

## COMMITTEE REPORT

---

### APPLICATION DETAILS

---

<b>APPLICATION NO:</b>	7/2013/0087/DM
<b>FULL APPLICATION DESCRIPTION:</b>	Proposed change of use from general storage(B8) to general industrial use (B2) including external alterations and formation of new access
<b>NAME OF APPLICANT:</b>	Tekmar
<b>ADDRESS:</b>	Former Tetley Distribution Depot, Unit N791, Grindon Way, Aycliffe Industrial Estate, Newton Aycliffe, Co. Durham, DL5 6NG.
<b>ELECTORAL DIVISION:</b>	Aycliffe East ED
<b>CASE OFFICER:</b>	Paul Hopper, Planning Officer 03000 263946, <a href="mailto:paul.hopper@durham.gov.uk">paul.hopper@durham.gov.uk</a>

---

### DESCRIPTION OF THE SITE AND PROPOSALS

---

#### The Site

1. This application relates to the former Tetley Tea distribution facility which occupies a corner plot of some 1.5 hectares at the junction of Grindon Way and St Andrew's Way, Aycliffe Industrial Estate, Newton Aycliffe.
2. The site is currently vacant and contains a large steel portal frame building of around 7500m<sup>2</sup> floor area with a pitched roof to an overall height of approximately 15 metres. External walls are finished in a mix of steel cladding and block work with steel cladding to the roof.
3. The site has an existing access onto Grindon Way to the north and has an extensive area of hardstanding that incorporates parking provision for around 12 vehicles and loading areas. Boundary treatment comprises predominantly of 2 metre high chain-link fencing interspersed in places by palisade steel fencing of similar height. There is some existing tree planting to the north and east boundaries and existing industrial units bound the site to the north, south and west with open fields to the east.
4. The site benefits from planning permission for storage and distribution uses.

#### The Proposal

5. Tekmar the applicant company is engaged in the design, sales, manufacture and supply of cable protection systems for the offshore renewable energy sector and has occupied a site close by to the south at Park 2000 since 2008. Due to recent growth in the business the Company is seeking to expand its operations to increase production capacity and as such has identified the application site as a

potential location for expansion.

6. Planning Permission is sought for the change of use of the site to B2 (General Industrial) use to accommodate the Tekmar operations. The proposals would also involve a range of relatively minor works and alterations. These would include the installation of new roller shutter doors to the northern and eastern elevations of the existing building and the formation of a new vehicular access onto Grindon Way. The new access would include 2 metre high, electronically operated sliding gates and require the removal of some existing vegetation along the northern boundary. The existing access would be retained in its current form.
7. The proposal would also increase parking provision on existing hardstanding areas from 12 spaces to a total of 56 and would provide for the external storage of 16 steel storage containers (6 metres by 2.5 metres with a height of 2.8 metres). These would be double stacked and located adjacent to the eastern boundary with St Andrew's Way. In terms of vehicle movements the applicant anticipates that the proposed use would generate 45 operational vehicle visits per day from a mix of heavy goods vehicles and courier style light vans.
8. Two external smoking shelters and 3 cycle storage units would also be provided adjacent to the northern and eastern elevations of the building. These would be constructed from powder coated steel frames with Perspex cladding. In addition a small extension is proposed to the western elevation of the existing building which would cover a footprint of 7.2m<sup>2</sup> and house a compressor and electricity sub station.
9. In terms of employment opportunities the proposal would facilitate the relocation of 50 staff from the applicant's adjacent site, which currently employs 68 people. It is envisaged that an additional 12 employment positions would be created within a year as the business expands.
10. Hours of operation would typically be 08:00 to 17:00 Monday to Saturday, although the applicant has advised that at times of peak loads these would be extended to 06:00 to 23:00 Monday to Saturday.
11. The application is reported to the South West Area Planning Committee as it would comprise in excess of 5000m<sup>2</sup> of industrial floor space and as such is considered major development.

---

## **PLANNING HISTORY**

---

12. The application site was previously used as a distribution facility for Tetley Tea. This use ceased mid 2012 and the site is currently vacant.
13. The local planning authority is currently considering an associated application for advertisement consent to display 2 No Halo effect fascia signs in association with the proposed use.

---

## **PLANNING POLICY**

---

### **NATIONAL POLICY**

14. In March 2012 the Government published the National Planning Policy Framework (NPPF). The framework establishes a presumption in favour of sustainable development. This forms a golden thread running through both the plan-making and

decision-taking process.

15. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Planning Policy Statements and Planning Policy Guidance Notes are cancelled as a result of the NPPF coming into force.
16. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development: economic, social and environmental. The economic role is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
17. Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. Paragraph 17 contains the 12 core land-use principles that planning should underpin decision-taking. These include:
  - be genuinely plan-led, empowering local people to shape their surroundings;
  - proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs;
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
  - take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
  - encouraging the effective use of land by reusing land that has been previously developed, provided it is not of high environmental value;
  - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
  - conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
  - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and,
  - take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
18. The NPPF outlines in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system.

*The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>*

## REGIONAL PLANNING POLICY

19. *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008*, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The Regional Spatial Strategy for the North East will be revoked on 15 April 2013 and therefore the RSS policies carry no weight in the determination of this application.

## LOCAL PLAN POLICY:

20. The following policies of the Sedgefield Borough Local Plan as amended by saved and expired policies are relevant in the determination of this application.

21. *Policy IB1 (Type of Industry and Business Areas)* states that the Council will normally approve development that maintain in appropriate locations a range of land available for industry and business.

22. *Policy IB2 (Designation of Type of Industrial Estate)* designates existing industrial estates as prestige business parks, general industrial areas or local industrial areas.

23. *Policy IB5 (Industry in Prestige Business Areas)* states that business, general industry and warehousing will normally be acceptable and should incorporate a high standard of site layout, building design and landscaping.

24. *Policy D1 (General Principles for the Layout and Design of New Developments)* sets out several key principles for the layout and design of new developments.

25. *Policy D2 (Design for People)* requires developments to take account of personal safety and security of property, access needs of users and provision of appropriate facilities such as toilets, baby changing facilities, public seating etc.

26. *Policy D3 (Designed with pedestrians, cyclists, public transport)* aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.

27. *Policy E15 (Safeguarding of woodlands, trees and hedgerows)* sets out the importance of protecting area of high landscape value through retaining areas of woodland, important groups of trees, copses and hedgerow.

*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.*

---

## CONSULTATION AND PUBLICITY RESPONSES

---

### STATUTORY RESPONSES:

28. *The Highway Authority* has no objections subject to a condition requiring the submission and agreement of a Workplace Travel Plan.

29. *Great Aycliffe Town Council* offers support for any proposal to improve Aycliffe Industrial Estate and provide additional jobs but advises that replacement planting of shrubs be incorporated along St Andrews Way.

## **INTERNAL CONSULTEE RESPONSES:**

30. *Environmental Health Section* has no objections to the proposals.
31. *Ecology Section* has no objections to the proposals subject to the inclusion of an appropriate condition requiring that scrub clearance in association with the proposed access be undertaken outside of the bird breeding season. If the development proceeds within the bird breeding season than a qualified ecologist shall confirm in writing to the local planning authority the absence of breeding birds prior to the commencement of these works.

## **PUBLIC RESPONSES:**

32. The application has been advertised on site, in the local press and notification letters were sent to surrounding industrial units. One letter of objection was initially received from an adjacent industrial user, citing concerns regarding a pedestrian access to the southern boundary. This was formally withdrawn upon removal of this element from the scheme.

## **APPLICANTS STATEMENT:**

33. Established in 2008, Tekmar Energy Limited is a company engaged in the design, sales, manufacture and supply of cable protection systems for the offshore renewable energy sector. It has been operating out of its current premises on Park 2000 in Newton Aycliffe since 2008.
34. Having witnessed outstanding growth during this period, the company now finds that its operations are being limited by the constraints the current building exert. Staff numbers have grown from 5 to 68 in the period, production has risen from under 10 systems to over 1000 and turnover has grown from zero to approx. £20M.
35. The company now foresees the need for further expansion of its production capacity as well as the services it offers major European clients and in readiness for the next phase of growth it is in need of additional office, factory and hard standing space.
36. In an effort to retain a presence in the area, Tekmar have identified suitable premises in close proximity to the current facility in Newton Aycliffe. It is the company's intention to acquire a lease to permit its production operation to expand into the new building. This will involve relocating approximately 50 of the current staff to the new site, with the potential of adding an additional 12 staff within one year.

*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file.*

---

## **PLANNING CONSIDERATIONS AND ASSESSMENT**

---

37. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 development plan policies and relevant guidance, and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, the impact on the character and appearance of the surrounding area and the amenity of adjoining users, parking, access, highway safety and ecology.

## Principle of development

38. The application proposes the change of use from B8 (General Storage) to B2 (General Industrial) use at a site located within the prestige business area of Aycliffe Industrial Estate as defined by Local Plan Policy IB2. Aycliffe Industrial Estate is well established and represents the second largest industrial estate in the region, hosting a wide range of industrial uses. In this regard Local Plan Policy IB5 states that B1 (Business), B2 (General Industrial) and B8 (Warehousing) uses will normally be considered acceptable in prestige business areas. The National Planning Policy Framework (NPPF) notes that local planning authorities should support existing business sectors and that significant weight should be placed on the need to support economic growth through the planning system.
39. The applicant currently occupies an existing building close to the application site and is seeking to expand into larger premises. Saved Local Plan Policy IB5 clearly provides a policy framework supportive of B2 uses within Prestige Business Areas and the proposed use is therefore supported in principle, displaying broad accordance with the requirements of Policy IB5 and guidance contained within the NPPF. The principle of development is therefore considered acceptable.

## Impact upon the character and appearance of the surrounding area

40. The site occupies a position adjacent to one of the main vehicular routes into Aycliffe Industrial Estate and it is framed by other existing industrial units to the north, south and west. It is relatively well screened along its eastern boundary by existing vegetation and as such does not appear prominent in the wider locality. While some of the existing vegetation along the northern boundary would be removed as part of the proposal to accommodate the new vehicular access, this would not be to an extent where it would have any unacceptable impact upon the character of the surrounding area. Great Aycliffe Town Council has recommended that replacement planting be incorporated into the scheme along St Andrew's Way, but as well established boundary planting already exists in this location it is not considered necessary to include any additional landscaping measures as part of this proposal. The proposal therefore accords with the requirements of saved Local Plan Policy D1.
41. External works would be limited and include the installation of steel roller shutter doors to the northern and eastern elevations of the existing building and the erection of 3 cycle stores, 2 smoking shelters (and an electricity sub station. External storage areas and containers would be limited in extent and height and would generally be of an appearance typically seen on a large industrial site. As such the totality of the works would not appear out of keeping with the existing industrial character of the surrounding area in accordance with the requirements of saved Local Plan Policy D1.

## Impact upon the amenity of adjoining users

42. The proposal would involve the use of a vacant industrial unit and as such some increase to existing noise levels could be reasonably expected. However, any such increase would be heard in the context of an existing and well established industrial area which already hosts a range of other industrial uses. In this regard it is considered that the proposed development would not have any unacceptable impact upon the amenity of surrounding businesses, and while one objection was originally received, this has since been formally withdrawn.

43. The nearest residential properties would be located approximately 380 metres to the north east of the site at Bickford Terrace and this is considered sufficient distance to ensure that there would not be any adverse impact upon the amenity of the occupiers of these dwellings. In addition, it is noted that in terms of statutory nuisance, the Environmental Health Section offers no objection to the application.
44. The proposal is therefore considered acceptable in terms of its impact upon the amenity of surrounding users in accordance with Local Plan Policy D1.

#### Parking, access and highway safety

45. The new vehicular access onto Grindon Way would incorporate appropriate visibility splays and junction radii to adequately ensure that there would not be any adverse impact upon highway safety. Similarly, it is considered that the anticipated 45 vehicle visits per week could be safely accommodated by the surrounding road network. Adequate parking provision is proposed when considered against the Council's Parking Guidelines and as such the Highway Authority offers no objection to the scheme subject to the inclusion of an appropriate condition requiring the submission and agreement of a Workplace Travel Plan.
46. The proposed development would therefore accord with the requirements of saved Local Plan Policies D1 and D3 in terms of access, parking and highway safety.

#### Ecology

47. Local Plan Policy E15 seeks to protect areas of woodland, important groups of trees, copses and hedgerows wherever possible. Although not a hedgerow per se, the proposal would involve the removal of a small section of existing semi mature vegetation of approximately 10m in length to the northern boundary with Grindon Way. While the Ecology Section offers no objections to the proposals, it is advised that an appropriate condition be included requiring that scrub clearance works take place outside the breeding bird season, or if works are to take place within this period, that a qualified ecologist confirms the absence of breeding birds prior to the commencement of works.

---

## **CONCLUSION**

---

48. The proposal would enable a growing local business to expand and bring a vacant site back into productive use within Aycliffe Industrial Estate. The proposed use of the building is considered acceptable in principle and the scale, design and layout of proposed external works would be appropriate to the existing building and would not represent features that would dominate the site or the surrounding area or detract from the appearance of Aycliffe Industrial Estate.
49. Sufficient car parking provision is incorporated within the scheme to serve the proposed use and the surrounding road network could accommodate the proposed vehicle movements so that existing highway safety would not be compromised.
50. Given the sites location within an existing industrial area and the nature of surrounding uses it is considered that the proposal would not adversely impact upon nearby units or surrounding residential occupiers in terms of noise and disturbance.

---

## 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 permitted shall be carried out in accordance with the following approved plans:

<b>Drawing No:</b>	<b>Description:</b>	<b>Date Received:</b>
12.31/001	Site Location Plan	28/02/2013
12.31/007	Proposed Site Plan	26/03/2013
12.31/006	Proposed Elevations	28/02/2013
12.31/005	Proposed Floor Plans	28/02/2013
BXMW/ECC2	Ecclestone Economy	02/04/2013
BXMW/HAR	Harrowby Smoking Shelter	02/04/2013

*Reason: To define the consent and ensure that a satisfactory form of development is obtained.*

3. Prior to the bringing into use of the development a Travel Plan Coordinator shall be appointed and contact details for this person shall be provided in writing to the Local Planning Authority. Within 6 months of occupation a final Travel Plan, conforming to The National Specification for Workplace Travel Plans PAS 500:2008, Bronze Level, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

*Reason: In the interests of encouraging sustainable transport, in accordance with Policies D1 of the Sedgefield Borough Local Plan.*

4. There shall be no pedestrian access gates or other such point of entry or exit installed at any point along the southern boundary of the site.

*Reason: In the interests of the appearance of the area and to comply with policy D1 of the Sedgefield Borough Local Plan.*

5. The externally stored steel storage containers shown on Drawing No. 12.31/007 'Proposed Site Plan' shall not be stacked to a height exceeding 6 metres.

*Reason: In the interests of visual amenity and to safeguard the character and appearance of the surrounding area to comply with the requirements of policy D1 of the Sedgefield Borough Local Plan.*



6. Any on site vegetation clearance should avoid the bird breeding season (March to end of August), unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms that no breeding birds are present. The survey shall be submitted to and approved in writing by the Local Planning Authority prior to the removal of vegetation during the bird breeding season.

*Reason: To protect existing wildlife habitats in accordance with Policy D1 of the Sedgefield Borough Local Plan.*

---

## **REASONS FOR THE RECOMMENDATION**

---

1. The site is located on an existing industrial estate and is already developed for business purposes. The proposed use and external alterations are considered acceptable having regard to saved policies IB2, IB5 of the Sedgefield Borough Local Plan and guidance contained within the National Planning Policy Framework. The proposal would not have any adverse impact upon the character and appearance of the surrounding area, the amenity of adjacent land users or highway safety in accordance with saved policies D1, D2 and D3 of the Sedgefield Borough Local Plan.

---

## **STATEMENT OF POSITIVE AND PROACTIVE WORKING**

---

The local planning authority has acted in a positive and proactive manner in determining the application within the statutory determination period.

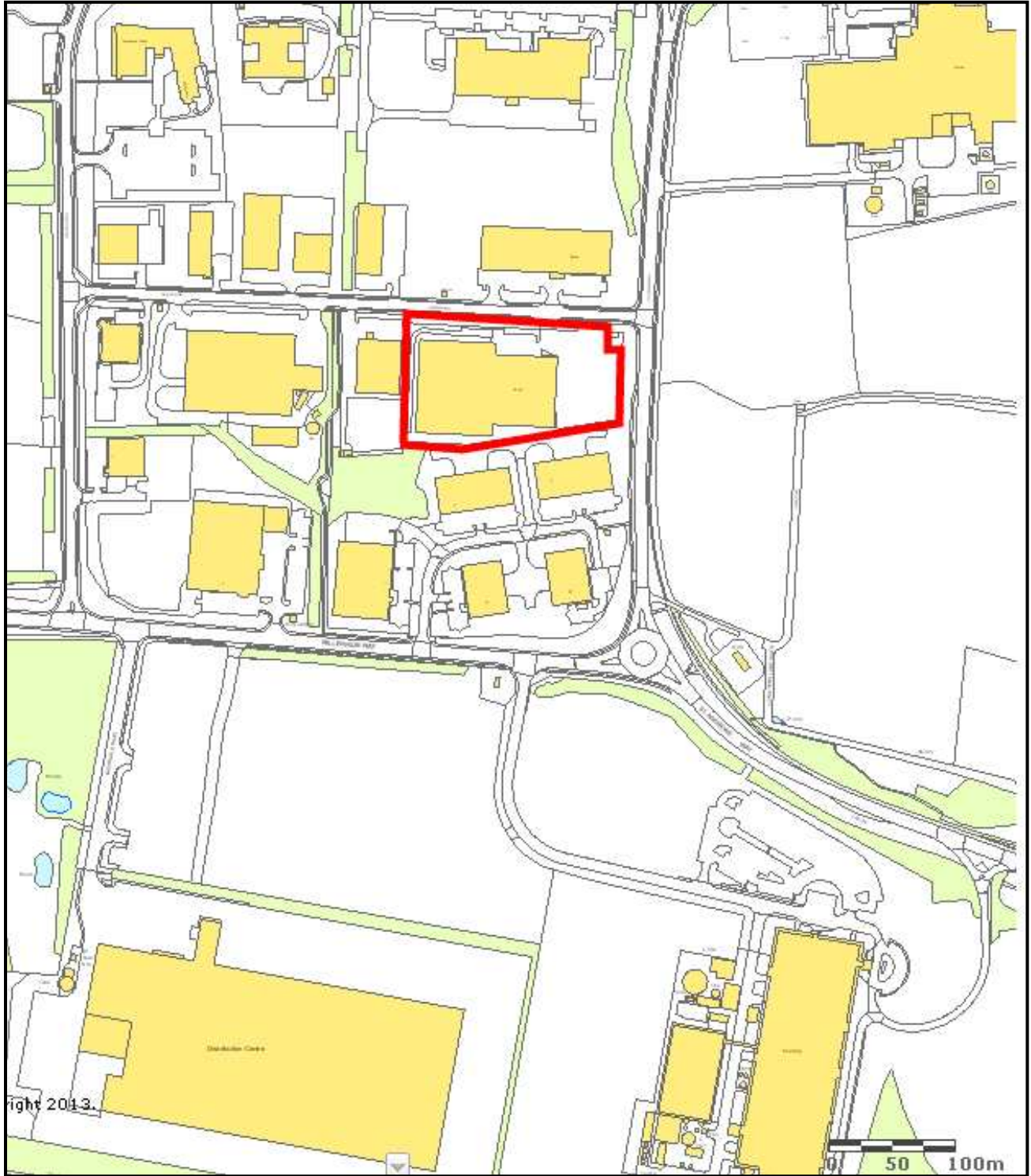
---

## **BACKGROUND PAPERS**

---

- Submitted Application Forms, Plans and Design and Access Statement
- National Planning Policy Framework
- Sedgefield Borough Local Plan
- Responses from the Highway Authority and Great Aycliffe Town Council
- Internal Responses from Environmental Health and Ecology Sections
- Public Consultation Responses





**Planning Services**

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

Proposed change of use from general storage(B8) to general industrial use (B2) including external alterations and formation of new access

**Comments**

**Date** 18 April 2013