Proposals which will have an unacceptable impact such as through overlooking, visual intrusion, visual dominance or loss of light, noise or privacy will not be permitted unless satisfactory mitigation measures can be demonstrated whilst ensuring that any existing business and/or community facilities do not have any unreasonable restrictions placed upon them as a result. Development which has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours, noise and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level.
126. Parts 12 and 15 of the NPPF, require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from unacceptable levels of pollution.
127. The warehouse building would effectively consist of two structures joined. The smaller of the two would have a eaves height of approximately 5m and a right height of 6.6m, which has been reduced by the applicant having regard to the concerns of local residents, and the larger element a eaves height of 6.3m and a ridge height of 8.3m. The smaller of the two elements of the buildings would be set back a minimum of 13.8m from the western boundary of the site where the with properties on Newtown are located. The, Properties on Newtown have long gardens and overall the proposed warehouse would be positioned between approximately 50m and 52m from the front elevations of these dwellings. A distance of approximately 50m would be evident between the terrace of river view and the southern elevation of the development, this would be measured at an offset angle.
128. Whilst it is appreciated the building is of relatively large scale and massing, its height to the western side, at 5.3m to the eaves and 6.6m to the eaves, would only be a marginally higher than the existing buildings to this side of the site, which measure 5.9m and 5.6m in maximum height. The CDP sets out minimum separation distances to dwellings that developments should achieve, including 21m between facing elevations that contain habitable rooms and 13m to a two-storey gable. While this guidance is principally directed to residential developments it is worth noting that the eaves height of the proposed development are comparable to the heights of a domestic dwelling.
129. Therefore, given the separation distances between the building and the east elevations of the dwellings, it is not considered that the warehouse building would result in any overshadowing or loss of light internally within the existing dwellings. There may be some very limited overshadowing of a small section of the eastern parts of the gardens of the properties for a short period in the morning when the sun first rises in the east, once it begins to move westwards shadows from the building would fall in a north west and then northern direction away from the gardens. This overshadowing would be worse in the winter when the sun is lower and would improve over the spring/summer when it is higher in the sky. The gardens would remain useable and would not be subject to a significant loss of light this is not considered to amount a significant loss of amenity or policy conflict.

130. No windows are proposed to the western elevation of the proposed building. As such residents in Newtown would not experience any overlooking or loss of privacy. The two personnel doors would only be used in emergencies.
131. The proposed warehouse would lie around 52m to the north of properties on River Terrace at the closest point. The rear elevations of these properties would face northwards towards the site. Given the northern orientation of the proposed building and the separation distance, it is not considered residents of River Terrace would experience any over shadowing, loss of light or privacy from the development.
132. Properties to the north on Masterman Place are around 100m to the north, however given the separation distance no over shadowing, loss of light or privacy is expected.
133. A dwelling known as the Gables is located around 75m to the south east of the proposed car park and over 100m from the south east corner of the warehouse. A dense belt of trees surrounds the Gables site to the north and west sides, which would provide a buffer between this property and the application site. No over shadowing, loss of light or privacy is expected, however occupiers of this property may experience some noise from comings and goings and light at the car park. The Gables is located adjacent to other existing industrial premises and the sewage treatment works, as such higher levels of background noise are likely in the vicinity, which together with the tree belt providing protection, would mean noise from the car park is not unduly discernible. It is also considered that given the tree belt and by use of a condition to agree precise details of external lighting, that occupiers of the gables would not be adversely affected by new lighting of the car park or from vehicle headlights.
134. Whilst the outlook from surrounding residential properties would change, the loss of a view is not a material planning consideration and is not something that can be afforded weight in decision making, although the concerns of residents is acknowledged. Similarly devaluation of property is also not a material consideration.
135. The proposal includes new tree planting to the west side of the proposed warehouse to partially screen and soften the appearance of the building. Residents have raised concerns that the trees could grow to a large height and cause loss of light and overshadowing themselves. Precise details of landscaping for the site, including tree species, are not included in the application and would be agreed by condition at a later date, in consultation with the Council's Landscape Team. This will ensure that the trees are of an appropriate species and size so as to avoid these impacts. A management plan for the landscaping would also be required to ensure it is adequately maintained, both to allow it to successfully develop and to ensure areas do not become over grown or that trees/hedging do not become excessive in size.
136. An updated construction management plan (CMP) has been submitted as part of the application, it is considered by the Environmental Health Nuisance Team that the measures detailed in the CMP are adequate to ensure that adjacent residents would not be adversely affected during the construction phase. A condition requiring implementation of the development in accordance with the CMP is considered appropriate to ensure it is adhered to.
137. Further conditions are recommended by the Environmental Health Nuisance Team relating to restricting external construction works, works of demolition, deliveries, external running of plant and equipment between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday and that no internal works audible outside the site boundary shall take place other than between the hours of 0730 to

1800 on Monday to Friday and 0800 to 1700 on Saturday, with no works taking place on Sundays or bank holidays.

138. The Environmental Health Nuisance Team advise they have not received any previous complaints about noise, odour or light from the premises. Planning permission 6/2005/0143/DM for the existing manufacturing building to the west of the site included conditions to restrict noise levels to 45dB(A) between 8am – 6pm Monday to Friday and 38dB(A) at other times, other previous consents from the 1980's also sought to control noise, dust, odour and general disturbance. No planning enforcement complaints have been received about breaches of these conditions. However it is noted that in response to the current application some residents have raised concerns about noise and light from the existing site.
139. The Environmental Health Nuisance Team note that no details of proposed external lighting have been provided and it is acknowledged issues of external lighting at the site have been raised by local residents. Concerns about potential light spillage from the new office/reception building which would feature large areas of glazing to the northern elevation, together with windows to other elevations have also been raised. The applicant advises that lighting would be turned off in the office building when it is not in use and that this building would typically only be used during standard office hours, with very occasional overtime use.
140. A condition to agree precise a lighting scheme for the site prior to the installation of any external lights or first use of the office building is considered appropriate, which should demonstrate compliance with the Institution of Lighting Professionals guidance notes for the reduction of intrusive light. External lighting at the existing site is beyond the control of the Local Planning Authority, however it is noted that Technimark have advised they will look to reduce this as much as possible. They also state that once implemented the new warehouse building would allow all operations to take place internally without the need for staff to move between existing buildings, which would reduce the requirement for external lighting. Subject to the condition it is considered an acceptable lighting scheme could be achieved as part of the development. The Environmental Health Nuisance Team would be reconulted on any details submitted to discharge the condition to ensure it is not excessively bright and complies with relevant good practice guidance.
141. An Odour Assessment has been submitted as part of the current application. The Environmental Health Nuisance Team consider this assessment has followed an appropriate methodology and been conducted in a suitable manner. Manufacturing techniques at the premises would remain as existing following the expansion and would be housed internally within the buildings, limiting the opportunity for the escape of odours. The Environmental Health Nuisance Team concur with the findings of the assessment that odour from the proposed extension is unlikely to be significant with the continuation of the current level of mitigation methods. A condition to ensure the development is carried out in accordance with the mitigation detailed in the assessment is considered appropriate.
142. A Noise Assessment has been submitted as part of the application. The Environmental Health Nuisance Team consider this assessment has followed an appropriate methodology and been conducted in a suitable manner. The Environmental Health Nuisance Team concur with the findings of the assessment that noise from the proposed extension is unlikely to be significant with the continuation of the current level of mitigation methods. A condition to ensure the development is carried out in accordance with the mitigation detailed in the assessment is considered appropriate.

143. The Noise Assessment refers to potential future expansion of the manufacturing element into the proposed warehouse. The applicant advises on the anticipated level of growth of the business, anticipated to be around 8% per annum, there could be manufacturing within the warehouse area in approximately 3 years time. Overall the site is considered to have a general industrial B2 use, with warehousing, offices and another ancillary elements forming part of this overall use and not being in separate use classes. As such it is not considered that use of the warehouse for manufacturing in the future would require any further planning permission. The Noise Assessment has been undertaken on the worst case scenario with manufacturing uses taking place in the proposed warehouse building. The building has been designed to incorporate insulation to mitigate noise impacts and would not contain any windows where noise could escape. As such it is considered that even if manufacturing uses were to take place in the proposed warehouse, noise would be adequately contained within the building and would not adversely affect adjacent residents.
144. The noise assessment makes the assumption that the operation of forklift trucks only occurs occur between 0600 to 2200hrs and that HGV movements at the site only take place between 0830 to 1700hrs. The Design and Heritage Statement broadly concurs with this assertion in that the current warehouse facilities are open for deliveries and shipments between 0830 to 1700hrs and the anticipated opening times of the future warehouse facilities will be open for deliveries between 0830 to 1830hrs, whilst being manned 24/7. The Environmental Health Nuisance Team suggest that conditions are attached restricting forklift truck movements to 0600 to 2200hrs on any day, with no movements outside of these hours and that delivery and collection of products involved in the manufacturing process undertaken onsite shall only be undertaken between the hours of 0800 to 1900hrs on any day. These conditions are considered appropriate to ensure the operation does not cause undue disturbance to neighbouring residents.
145. The Environmental Health Air Quality Team originally requested additional information about vehicle movements to the site both during construction and once operational, together with details about energy supply. The applicant has confirmed that during the construction phase it is anticipated there would be 15 no. two way trips by various construction vehicles, together with 20 no. two way trips by construction personnel. Once operational there would be approximately 20 two way vehicle trips, comprising a combination HGVs and smaller vans. Having received clarification on the number of vehicle movements, the Environmental Health Air Quality Team confirm that flows will fall well below the screening criteria set out in Institute of Air Quality Management and Environmental Protection UK guidance and it is not considered they would result in detrimental impacts to air quality.
146. Similarly the applicant has confirmed there would be no new source of energy generation on the site, with power continuing to be sought from the national grid as per the existing situation. As such this would not result in any adverse air quality impacts.
147. The site is relatively flat with a slight slope downwards from west to east. Site sections and confirmation of proposed finished floor levels have been submitted as part of the application. The proposed warehouse would sit at the same floor level as the existing manufacturing building to the north west and the existing warehouse to the east. As such there would be no requirement for extensive cut and fill works or significant levels changes that would further increase the height of the proposed warehouse, particularly in relation to the western site boundary adjacent residential properties.
148. Whilst acknowledging the proposed development would change the outlook of properties on Newtown and to a lesser extent River Terrace, the loss of a view is not a material planning consideration. The height and separation distance of the proposed

warehouse would ensure there is no loss of light internally within these dwellings and that only the eastern ends of the gardens may be over shadowed to a very limited extent for short periods. Conditions are appropriate to control the construction process, noise and lighting issues. As such it is not considered that the development would result in any significant amenity issues and would be compatible with adjacent uses, in accordance with Policy 6 part a, Policy 10 part r, Policy 29 part e and Policy 31 of CDP and Parts 12 and 15 of the NPPF.

## Highway Safety

149. Policy 6 (criteria e) of the CDP outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity. Policy 10 part q requires that new development in the countryside should not be prejudicial to highway safety. Policy 21 reiterates the requirement of Policies 6 and 10 in addition to expecting developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. Specifically, the NPPF sets out at Paragraph 108 that safe and suitable access should be achieved for all people. In addition, Paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.
150. Currently 92 no. employees work at the site, which is anticipated to increase by around 30-40 new posts over the next 5 years. The applicant advises there are around 6 different shift patterns over a two week period operating from the site, meaning not all current employees are on site at the same time. Around 70-80% of the anticipated new employees (20-30 people) would also work shifts, meaning they would not be on site all at once and avoiding peak times. It is intended to promote employee travel to the site by more sustainable modes of travel such as cycling, walking, car sharing (post covid) and electric vehicles. Cycle Parking, showers, designated car sharing bays and electric vehicle charging points would be provided to facilitate this. Whilst not a formal requirement due to the size of the site, it is understood the applicant has voluntarily engaged with the Council's Travel Planning Team to improve sustainable travel options.
151. 83 no. parking spaces would be provided on the site, which is considered adequate to meet the needs of staff and visitors by the Highway Authority. This would include 2 no. electric vehicle charging points, 8 no. car sharing spaces for use post covid and 16 no. cycle parking bays.
152. The applicant advises that currently there is approximately 1 delivery/collection vehicle movement to site every 45 minutes during daytime hours (0830 to 1700hrs), which equates to around 11 vehicles over the course of the day, typically this would constitute 5 no. HGVs and 6 no. vans. This is anticipated to increase as a result of the development to 1 delivery/collection vehicle movement every 35 mins, or around 20 over the day (8am – 7pm), with a similar ratio to the existing in terms of HGVs and vans. Although production would increase at the site, the applicant has advised that current vehicles delivering and exporting products from the site are not currently full and there is capacity within them to receive extra stock for the manufacturing process and to deliver additional products to customers. Technimark only work with a limited number of customers and as part of the expansion are seeking to increase orders by these key multi-national pharmaceutical and healthcare companies and are not intending to actively seek out new companies to supply.
153. The proposal would allow for additional space for the parking and turning of HGVs within the site, which would avoid any conflicts with HGVs passing on Gas Lane or

having to park up elsewhere within the village when there is insufficient space for two larger vehicles to access the site at the same time. Although it is envisaged occasions where more than 1 HGV would access the site at the same time would be minimal.

154. It is noted that Gas Lane also serves the Primary School and Fire Station. School drop off and pick up times, as with any school, generate a high parking demand in the vicinity of the school. The Fire Station is not permanently manned or subject to a high degree of emergency call outs. The proposed development relates to expansion of a well established industrial use. The estimate of additional employees is 33. no. over 5 years with an increase in commercial vehicle movements of an average of 9 vehicles, split between HGVs and smaller vans, across a working day. On an hourly basis this is not deemed material to the continued use of Gas Lane. The application makes clear the respective peak periods of existing Gas Lane usage (school pick up and drop offs) are acknowledged by the applicant and that where possible commercial traffic is encouraged to avoid such periods. The Highways Authority do not consider that the development is likely to result in a significant change in terms of traffic and associated highway safety on Gas Lane, given the relatively low increase in vehicle movements.
155. The Highway Authority also advise that an existing lighting column maintained by DCC should be physically protected by a kerb or relocated. This point still remains outstanding but could be resolved by a condition to agree precise details of the treatment of the lighting column.
156. It is noted by some residents that the proposed car park would accommodate all employees and concern is raised about whether sustainable modes of transport would be utilised. There would be a total of 83 no. car parking spaces, there are currently 92 employees which would rise to around 120-130 over the next 5 years. Therefore the car park is not large enough to accommodate all employees at the same time. Given the shift patterns worked at the premises, existing and proposed employees would not typically be on site at the same time. The busiest period currently is the day shift where the site could have a maximum of 50 people onsite working. For a 20 minute period during the 2pm shift change-over, the site could have a maximum of 64 people onsite, this would rise to 80 people following the expansion. It is estimated that around 66% of the workforce currently drive to work, with others walking, cycling and car sharing (pre and post covid). As such during the busiest period during the day shift changeover, there is likely to be a requirement for around 53 parking spaces. As such the car park would be adequate to accommodate those that drive to work and allow for some contingency for visitors and if there were an increase in the number of people driving to work, such as during the covid19 pandemic where car sharing is not encouraged.
157. Overall, the highway impacts of the proposed development are considered to be acceptable and in accordance with Policies 6, 10, 21 and 29 of the CDP as well as Part 9 of the NPPF.

## Ecology

158. Policy 10 part I states that new development in the countryside should not give rise to unacceptably harm to biodiversity either individually or cumulatively which cannot be adequately mitigated or compensated for. Policies 26, 41 and 43 of the CDP seek to secure net gains for biodiversity and coherent ecological networks. Policy 43 relates to protected species and nationally and locally protected sites. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them.

159. An Ecological Impact Assessment, biodiversity assessment and drawing no. L020033-018 Proposed Landscaping Principles have been submitted as part of the application, which assess the loss/gain of biodiversity and set out proposed ecological mitigation and enhancement.
160. The Council's Ecologist has reviewed the submitted information and raises no objections. The Ecological Impact Assessment notes that the development would result in a net loss of biodiversity on the site, however the significant areas of new tree and hedge planting, native wildflower borders and bat and bird boxes would address this loss, resulting in a net gain to biodiversity as required by policy 41 of the CDP and para. 170 (d) of the NPPF. A condition is recommended to secure implementation of the development in accordance with the mitigation and enhancement measures, which is considered appropriate.
161. The Ecological Impact Assessment included an assessment of the buildings proposed for demolition, the warehouse intended to be converted to an office/tool room and trees on the site for bat roosting opportunities. The buildings were considered to be of low risk for bats. Similarly the site was not found to provide any suitable habitats for any other protected species, other than nesting birds. An informative to advise the applicant to check any vegetation for the presence of nesting birds is therefore considered appropriate.
162. Overall, the proposals would provide a net gain to biodiversity and would not affect any protected species, in accordance with policies 10 part I, 26, 41 and 43 of the CDP and Part 15 of the NPPF.

#### Flooding/Drainage

163. Policies 35 and 36 of the emerging CDP relate to flood water management and infrastructure. Policy 35 requires development proposals to consider the effects of the scheme on flood risk and ensure that it incorporates a Sustainable Drainage System (SuDs) to manage surface water drainage. Development should not have an adverse impact on water quality. Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where a sequential test and some instances exception test are passed, informed by a site-specific flood risk assessment.
164. The application includes a Flood Risk Assessment and Drainage Strategy. The application site is located within Flood Zone 1 (lowest risk of flooding) with land further to the south located within flood zones 2 and 3. The proposed drainage strategy intends to collect surface water runoff via a series of rainwater pipes, swales and filter drains before discharging into two soakaways located beneath the car parks, which would discharge into the ground.
165. The proposed drainage strategy includes the incorporation of Sustainable Urban Drainage (SUD's) including collection of surface water runoff via a series of rainwater pipes, swales and filter drains before discharging into two soakaways located beneath the car parks and finally discharging into the ground. The Council's Drainage and Coastal Protection Team raise no objections, advising that this approach would be in compliance with Policy 35 of the CDP and Part 14 of the NPPF. However a condition is recommended to agree hydraulic calculations in digital format together with



geotechnical Information and an engineering drawing indicating all finished site and drainage levels to confirm the drainage strategy can be satisfactorily implemented, this is considered appropriate.

166. Foul drainage would be disposed of into the public sewer, Northumbrian Water have been consulted on the application in this regard and raise no objections. This approach is in accordance with the hierarchy specified in Policy 36 of the CDP.
167. Overall, the proposed development is not considered to be at risk of flooding and would not increase flood risk elsewhere, in accordance with Policies 35 and 36 of the CDP and Part 14 of the NPPF.

#### Ground Conditions

168. Policy 32 of the CDP requires sites to be suitable for use taking into account contamination and unstable land issues. Paragraph 178 of the NPPF requires sites to be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination.
169. A Phase 1 Desk Study Site Investigation Report and Phase 2 Intrusive Site Investigation Report have been submitted as part of the application. These reports conclude that the site is suitable for the proposed use and there are no risks from land contamination. The Council's Contaminated Land Officer is satisfied with the manner in which the investigations have been carried out and agrees with the conclusion. As such there is no requirement for a contaminated land condition in this instance and an informative is appropriate to advise the applicant to liaise with the Contaminated Land Team if any unexpected contamination is found during construction works. The proposal would therefore accord with policy 32 of the CDP and Part 15 of the NPPF in this regard.

#### Mineral Safeguarding

170. Policy 56 of the CDP states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.
171. Part 17 of the NPPF advises that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.
172. The site is situated in an area identified in the CDP as a mineral safeguarding area for river sand and gravel. A Mineral Assessment Report has been submitted as part of the application, which concludes that given the size of the site, surrounding land use and, large deposits of more rural Sand and Gravel in the area that the site would not

be viable in a commercial sense and would have an unacceptable adverse impact on the environment, human health and local amenities if mineral extraction were proposed. Mineral Planners in the Spatial Policy Team have reviewed the Assessment and agree with its conclusions. As such the proposal is considered to accord with Policy 56 of the CDP and Part 17 of the NPPF in this regard.

## Other Matters

173. Policy 14 of the CDP states that the development of the best and most versatile agricultural land, will be permitted where it can be demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. NPPF Paragraph 170 states that LPAs should recognise the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Best and most versatile agricultural land is classified by the NPPF as grades 1, 2 or 3a. The development would result in the loss of around 0.3ha of agricultural land currently used to graze sheep, retaining the majority of the field to the south for grazing purposes. Given the relatively small area of agricultural land that would be lost and the significant economic benefits in this instance it is not considered there would be a conflict with Policy 14 of the CDP and NPPF Paragraph 170.
174. Some comments have been received that the proposal lies outside settlement limits for the village as defined in the Teesdale District Local Plan (TDLP). The TDLP has now been superseded by the County Durham Plan and previous settlement boundaries are no longer afforded weight in decision making. The CDP does not include any settlement boundaries.
175. Residents have raised concerns about whether this site is suitable for the expanded use, whether Technimark have outgrown the current site and whether approval of the proposed development would lead to further extension in the future. The current application should be considered on its own merits and does not include any additional expansion at this time beyond that shown on the submitted plans. If further expansion were to be proposed in the future, based on a corporate decision by Technimark, any proposals at that time would also need to be considered on their own merits and a judgement made at that time about whether this is appropriate or whether a larger premises would be better located elsewhere. The applicant has advised that the current proposals are likely to support the requirements of the business for the medium term without requiring further extension. Similarly if Technimark were to cease operating at this site, the buildings could be reused for other industrial purposes, subject to the same conditions as Technimark or could be considered for alternative redevelopment, which would need to be considered on its own planning merits.
176. The submitted plans are scaled drawing and as is the case with a lot of planning applications, do not include specific measurements of the proposed new warehouse. Confirmation of the height and dimensions have been provided to residents who have contacted the Local Planning Authority to request this information.
177. Residents comments about the description of the planning application are noted. However, it is considered that the description accurately reflects the proposed development. Statutory publicity requirements for the application were exceeded and residents had the opportunity to view the plans on the Council's Public Access website or to contact the case officer to find out more about the scheme following the consultation exercise.

---

## CONCLUSIONS

---

178. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In light of the recent adoption of the CDP, the Council has an up to date development plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11 c).
179. The development would cause less than substantial harm to the Middleton in Teesdale Conservation Area. As a result, both Policy 44 of the CDP and Paragraph 196 of the NPPF advise that this harm should be weighed against the public benefits of the proposal. These public benefits are considered to comprise of securing the existing 92 no. jobs at the site and involving the expansion of the business to employ around 30-40 new members of staff in a range of positions and the increased support a range of other local businesses in terms of sourcing supplies and services, daily essentials and corporate hospitality purposes.
180. Overall, it is considered that the identified public benefits that would arise from the development are sufficient to outweigh the identified less than substantial harm to the Conservation Area having regards to CDP Policy 44 and Paragraph 196 of the NPPF.
181. Similarly, it is considered that the identified public benefits that would arise from the development would outweigh the identified landscape harm having regards to the requirements of CDP Policy 39.
182. It is concluded that the proposal would represent the development of a site that is well related to the existing settlement, is compatible with adjacent land uses, would not result in inappropriate back land development and does not result in the loss of land that has a recreational, ecological or heritage value. The development is considered appropriate in terms of scale, design, layout and location to the character, function, form and setting of the settlement. The development would not be prejudicial to highway safety and is considered to be in a sustainable location. It is therefore concluded that the development would accord with relevant policies of the County Durham Plan and the NPPF.
183. The proposal has generated public interest. All of the objections and concerns raised have been taken into account and addressed within the report. On balance the concerns raised were not considered sufficient to justify refusal of this application in light of the significant benefits of the scheme, and the ability to impose conditions to control detailed construction, design and operational matters. There are no material considerations which indicate otherwise and therefore the application is recommended for approval.

---

## RECOMMENDATION

---

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

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

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

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

Location Plan (drawing no. L020033-001) received on 8 December 2020

Proposed Demolition (drawing no. L020033-004) received on 8 December 2020

Existing and Proposed East Elevations (drawing no. L020033-009 Rev C) received on 1 March 2021

Existing and Proposed North Elevations (drawing no. L020033-008 Rev C) received on 1 March 2021

Existing and Proposed West Elevations (drawing no. L020033-007 Rev C) received on 1 March 2021

Existing and Proposed South Elevations (drawing no. L02003-006 Rev C) received on 1 March 2021

Proposed Site Layout Plan (drawing no. L020033-005 Rev C) received on 1 March 2021

Proposed Landscaping Principles Bat and Bird Box Provision (drawing no. L020033-018) received on 1 March 2021

Site Sections and Finished Floor Levels (drawing no. L020033-019) received on 10 March 2021

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 6, 21, 26, 29, 31, 32, 35, 36, 39, 40, 41, 43, 44, 56 of the County Durham Plan and Parts 2, 4, 6, 8, 9, 11, 12, 14, 15, 16, 17 of the National Planning Policy Framework.*

3. No development other than ground clearance or remediation works shall commence until a scheme for the provision surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide 2016 and based on the principles set out in the submitted drainage strategy (drawing no. DR-C-2000 Rev P01) received on 1 March 2021. The development thereafter shall be completed in accordance with the details and timetable agreed.

*Reason: To ensure that surface water is adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.*

4. Notwithstanding any details of materials submitted with the application, the new warehouse shall have a grey roof using non reflective materials. Prior to the commencement of any development above foundation level to the new building and the installation of any new materials to the office/reception building, details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with Policies 29, 39 and 44 of the County Durham Plan and Parts 12, 15 and 16 of the National Planning Policy Framework.*

5. Lighting column no. 187 (at the south east corner of the turning head) shall either be protected within a kerbed area or relocated to an adjacent kerbed area. Prior to the carrying out of any hard landscaping works, details of the protection or relocation of

lighting column no. 187 shall be submitted to and approved in writing by the Local Planning Authority. The lighting column shall thereafter be protected in accordance with the approved details.

*Reason: To protect an existing DCC street lighting column affected by the development, in the interest of highway safety, in accordance with policies 6, 21 and 29 of the County Durham Plan and Part 9 of the NPPF.*

6. A lighting scheme, including all external lighting on the buildings and car park and details of the operation of lighting within the new office/reception building shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lights or the first use of the office/reception building. The detail provided shall demonstrate adherence to the ILP guidance notes for the reduction of intrusive light. The external lighting shall be erected and maintained in accordance with the approved details thereafter.

*Reason: In order to minimise light spillage and glare, in accordance with Policies 29 and 31 of the County Durham Plan and Local Plan and Part 15 of the National Planning Policy Framework.*

7. Prior to first occupation of the new warehouse hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

The landscape scheme shall include accurate plan based details of the following:

Trees, hedges and shrubs scheduled for retention.

Details of soft landscaping including planting species, sizes, layout, densities, numbers.

Details of planting procedures or specification.

Finished topsoil levels and depths.

Details of temporary topsoil and subsoil storage provision.

Seeded or turf areas, habitat creation areas and details etc.

The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

A plan for the long term management of all soft landscaping and planting

All planting shall be carried out in accordance with the approved details and in the first available planting season following substantial completion of the approved warehouse building.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

*Reason: In the interests of the visual amenity of the area and to comply with Policies 29 and 44 of the County Durham Plan and Parts 12, 15 and 44 of the National Planning Policy Framework.*

8. Prior to their installation, precise details of specification and appearance of all new hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

*Reason: In the interests of the visual amenity of the area and to comply with Policies 29 and 44 of the County Durham Plan and Parts 12, 15 and 44 of the National Planning Policy Framework.*

9. The new dry stone wall to the southern and eastern site boundaries shown on drawing no. L020033-005 Rev B (Proposed Site Layout Plan) shall match the appearance of the existing wall southern boundary wall intended to be demolished in terms of height, materials and laying pattern.

*Reason: In the interests of the visual amenity of the area and to comply with Policies 29 and 44 of the County Durham Plan and Parts 12, 15 and 44 of the National Planning Policy Framework.*

10. Prior to first use of the new warehouse hereby approved, all 83 no. parking spaces depicted on drawing no. L020033-005 Rev C (Proposed Site Layout Plan) shall be constructed and demarcated by surface lining or marking to ensure they are used to maximum capacity. The car parking spaces shall thereafter be used solely for the parking of employee and visitor parking and not for any external storage or loading.

*Reason: To ensure adequate parking is provided on site and remains available for this use at all times, in the interest of highway safety, in accordance with policies 6, 21 and 29 of the County Durham Plan and Part 9 of the NPPF.*

11. Prior to first use of the new warehouse hereby approved 2 no. electric vehicle charging points and 16 no. bicycle parking spaces shall be installed in the locations shown on drawing no. L020033-005 Rev C (Proposed Site Layout Plan). The electric vehicle charging points and bicycle parking spaces shall be retained for the lifetime of the development.

*Reason: To make access to the site more sustainable, in accordance with policies 6 and 21 of the County Durham Plan and Part 9 of the NPPF.*

12. The development hereby approved shall be undertaken in complete accordance with the Construction Management Plan (Wardman Brown, Rev A, February 2021) and Site Setup Plan (drawing no. L020033-203) received on 1 March 2021.

*Reason: To protect the residential amenity of existing and future residents from the development during construction works in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.*

13. In undertaking the development that is hereby approved:

No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0730 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

*Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.*

14. The development hereby approved shall be undertaken in complete accordance with the Noise Impact Assessment (Apex Acoustics, 8524.1 Rev A, 9 December 2020) and Odour Assessment (Apex Acoustics, 8524.2, Rev B, 9 December 2020).

*Reason: In the interest's residential amenity, in accordance with Policies 6, 29 and 31 of County Durham Plan and Parts 12 and 15 of the NPPF.*

15. There shall be no external forklift truck movements outside the hours 0600 to 2200hrs on any day.

*Reason: In the interest's residential amenity, in accordance with Policies 6, 29 and 31 of County Durham Plan and Parts 12 and 15 of the NPPF.*

16. Delivery and collection of products involved in the manufacturing process undertaken onsite shall only be undertaken between the hours of 0800 to 1900hrs on any day.

*Reason: In the interest's residential amenity, in accordance with Policies 6, 29 and 31 of County Durham Plan and Parts 12 and 15 of the NPPF*

17. The development hereby approved shall be implemented in complete accordance with the conclusions and mitigation detailed in section 5 of the Ecological Impact Assessment (Naturally Wild, WBR-20-05 Rev R3, November 2020) and biodiversity calculation received on 19 January 2021 and drawing no. L020033-018 Proposed Landscaping Principles received on 1 March 2021, including but not limited to sensitive timing of works, a sensitive scheme of external lighting, landscape planting and the incorporation of bird and bat bricks into the new buildings.

*Reason: To enhance biodiversity on the site and ensure there are no adverse impacts to protected species, in accordance with Policies 41 and 43 of the County Durham Plan and Part 15 of the NPPF.*

---

## **STATEMENT OF PROACTIVE ENGAGEMENT**

---

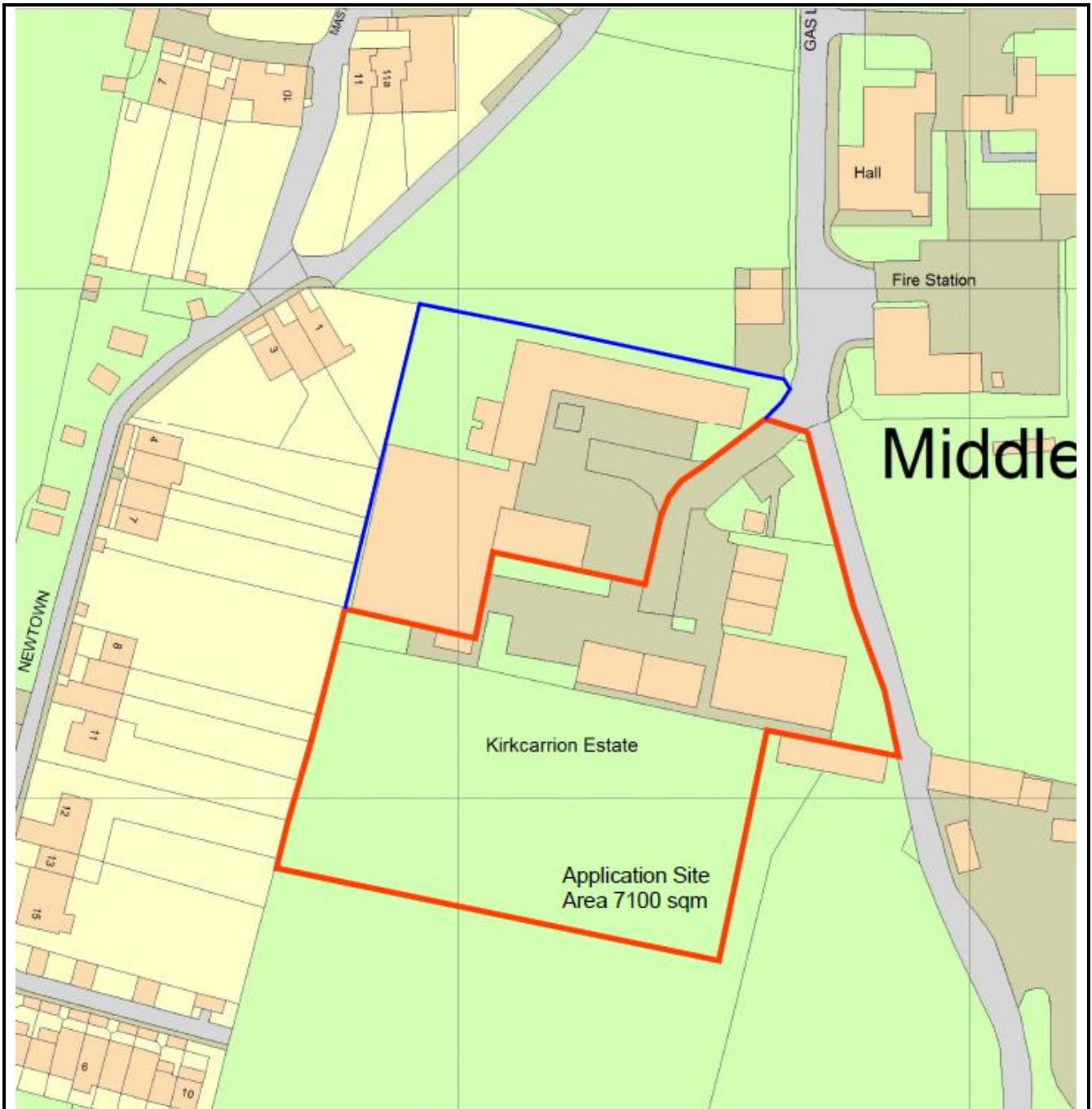
In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

---

## **BACKGROUND PAPERS**

---

Submitted Application Forms, Plans and supporting documents  
National Planning Policy Framework  
The County Durham Plan (CDP)  
Statutory consultation responses  
Internal consultation responses  
External consultation responses



<p><b>Planning Services</b></p>	<p>Demolition of existing toolroom and warehouse and construction of new warehouse, change of use of existing warehouse to offices and tool room</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>	<p><b>Comments</b></p>	
	<p><b>Date 22 March 2021</b></p>	