

Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER: 3(a)

APPLICATION DETAILS

APPLICATION NO:	PL/5/2010/0525
FULL APPLICATION DESCRIPTION	HIGH BAY EXTENSION TO DISTRIBUTION CENTRE
NAME OF APPLICANT	WALKERS SNACK FOODS(DISTRIBUTION) LTD
SITE ADDRESS	WALKERS SNACK FOODS LTD, STEPHENSON ROAD, PETERLEE SR8 5AX
ELECTORAL DIVISION	PETERLEE EAST
CASE OFFICER	Grant Folley 0191 5274322 grant.folley@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The Walkers Snack Foods site is located on the northern boundary of Peterlee, south of Easington. Between the site within the North East Industrial Estate and Easington is Little Thorpe village and a green band that is designated as an Area of High Landscape Value (AHLV).
- 2 Easington is elevated considerably from the Walkers Snack Foods site, and the AHLV stretches from the ancient woodland on the coast to the A1086 (Thorpe Road) which connects to the A19 northbound. The site itself is sheltered from its surroundings by a number of trees along the north, east and west boundaries as well as being lower than the level of both Essington Way and Thorpe Road that bound its perimeter. To the west of the site, across Essington Way, there is an ambulance station, petrol station and Essington House, beyond these buildings is a nursery, playing fields and farmland. Further west is the main road linking Peterlee to the north and south, the A19. To the south is the industrial estate and residential properties, to the east is more industrial estate, housing, cemetery and farm land.
- 3 The Walkers Snack Foods site has developed over a number of years. The area of the site subject of this planning application is currently an existing lorry park and mound of earth to the north of the current warehouse.

- 4 The existing factory and warehouse are constructed using metal cladding in goose wing grey with poppy red banding and edging. The existing warehouse is approximately 17m high from ground level, though it is considerably hidden by trees and is lower than the road level. There are a number of trees on the northern part of the site, these currently screen the factory and warehouse and minimise its impact upon the Area of High Landscape Value and surrounding buildings.
- 5 The existing buildings on the site vary in size and range from single to roughly three storeys in height, the factory is on the eastern half of the site whereas the existing warehouse sits on the western half of the site. There is a lorry park to the north of the warehouse and a green triangular piece of land that has mature trees and electricity pylons on it.

Proposal:

- 6 Planning permission is sought for the erection of a new high bay warehouse, and extension to existing offices, the re-location of the existing lorry park and associated access and landscaping works on the site. The existing site boundary is to be retained and the location of the proposed high bay warehouse is on the north elevation of the existing warehouse. The lorry park is to be relocated to the north of the new warehouse, replacing an existing mound of earth left over from previous construction projects on site.
- 7 The planning application also proposes an extension to the ground floor office and staff facilities on the east elevation of the existing warehouse. The first floor extension is to be constructed to be similar to the existing warehouse. Within this new first floor extension is further office, meeting and IT space with new general access stair, platform lift and fire escape stair.
- 8 There will also be some upgrading of the external works to the south HGV entrance off Stephenson Road where a new turnstile and gate for staff and visitors will be constructed. This will enhance the security of the site, and pedestrian safety will be increased with the inclusion of a new footpath as shown on the proposed site plan.
- 9 The new warehouse will connect to the existing warehouse building as an extension, although it will be of a different design and finish. It will provide a much increased storage capacity which in turn will allow Walkers to use the Peterlee site as a distribution hub. The new high bay warehouse is 26m in height to the top of the parapet, has a length of 93.7m and a width of 49.4m. It has been designed to accommodate the function of an efficient distribution utility for the storage of products. The height of the building has been determined by the logistical strategy and has been reduced by 4m during design development. The existing warehouse that the proposal extends is 17m in height; so there is a significant height difference of about 9 metres between the two.
- 10 The new building is to be clad using insulated cladding panels fixed directly to a clad rack structure. The clad rack structure provides both an efficient structural frame and racking system in one with automated operating procedures. There are no window openings to the warehouse, there are some smoke ventilation units on the roof, some fire escape doors and two docking bays at ground level. The rest of the elevations are solid. The new warehouse has only one level and is set at the same finished floor level as the existing warehouse, the floor area is 4455m² (the floor area of the new warehouse is less than the size of the existing).

- 11 The new first floor office extension has an internal floor area of 300m², this extension will create new meeting, training and IT rooms as well as additional office space. The construction of this space will match the existing office building, all colours and finishes will be to match the existing. Within this space a general access stair and platform lift will create the primary access from the existing office entrance.
- 12 The existing lorry park will be relocated to the north of the site with an approximate area of 4170 m². This space will include 2no. docking bays and 25no. lorry parking bays, also within this area is a jet wash in the north west corner and fuel tank and ad-blue in the south west corner of the lorry park. The relocation of the lorry park to the north requires displacement of some earth that has amassed during previous construction projects on site. Some of this earth will be used within the new landscaping proposals, the left over earth will be sent to landfill or re-used within the site boundaries.
- 13 A new entrance turnstile and gate is proposed to the HGV entrance on the southern boundary, with a new pedestrian access route to the offices attached to the existing warehouse. The new access control turnstile and gate for pedestrians will be in similar materials to the existing security fence on site and will be integrated within the existing HGV entrance.
- 14 The existing landscaping will be retained where possible, though a temporary construction access road from Essington Way will be required in the north west corner of the site which will involve the removal of some trees and a section of hedge. Once construction works are complete, this area of land will be reinstated to match existing planting and incorporated into the proposed landscaping schemes. The new landscaping will be primarily to the north and west of the proposed warehouse and lorry park.
- 15 The external lighting design will be similar to the existing warehouse structure; there will be perimeter lighting for the building that will be mounted to the façade and lighting columns for the lorry park. The lighting will be designed so that there will be a minimum of light spill out of the site boundaries, similar to the high standards of lighting design set out by the existing warehouse.
- 16 Access to the site is gained via Essington Way from the south and Thorpe Road from the north. The two car parks are accessed via Stephenson Road. Lorries access the site via Stephenson Road at the centre of the southern boundary, the lorries exit the site via a loop to the north from Stephenson Road. The lorries will then access the A19 via either Essington Way or Thorpe Road depending on whether they are travelling north or south. There will be no change to the existing pedestrian and vehicular access as a result of the proposed planning application. Internally pedestrian access will be improved to allow access control from the western staff/visitor car park to the warehouse and offices.
- 17 As a result of the proposed works the current use of the site will remain unchanged, as the lorry park is relocated and the new warehouse increases the storage and distribution capacity of the site. The new warehouse sits within an existing factory and warehouse site, the site owned by Walkers Snack Foods Ltd is located within the North East Industrial Estate in Peterlee. The new high bay warehouse will be open 24 hours a day, 365 days a year and will be closed only on Christmas Day. There will be no additional noise associated with the new warehouse as the

automated machinery inside runs at a low noise level. The new warehouse will create only 13 new lorry movements a day.

- 18 The application is reported to the Committee as it constitutes major development due to the scale of the increased floor space.

PLANNING HISTORY

None relevant.

PLANNING POLICY

19 NATIONAL POLICY:

Planning Policy Statement 1 (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 4 (PPS4) Planning for Sustainable Economic Development proposes a responsive and flexible approach to planning which provides sufficient employment land and makes better use of market information. The PPS is designed to establish a national planning policy framework for economic development at regional, sub-regional and local levels for both urban and rural areas.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

20 REGIONAL POLICY:

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 RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 4 (The Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

Policy 38 (Sustainable Construction) sets out that in advance of locally set targets, major developments should secure at least 10% of their energy supply from decentralised or low-carbon sources.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

21 LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The

location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 7 - Development which adversely affects the character, quality or appearance of Areas of High Landscape Value (AHLV) will only be allowed if the need outweighs the value of the landscape and there is no alternative location within the County.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).

Policy 53 - General industrial estates are designated for B1, B2 and B8 uses at Peterlee North East, Peterlee North West, Peterlee South West and Dalton Flatts, Murton. Retail will be allowed in accordance with policy 105.

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.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

22 STATUTORY RESPONSES:

Highways Agency – It is understood that the application is for a High Bay Extension to a distribution centre, owned by Walkers Snack Ltd. The development increases the size of the site but does not increase the number of employees, and only increases the number of HGV movements in total by 13 per day. Having fully considered the impact of the proposal we have no objection to the above development being granted planning consent.

Environment Agency – Original concerns were raised regarding the potential of the proposed development to cause pollution to controlled waters. However, following submission of new information during the application process the original objection has been withdrawn. No objections subject to conditions relating the surface water management, use of drainage interceptors, and unknown contamination.

East Durham Business Service – The Business Service fully supports this initiative as it makes Peterlee a key distribution hub within the Group's manufacturing operations. I note the fact that vehicle movements will be only marginally increased due to more efficient links between manufacturing and distribution centres. Walkers is a valued employer within the area and this investment and development will help to cement its operations in Peterlee.

23 INTERNAL CONSULTEE RESPONSES:

Planning Policy – Relevant national and local plan policy encourages local authorities to be mindful of the potential of economic benefits of such applications. However any economic benefits need to be carefully weighed against the importance of protecting and enhancing the quality, character and amenity value of the countryside and urban areas as a whole. This proposal will undoubtedly have a significant effect on the visual amenity of surrounding

communities both in Peterlee and also in Easington and Littlethorpe, as well as the users of the surrounding countryside. As such careful consideration should be given to the potential visual and amenity impacts of the proposed works. Any design modifications that would reduce this impact should be fully explored.

Highways Authority – On the basis of the information submitted in support of the application, the proposals would be deemed to be acceptable from a highways point of view.

Design and Conservation – No objections to the proposed development subject to a condition being attached to any grant of planning permission requiring further discussion and agreement in relation to the materials and pattern to be used for the exterior of the building. Such a condition would allow Officers to test the effectiveness of the proposed finishes in mitigating the visual impact of the development in the context of a wider landscape setting.

Landscape – Due to the size of the proposed extension there will obviously be an impact on the landscape. However it is accepted that due to the size of the building no mitigation measures will usefully screen the development. Therefore it is considered that the proposed development may be acceptable subject to conditions requiring: further discussion and agreement in relation to the materials and pattern to be used for the exterior of the building; control over external lighting; further landscaping works around the site; and, a restriction on advertisements being displayed on the side of the proposed building.

Trees – No objections subject to replacement planting and tree protection works being secured through the use of appropriate planning conditions.

Ecology – No objections subject to mitigation measures outlined in the submitted Ecology Report being conditional of any grant of planning permission.

Environmental Health – No comments.

24 PUBLIC RESPONSES:

The application has been advertised in the local press and through the erection of 13 no. site notices over a wide area, around the application site. Neighbour consultation letters have also been sent. Two letters of representation have been received in relation to this application. Objections have been raised on the following grounds:

- Impact on the amenity of adjacent residents; through the loss of, or impact on existing views.
- Impact on residential amenity through the increase in noise and traffic associated with the development.

25 APPLICANTS STATEMENT:

Walkers Snack Foods Ltd is part of PepsiCo Inc and is a successful and growing business that requires optimisation of its supply chain and an increase in the local storage capacity within its logistics network. The Peterlee site is strategically located to serve customers in the north of England, the Midlands and Scotland, it will also become a key route for distributing Quaker Oats products from Cupar in Scotland throughout England.

This phased investment proposal is for a new automated storage warehouse built to the rear of the existing distribution centre followed by a new first floor office extension over the existing warehouse offices providing training rooms, meeting rooms and IT rooms.

The proposed new storage building is required to hold an increasing production volume and growing variety of product ranges including various oat based products from the Quaker Oats manufacturing plant in Cupar, Scotland and Walkers Extra Crunchy manufactured in Peterlee.

This shall be a highly automated warehouse with a capability to hold a further 9,500 pallets of product ready for sorting, order picking and delivery to our customers. To maximise efficiency the warehouse shall be constructed with a clad-rack structure, the external envelope fits direct to the racking and is very efficient, reducing the buildings dimensions to a traditional structure. The building shape and size is a direct result of the pallet storage volume, racking design and product throughput; this has been carefully calculated to provide the optimum solution.

The external elevation treatment has been considered carefully, a number of options were considered prior to the planning application being submitted. This internal design review process looked at the various options of the elevations and testing them against each other for their visual impact and aesthetic values. The options varied considerably, from horizontal banding of colours to vertical banding. Some options used a less formal approach to coloured panels to either play down the corners of the proposed building or mimicking the tree-line by the use of green and darker panels.

The design team agreed that the chequer-board pattern would provide a subtle aesthetic that would reduce its visual impact from distance and provide interest up close. Due to the amount of trees surrounding the site the effect of the discarded options would have been reduced if seen at all from some areas.

Internally the automated process of the storage system will reduce inefficient vehicle movements between our existing Distribution Centres and the periodic requirement for off site third party storage and the associated intermediate vehicle movements. We have considered several options to make this significant investment either at Peterlee, at one of our other sites or even at a new location, but after careful analysis we currently propose to expand the Peterlee Regional Distribution Centre site.

Detailed consultation and planning has carefully developed our proposal that creates a state of the art logistics facility, taking full advantage of modern technology and operating methods to minimise the environmental impact both locally and nationally.

Despite significantly increasing the storage capacity this investment will only marginally increase the number of lorry vehicle movements required. This initiative delivers an overall reduction in lorry kilometres travelled by reducing inefficient intermediate movements between other Distribution Centres and third party storage facilities. Thereby reducing traffic congestion, energy consumption and vehicle pollution.

This investment is the largest capital investment project for the business in 2011 in the UK and will strengthen our business and our logistics capability and will also generate more business for our local and national suppliers.

Crisps have been manufactured on the Peterlee site since the 1960's and Walkers currently employ approximately 500 people from the local community, our steady growth and investment has created local jobs and developed strong ties with many local businesses and other local community organisations.

Walkers look forward to the continued cooperation and support of the local community for its future business success, which creates a platform for successful working partnerships with local industry and meaningful support for the local community.

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 <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=111511> Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATION AND ASSESSMENT

The proposed development relates to an existing employment use situated within an established Industrial Estate. Due to the size of the proposed extension, the development will have an impact on the character of the area and surrounding landscape, such impact needs to be balanced against the economic benefits that the proposal offers for the area. Therefore the key issues to be considered in determining this application are:

- Planning Policy and the Principle of Development
- Landscape Impact
- Residential Amenity
- Trees and Ecology
- Highways
- Economic Benefits
- Renewable Energy

26 Planning Policy and the Principle of Development

The site to which this application relates is situated within an established industrial estate as allocated in the District of Easington Local Plan. The site is therefore considered to represent an appropriate location for this type of development in accordance with policy 53 of the local Plan. The business to which the application relates is long established in Peterlee, and it is considered that the proposed works are in keeping with the existing use of the site and surrounding properties.

However, the application site is situated to the south of an Area of High Landscape Value (AHLV) as identified in the Local Plan. As the proposed extension is to be significantly taller than the existing buildings on the site, the impact of the development on the wider landscape needs to be considered further.

Therefore subject to consideration of Landscape impact the proposed development is considered to accord with the relevant development plan policies.

27 Landscape Impact

Due to the height of the proposed warehouse extension the proposed development will have a wider landscape impact than the existing buildings associated with the Walkers Ltd site. The AHLV designation to the north of the application site requires that specific regard is given to the impact the development will have on this landscape. The relevant local plan policy states that development which adversely affects the character, quality or appearance of an AHLV will only be allowed if the need outweighs the value of the landscape and there is no alternative location within the County.

The proposed warehouse will be visible from a wide area. Specifically from properties situated on the northern edge of Peterlee, in the Lowhills Road Area, and properties situated on the southern side of Easington Village and Easington Colliery.

In support of the application the applicant has completed and submitted a landscape and visual assessment of the proposed work. The landscape assessment concluded that any built development of 26 metres in height is likely to create effects on the landscape and visual amenity of the locality. However, it was predicted that the overall impact of the new building on landscape character would be moderate/minor. This conclusion was reached as the proposed building is set within an already industrialised part of the landscape, which benefits from good qualities of tree planting and a gently undulating landform that obscures views from many parts of the wider landscape. It is also argued that proposed landscaping works will further mitigate any landscape impacts associated with the development.

The Council's Landscape Officer has questioned the conclusions reached in the landscape assessment, and has suggested that the conclusion that any impacts would be moderate/minor is too placatory. However, it is accepted that there are few mitigation measures which could be implemented to screen a building of this stature.

Due to the significant landscape impact of the proposed development, the importance of the materials and finish to be used for the exterior of the building has been highlighted by both the Landscape and Design and Conservation Officers. The applicant had proposed to finish the structure using insulated panels in a chequered pattern in silver and/or diamond. It was argued that the combination of these finishes would create an interesting building regardless of the amount of the building that could be seen. The applicant stated that the concept behind the design was to create both visual interest and a unification of the building with its setting and the sky, and that the colours were chosen to minimise the form of the building when viewed from distance. However, the Council's Landscape and Design and Conservation Officers are not yet convinced of this approach, and have suggested that further discussion is required regarding the options relating to colour and patterning to test the proposed finishes' effectiveness in mitigating the visual impact of the development.

As such no objections have been raised by the Landscape or Design and Conservation Officers to the development providing conditions are used to control: the materials and finish to be used for the exterior of the building; the external lighting associated with the development; and, the landscaping works.

It is accepted that due to the height of the proposed building, the development will have a significant impact on the landscape. The relevant planning policy requires that such development will only be allowed if the need outweighs the value of the landscape and there is no alternative location within the County. This issue is discussed in the conclusion of this report.

28 Residential Amenity

Letters of representation have been received in relation to this application. Concerns have been raised by occupants of residential dwellings situated to the south and west of the application site in relation to the effect the proposed development would have on their existing views, and potential detrimental effects in relation to noise and traffic associated with the site.

The existing Walkers Ltd site, and proposed extension are situated a significant distance from any residential properties. The planning system does not protect residential views, and instead a pragmatic assessment has to be taken as to how the development will affect the residents' amenity. Such an assessment needs to be with regard to outlook from a dwelling rather than an assessment of the impact on an existing view. It is accepted that the proposed extension will be visible from a significant number of residential properties; however, due to the separation distances it is not considered that any impact would be sufficient to warrant refusal of the application. The warehouse extension will mainly be

seen in distant views as part of the wider panorama, rather than in unduly close proximity to houses.

The application relates to a well established use situated within an industrial area, therefore a certain amount of noise and traffic is to be expected. However, in this instance due to the type of development proposed it is not considered that there will be any significant increase in noise or traffic associated with the proposed works to warrant refusal of the application. In this regard Environmental Health Officers have raised no objections to the scheme.

29 Trees and Ecology

The proposed development requires the removal of some trees from the application site. In particular there is a requirement to remove a section of boundary planting adjacent to Thorpe Road to the west of the proposed factory extension. These trees are to be removed to allow the creation of a temporary access road to be used during the construction phase of the development. The trees to be removed in this location are to be replaced following completion of the construction works. The proposed development also includes further replacement planting to be provided predominantly to the north of the application site which is to be secured through the use of an appropriate condition. A full Ecology report has been prepared and submitted in support of the application which concludes that subject to suggested mitigation any impacts on wildlife would be negligible.

The Council's Tree and Ecology Officers have raised no objections to the proposed development subject to any grant of planning permission being conditional on Tree Protection Works, the implementation of an agreed Landscaping Scheme and wildlife mitigation measures.

30 Highways

The proposed development does not include any alteration to the existing vehicular access arrangements for the site. The development increases the size of the site but does not increase the number of employees, and only increases the number of HGV movements in total by 13 per day. As such both the Highways Agency and Highways Authority have raised no objections to the proposed scheme.

31 Renewable Energy

Policy 38 of the Regional Spatial Strategy requires that all major developments include at least 10% decentralised and renewable energy or low carbon sources. In order to ensure that CO2 reduction and energy efficiency is considered, a suitable condition should be imposed.

32 Economic Benefits

Relevant national guidance contained within PPS1 and PPS4 encourages local planning authorities to be mindful of the economic benefits development may bring when assessing development proposals. This application relates to an existing business and a major employer situated within an established industrial location.

The applicant has provided an applicants statement (included above), which outlines the importance of this development to their company and its operations within Peterlee.

The importance of Walkers as a local employer has been further endorsed by East Durham Business Service who are fully supportive of the proposed development stating that: "Walkers is a valued employer within the area and this investment and development will help to cement its operations in Peterlee."

Although the proposed development itself does not create a large number of new jobs, the planned investment will have a significant economic benefit in securing the existing jobs at this site in Peterlee.

CONCLUSION

- 33 The proposed development is considered to broadly accord with the relevant development plan policies.
- 34 Due to the size of the building proposed there will be a significant impact on the local landscape and in particular the adjacent Area of High Landscape Value, and on some views from nearby residential properties. However, such an impact needs to be balanced against the economic benefits that the proposed development will bring to the locality.
- 35 The application relates to a well established site and employer, whose economic benefits to the wider community will be enhanced by the proposed development.
- 36 As such it is considered that through the use of appropriate planning conditions, specifically in relation to the materials to be used for the exterior of the building and landscaping works that any impact on the wider landscape can be controlled to allow approval of the planning application.

RECOMMENDATION

- 37 That the application be **APPROVED** subject to the following conditions;

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. Plan Reference Number: Plans: Site Sections (81076-G12-SE-310 A); Proposed Site Plan (81076-G7-SI-110 A); Existing Location Plan (81076-G7-SI-101 A); Proposed Site Construction Phases (81076-G7-SI-102 A); Proposed Sections (81076-G2-SE-320 A); Proposed Roof Plan (81076-G2-GA-122 A); Proposed Ground/First Floor Office & Existing/Proposed Section C (81076-G2-GA-121 A); Proposed Ground Floor Plan (81076-G2-GA-120 A); Existing Ground Floor Plan (81076-G2-GA-105 A); Proposed Elevations (81076-G2-EL-220 A); Existing Elevations (81076-G2-EL-205 A). - date received 29/10/2010.
Documents/Reports: Design & Access Statement for Proposed High-bay Warehouse at Walkers Snack Foods (Distribution) Ltd, Peterlee - B3Architects (81076); An Extended Phase 1 and Protected Species Survey of Land Adjacent to Walkers Snack Food Ltd Distribution Plant, Peterlee - E3 Ecology Ltd (2307 EX Ph1 R02); New Warehouse Development Flooding and Drainage Appraisal Level 1 FRA Screening Study - Peters Associates, Consulting Structural and Civil Engineers (R445110); A Pre-development Site Arboricultural Survey and Report to BS 5837: Trees in Relation to Construction, Recommendations on Trees Situated at Walkers Snack Foods, Peterlee - Premier Tree Services Ltd (prepared by S. Powell Oct.

2010); Walkers Snack Foods, Peterlee, Landscape and Visual Assessment - Southern Green, Chartered Landscape Architects (658 V2 29/10/10); Walkers Snack Foods Ltd, Site Investigation - Hymas GeoEnvironmental Ltd (Volume 1 Final Report No. 2001114 Dec 2002); Clothing Factory Stephenson Road, Peterlee, Ground Investigation Interpretative Report - WS Atkins (Northern\F1318\Reports\F1318I003 - Nov 2000). - date received 29/10/2010.

Additional Report: Geoenvironmental Investigation of land at Walkers Snack Food, Peterlee - Dunelm Geotechnical & Environmental (Report No. D2868.1 Dec 2010) – date received 24/12/2010.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the District of Easington Local Plan.

3. Notwithstanding any details of materials submitted with the application the clad-rack construction associated with the warehouse extension hereby approved shall not commence until samples of its external walling 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 saved policies 1 and 35 of the District of Easington Local Plan.

4. The warehouse extension hereby approved shall not be brought into use until a detailed landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats. The landscape scheme shall include accurate plan based details of the following trees, hedges and shrubs scheduled for retention. Details of hard and 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. Details of land and surface drainage. The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc. The local planning authority shall be notified in advance of the start on site date and the completion date of all external works. Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

5. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the warehouse extension hereby approved being brought into use. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. 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 saved policies 1 and 35 of the District of Easington Local Plan.

6. No works are to commence on site until a Tree Protection Plan has been submitted to and agreed by the Local Planning Authority. The submitted plan must include details of all trees and hedges which are to be retained on site. The plan must specify tree protection works to include the erection of fencing comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2005.
Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
7. No construction work shall take place, nor any site cabins, materials or machinery be brought on to the parts of the site subject of the Tree Protection Plan, required by Condition No. 6 of this decision notice, until all trees and hedges, indicated on the approved tree protection plan as to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2005. No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree. No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.
Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
8. The tree works hereby approved shall be carried out in accordance with BS 3998: Recommendations for Tree Work and the European Tree Pruning Guide (European Arboricultural Council).
Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
9. No development shall take place unless in accordance with the mitigation detailed within the protected species report 'An Extended Phase 1 and Protected Species Survey of Land Adjacent to Walkers Snack Foods Ltd Distribution Plant, Peterlee' (E3 Ecology - 2307 Ex Ph1 RO2) including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; undertaking confirming surveys as stated; adherence to precautionary working methods; provision of a bat loft.
Reason: To conserve protected species and their habitat in accordance with Planning Policy Statement 9 - Biodiversity and Geological Conservation.
10. Prior to the discharge of any surface water from the development, a scheme for surface water management shall be submitted to, and approved in writing by, the local planning authority.
Reason: To ensure proper drainage of the site in accordance with Planning Policy Statement 25 - Development and Flood Risk.
11. Prior to being discharged into any watercourse, surface water or soakaway system, all surface water drainage from parking areas and hardstandings shall pass through an oil interceptor designed and constructed in accordance with a scheme to be submitted to and approved in writing by the Local planning authority.
Reason: To ensure proper drainage of the site in accordance with Planning Policy Statement 25 - Development and Flood Risk.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Planning Policy Statement 23 - Planning and Pollution Control.
13. Details of the height, type, position and angle of external lighting shall be submitted to and approved in writing by the Local planning authority prior to the development hereby permitted being brought into use. The lighting shall be erected and maintained in accordance with the approved details.
Reason: In the interests of the amenity of nearby residents/appearance of the area in accordance with saved policies 1 and 35 of the District of Easington Local Plan.
14. Notwithstanding any information submitted, development shall not commence until a scheme demonstrating how C02 reduction and energy efficiency measures will be incorporated into the approved development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with the approved scheme.
Reason: In order to minimise energy consumption and to comply with the aims of the Regional Spatial Strategy North East Policy 38 and Planning Policy Statements 1 and 3.

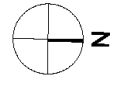
REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN DISTRICT OF EASINGTON LOCAL PLAN DISTRICT OF EASINGTON LOCAL PLAN DISTRICT OF EASINGTON LOCAL PLAN DISTRICT OF EASINGTON LOCAL PLAN PLANNING POLICY STATEMENT/GUIDANCE PLANNING POLICY STATEMENT/GUIDANCE	ENV35 - Environmental Design: Impact of Development ENV36 - Design for Access and the Means of Travel ENV37 - Design for Parking GEN01 - General Principles of Development IND53 - Existing General Industrial Estates PPS1 - Delivering Sustainable Development PPS4 - Planning for Sustainable Economic Growth
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2. In particular the development was considered acceptable having regard to consideration of issues of the location of the development, its visual impact, and effects on highways, the environment and amenity of adjacent occupants and uses.
3. The stated grounds of objection concerning the impacts on visual amenity and noise for nearby residents are not considered sufficient to warrant refusal of the application.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



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 PROPOSED WAREHOUSE
 WALKERS SNACK FOODS
 EXHIBITION LOCATION PLAN
 81076 G7 SI-101 A
 Date: 11/02/01
 Scale: 1:1000

Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER: 3(b)

APPLICATION DETAILS

APPLICATION NO:	PL/5/2010/0530
FULL APPLICATION DESCRIPTION	ADDITIONAL FACILITIES TO ANIMAL FARM TO INCLUDE CHILDRENS AMUSEMENT PARK, INVOLVING INDOOR AND OUTDOOR PEDAL GO-KART TRACKS, INDOOR PLAY BUILDING, OUTDOOR PLAY EQUIPMENT AND USE OF A FORMER RAILWAY CARRIAGE AS PLAY AREA SHELTER; ERECTION OF BUILDINGS, ANIMAL SHELTERS AND PENS ASSOCIATED WITH THE KEEPING OF DOMESTIC FARM ANIMALS AND NON-EXOTIC ANIMALS AND NATIVE BIRD SPECIES; ENLARGEMENT OF EXISTING PONDS, PROVISION OF ASSOCIATED VISITOR FACILITIES INCLUDING CAFE, GIFT SHOP AND ADDITIONAL VISITOR CAR PARKING (RETROSPECTIVE)
NAME OF APPLICANT	MR AND MRS P WAYMAN
SITE ADDRESS	TWEDDLE FARM, FILLPOKE LANE, BLACKHALL, TS27 4BT
ELECTORAL DIVISION	BLACKHALLS
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The application site lies outside of any settlement boundary in the open countryside between the settlements of Crimdon, Blackhall and High Hesleden. Agricultural fields surround the site with several farmhouses nearby; the closest resident is at Westwinds, a dwelling adjacent to the main site entrance off Fillpoke Lane. The children's animal farm is approximately 18.2 hectares in size and includes attractions such as animal pens, go-karting tracks, indoor play areas, shops and a café.

Proposal:

- 2 Retrospective planning permission is sought for additional facilities to the animal farm including the erection of buildings and animal pens, the siting of storage containers, additional car parking area, pedal go-kart tracks, indoor play building, use of former railway carriage as a play shelter, outdoor play equipment, enlargement of ponds, shops and café.
- 3 Since the granting of planning approval for a Children's Animal Farm in 2004 the applicants have expanded the business to incorporate additional features and facilities beyond those permitted by the original permission and hence the submission of the retrospective planning application to regularise the current situation.
- 4 Since the granting of that consent the operations and business have expanded to meet visitor demands and the facilities now include an extended range of domestic farm animals, internal and external play areas including go-kart tracks, the provision of an over flow car parking area, a café and external seating area and a gift shop. Other minor works have been undertaken by the applicants to generally improve and upgrade the appearance of the site and ensure visitors safety.
- 5 The application is being reported to committee as it is classed as a major application.

PLANNING HISTORY

HIST/2004/0506 Children's Animal farm and paddock Approved 27 February 2004.

HIST/2004/0937 2 No. residential mobile homes Approved 10 June 2004.

PLAN/2007/0492 Caravan and camping site Withdrawn 17 September 2007.

PLAN/2008/0182 Regularisation of unauthorised development – Withdrawn

PL/5/2009/0496 Permanent retention of mobile residential unit, associated conservatory, glazed porch, decking and domestic garden Withdrawn 16 February 2010.

PL/5/2009/0497 Permanent retention of mobile Residential unit to provide temporary accommodation for seasonal employees Withdrawn 16 February 2010

PL/5/2010/0222 Permanent retention of mobile residential unit, associated conservatory, glazed porch, decking and domestic garden (Resubmission) – on going.

PL/5/2010/0279 – Change of use from children's animal farm and paddocks to children's zoo and amusement park including erection of buildings and animal pens, siting of storage containers, additional car parking area, go-kart tracks, indoor play building, former railway carriage as play area shelter, outdoor play equipment, enlargement of ponds, and shop and café (retrospective) – This application involved the keeping of exotic animals which in planning terms was classed as a zoo. However, the applicant failed to secure the appropriate zoo licence and the planning application was therefore withdrawn.

PLANNING POLICY

6 NATIONAL POLICY:

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 4 (PPS4) Planning for Sustainable Economic Development proposes a responsive and flexible approach to planning which provides sufficient employment land and makes better use of market information. The PPS is designed to establish a national planning policy framework for economic development at regional, sub-regional and local levels for both urban and rural areas.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

7 REGIONAL PLANNING POLICY:

Regional Spatial Strategy for the North East.

Policy 2 – Sustainable Development. Planning proposals and Local Development Frameworks should support sustainable development and construction through the delivery of the following environmental, social and economic objectives.

Policy 11 – Rural Areas. Strategies, plans and programmes, and planning proposals, should support the development of a vibrant rural economy that makes a positive contribution to regional prosperity, whilst protecting the Region's environmental assets from inappropriate development.

Policy 16 – Culture and Tourism. Strategies, plans and programmes and planning proposals should promote culture and tourism, including provision for sport and leisure and the resources which support these.

8 LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).

Policy 74 - Public Rights of Way will be improved, maintained and protected from development. Where development is considered acceptable, an appropriate landscaped alternative shall be provided.

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.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

9 STATUTORY RESPONSES:

Parish Council – no objections subject to road widening works.

Northumbrian Water – no objections.

Hartlepool Borough Council – no objections.

Environment Agency – no objections. Informal advice offered.

10 INTERNAL CONSULTEE RESPONSES:

Landscape Officer – No objections. Agreed landscaping around car parks. However another scheme should be submitted for the rest of the site.

Highways Officer – No objections subject to localised widening of access road and measures to stop vehicles exiting from the entrance to the site.

Ecology Officer – No objections.

Tree Officer – No objections.

Environmental Health – No objections.

Planning Policy – No objections.

11 PUBLIC RESPONSES:

The application has been advertised by way of a press notice, site notices and letters to individual properties. One letter of support has been received stating that they are a user of the facility. One letter of objection has been received from a nearby resident which raises the following issues:

- The site is an eyesore
- The site has developed without the proper consents being in place
- Access is not adequate
- There are two unauthorised caravans on the site
- Car parks close to property result in noise and intrusion

12 APPLICANTS STATEMENT:

From the approval of the development granted in 2004 the applicants have established, expanded and built up the enterprise to its present status as a successful business and tourist facility attracting thousands of visitors annually. The business that was originally envisaged by the applicants as only a Children's Animal Farm that would operate seasonally has grown considerably to meet the demands of its visitors for enhanced facilities and a broader range of attractions. The current business enterprise is now open all year round with the exception of Christmas and New Year and is a well supported local and casual visitor attraction that is also well used by schools from East Durham and the wider regional area as an educational resource.

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 <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=111569>. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATION AND ASSESSMENT

The main planning considerations with regard to this proposal are the relevant planning policies, impact on the countryside and surrounding occupiers, highways issues and the objection from the nearby resident.

13 Planning Policy

In terms of national planning policy, the most relevant to this application are PPS1 – Sustainable Development, PPS4 – Sustainable Economic Growth and PPS7 – Sustainable Development in Rural Areas.

With regard to PPS1 it is noted that the site lies within an area of countryside that has no designated status in terms of landscape value and is surrounded by agricultural fields. The principle of the development has already been established by the permission granted for the Children's Animal Farm in 2004, hence the suitability of the site for use as a Children's Animal Farm has already been assessed and considered acceptable. The development is located within reasonable walking distance of bus routes on the A1086 and is accessible by bicycle from the road network and designated cycle routes. However, there is an obvious need for attractions located in rural areas to be accessed by car and on this basis the site provides parking in accordance with standards agreed with the Highways Officer. In light of the above, it is considered that the proposals are in general accordance with PPS1.

The recently published PPS4 supersedes the economic development section of PPS7 and seeks to achieve sustainable economic development in urban and rural areas including the provision of leisure and tourism development. The policy statement supports diversification of agricultural businesses where the development is acceptable in its scale and would have no adverse impacts on its countryside location. The policy statement also supports sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features. The policy statement seeks to

ensure that visitor and tourism facilities are located in existing buildings wherever possible, particularly where developments are located outside of settlement boundaries. It is noted that the development is not located within any national or locally designated areas of landscape or nature conservation, protection or sensitivity. Notwithstanding this, it is not considered that the proposals have a significant adverse impact on their rural setting, nor is the scale of the facilities considered to be inappropriate in this location. In addition, the majority of the attractions are housed in barns which were previously used for agricultural activities. On the basis of the above it is considered that the proposals are in general accordance with PPS4 and PPS7, both of which allow for appropriate leisure and tourism facilities in the countryside.

14 Impacts on the countryside and surrounding occupiers

The main planning policy relating to the appearance of the development and the impact on its location and surrounding occupiers is saved Local Plan Policy 35. The majority of the structures, which have been added to the Children's Animal Farm, are located within the same site boundary, and are set amongst other similar structures approved in 2004. The structures, such as the play equipment, aviary cages and animal shelters are relatively small in scale and are not considered to lead to any further adverse impact on the surrounding countryside. The go-kart track also does not have any harmful visual impact on the wider landscape as it is not easily noticeable in the context of the whole development. The applicant has indicated that further landscaping will be put in place in the near future both inside the site and around its perimeter, this would further help reduce the impact on the surrounding countryside and nearby occupiers and should be ensured by way of a planning condition. In light of the above, and taking the design, scale and location of the additional facilities which have been added into account, it is not considered that the proposals would lead to any significant adverse impacts on the countryside which should lead to refusal of planning permission.

With regard to impacts on surrounding occupiers, saved Policy 35 of the Local Plan states that development will be required to "have no serious adverse effect on the amenity of people living and working in the vicinity of the development site and the existing use of adjacent land or buildings in terms of privacy, visual intrusion, noise, other pollutants and traffic generation". The only dwelling affected within the vicinity of the development site is "Westwinds" which is located directly to the south of the main entrance and to the west of the existing car parks. It is considered that, due to the proximity of the current visitor car parks that surround the side and rear of the property, the occupiers are adversely affected in terms of visual intrusion and noise. Therefore negotiations have taken place with the applicant which have resulted in agreement to the existing car park adjacent to the dwelling being moved away from the boundary and thereafter landscaped in order to improve the outlook from the dwelling and to reduce noise and visual intrusion. A condition should be imposed to ensure these works are carried out within a reasonable timescale and to ensure that the development complies with Policy 35 of the Local Plan.

15 Highways Issues

The highways officer has agreed an appropriate level of parking provision with the applicants and has no objections to the proposals subject to certain conditions and a legal agreement. The conditions would require no more than two coaches per day visiting the site and that measures are put in place to ensure that vehicles cannot exit the site at the designated entrance point, in order to ensure highway safety. The legal agreement would ensure that the applicant carries out some widening works to Fillpoke Lane, which is the main access road between the site and the A1086. This will ensure that road users can pass safely on the road and is suitable for the visitors to the site. With the appropriate

conditions and legal agreement it is considered that the proposals are acceptable in highways terms and in accordance with saved Policy 36 of the Local Plan.

16 Objection from nearby resident

The objector has raised concerns about the appearance of the site and that the site has developed without the proper consents being in place. As discussed above, the use of the land for a Children's Animal Farm was established in 2004. Although there has been a significant expansion of the original development, it is not considered that the additional play and visitor facilities or the structures which have been erected result in any further significant adverse impacts on the countryside. It is acknowledged that the applicant has carried out works without the proper consents being in place, and indeed over a considerable amount of time. However he now wishes to regularise the development, hence this retrospective planning application. The objector also raises concerns about the access, however, as stated above the highways officer has no objections to the proposals subject to specific conditions and a legal agreement which would ensure adequate access, parking provision and highway safety.

Concerns have also been raised with regard to two caravans on the site, which are currently unauthorised. The applicant has also submitted a planning application to regularise these and the objector has been consulted as part of this process. A decision on that application is, to some extent, dependent on the outcome of this retrospective application. It will be determined under delegated powers following this decision.

As discussed above in the report, there are impacts on the objector's property in terms of visual intrusion and noise. The negotiations which have taken place with the applicant, have resulted in agreement to the car parks being removed from around the boundary of the objector's property and the land thereafter landscaped. This will result in an improvement to the outlook from the property, and a reduction in noise and visual intrusion.

CONCLUSION

17 Overall it is considered that the Children's Animal Farm visitor attraction, which already has the benefit of a previous planning approval for a smaller scale development is acceptable. The additional attractions which have been added since the original approval do not result in any significant impacts on either the surrounding countryside or nearby occupiers which should result in the refusal of planning permission. Amendments to the car parking arrangements and additional landscaping will ensure there are enhancements to the setting and appearance of the site and to the amenity of surrounding occupiers. The approval of this planning application will ensure that the business remains viable and contributes toward the tourism and visitor attraction offer in East Durham and the surrounding area.

RECOMMENDATION

18 That the application be **APPROVED** subject to the following conditions;

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 premises subject to this permission shall not be open for business outside of the hours of 10.00 hours to 17.00 hours on any day.
Reason: In the interests of preserving the amenity of residents in accordance with saved policies 1 and 35 of the District of Easington Local Plan.
3. The car parks shown on the plans hereby approved shall be constructed and marked out and made available for use within three months of the date of this approval. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of vehicles.
Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.
4. The existing car park to the northern and eastern boundaries of the dwelling currently known as Westwinds, as shown on plan reference 1812/01E shall cease to be used as a car park within three months of the date of this permission.
Reason: In the interests of residential amenity and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
5. Notwithstanding the details submitted with the application, a total of no more than two buses and/or coaches shall visit the site at any one time. For the avoidance of doubt this does not include minibuses.
Reason: To minimise parking and congestion on Fillpoke Lane in the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.
6. Notwithstanding the details submitted with the application, all go-karts shall be pedal only and shall not be electric or motorised.
Reason: In the interests of residential amenity and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
7. Within one month of the date of this decision a detailed landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats. The landscape scheme shall include accurate plan based details of the following: Trees, hedges and shrubs scheduled for retention. Details of hard and 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. Details of land and surface drainage. The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc. The local planning authority shall be notified in advance of the start on site date and the completion date of all external works. Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

8. All planting, seeding or turfing and habitat creation in the approved details of the landscaping schemes, including the landscaping scheme as shown on plan reference 1812/04B, shall be carried out in the first available planting season following the new car parks being brought into use. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. 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 saved policies 1 and 35 of the District of Easington Local Plan.

9. Within three months of the date of this decision, measures shall be taken to prevent vehicles from exiting the site at the designated site entrance in accordance with a scheme to be first submitted to and agreed in writing by the Local planning authority.

Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.

REASONS FOR THE RECOMMENDATION

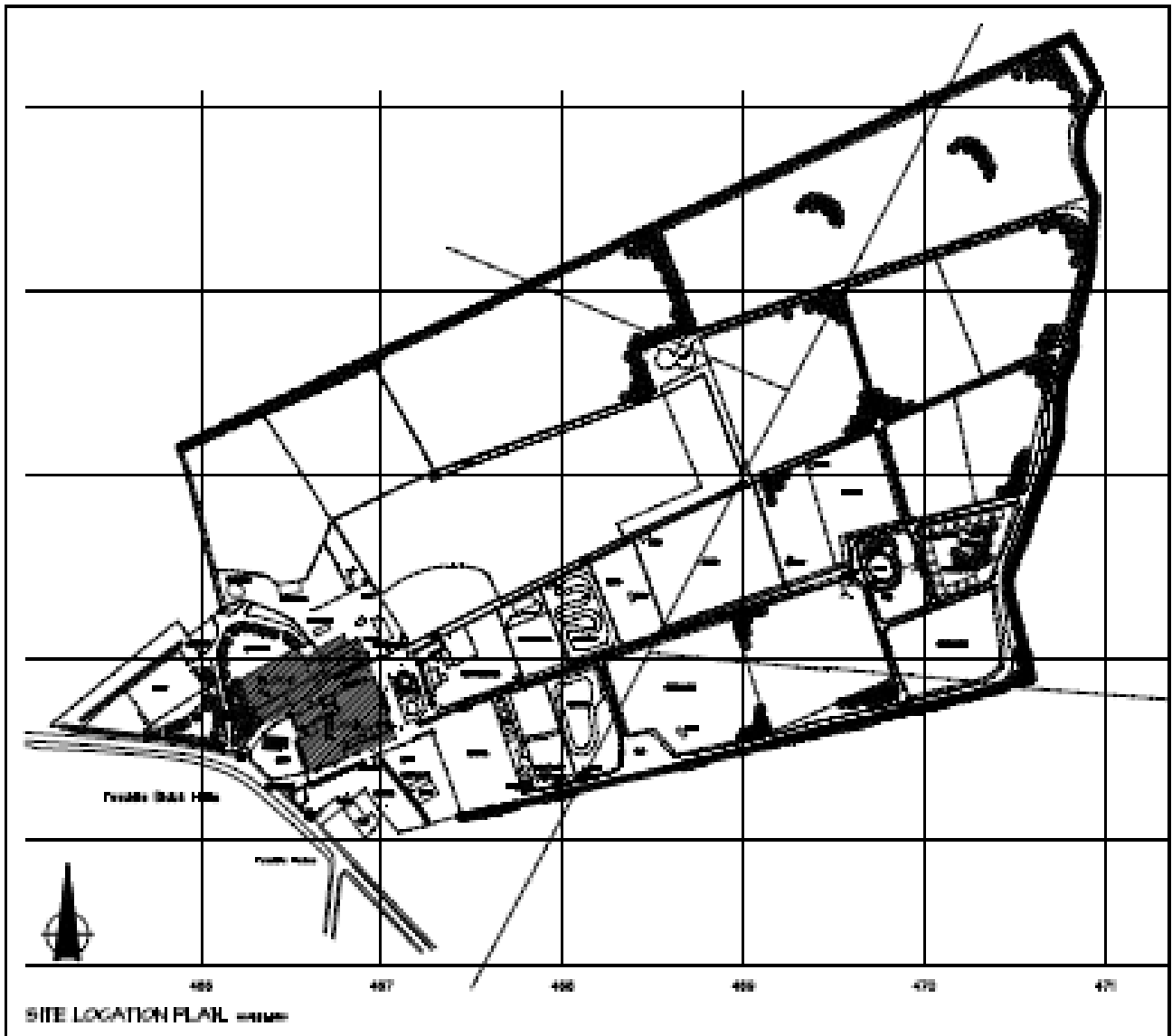
1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN	ENV03 - Protection of the Countryside
DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV36 - Design for Access and the Means of Travel
DISTRICT OF EASINGTON LOCAL PLAN	ENV37 - Design for Parking
DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
PLANNING POLICY STATEMENT/GUIDANCE	PPS4 - Planning for Sustainable Economic Growth
PLANNING POLICY STATEMENT/GUIDANCE	PPS7 - Sustainable Development in Rural Areas
REGIONAL SPATIAL STRATEGY	RSS Policy 11 - Rural Areas
REGIONAL SPATIAL STRATEGY	RSS Policy 16 - Culture and Tourism
REGIONAL SPATIAL STRATEGY	RSS Policy 2 - Sustainable Development
DISTRICT OF EASINGTON LOCAL PLAN	TAC74 - Footpaths and other public rights of way

2. In particular the development was considered acceptable having regard to consideration of issues of planning policy, impacts on the landscape and surrounding occupiers and highways issues.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPS4, PPS7
- Consultation Responses



Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER: 3(c)

APPLICATION DETAILS

APPLICATION NO:	PL/5/2010/0540
FULL APPLICATION DESCRIPTION	5 NO. DWELLINGS AND ASSOCIATED WORKS
NAME OF APPLICANT	MR B ARMSTRONG
SITE ADDRESS	LAND ADJACENT THE BUNGALOW, BRACKENHILL AVENUE, SHOTTON COLLIERY
ELECTORAL DIVISION	SHOTTON
CASE OFFICER	Barry Gavillet 0191 5274305 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The application site is located within the settlement boundary of Shotton and is surrounded by residential properties. The site was most recently used for allotment gardens, however these have been left unused and vacant for a number of years and the land has become overgrown and unsightly. The site area is 0.08 hectares.

Proposal:

- 2 This application proposes five two-storey, two-bedroomed dwellings with off-street parking and private gardens. The dwellings would be constructed of brick and tile, details of which would be subject to a planning condition. The design of the dwellings includes stone heads and cills to the window openings and doors which add interesting features to the elevations. The site would be accessed from Brackenhill Avenue and off-street car parking would be provided in order to avoid any parking congestion on the main road. The site is surrounded by mature shrubbery and trees which would add to the overall appearance of the new development.
- 3 The application is being reported to committee as the Parish Council have made an objection.

PLANNING HISTORY

None relevant.

PLANNING POLICY

4 NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 3: Housing (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

5 REGIONAL PLANNING POLICY:

Regional Spatial Strategy for the North East

Policy 4: (The Sequential Approach to Development) provides that a sequential flange approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

6 LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

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.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

7 STATUTORY RESPONSES:

Northumbrian Water – no objections

Parish Council – objection. The grounds of objection are:

- Highway safety access and egress onto a minor road which is already subject to traffic restrictions;
- The site is not included for development in the Local Plan;
- Close proximity to existing residential premises and the concerns of local residents;
- Loss of land used as allotments/small holdings reduces supply

8 INTERNAL CONSULTEE RESPONSES:

Highways Officer – no objections subject to conditions requiring footpath improvements and removal of vegetation.

Tree Officer – no objections

Ecology Officer – no objections

Environmental Health – Contaminated land study required.

Planning Policy – Sustainable location for residential development. No objections.

9 PUBLIC RESPONSES:

The application has been advertised by way of a site notice and individual letters to surrounding residents. Two letters of objection have been received from nearby residents who are concerned regarding loss of light, loss of privacy and loss of view.

10 APPLICANTS STATEMENT:

The development has been designed sympathetically with regard to the adjacent dwellings, to prevent any over looking, in accordance with planning guidelines for separation distances. The site lies within the village settlement boundary and will be a vast improvement visually, as the existing site has been unattended for many years, and until recently, was overgrown and had been subject to fly tipping. I feel that the development of the land would have a positive benefit to the area.

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 <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=111692>). Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATION AND ASSESSMENT

The main planning considerations in this instance are planning policies, impacts on surrounding residents and the street scene and highways issues.

11 Planning Policy

The proposed application is considered to be in keeping with the relevant Development Plan Policies. Relevant National guidance in relation to new housing development is found within PPS1: Delivering Sustainable Development and PPS3: Housing. Government policy requires a sequential approach to the identification of housing sites, which prioritises land in sustainable urban areas. In this instance this application relates to an unused, untidy site situated within the settlement boundary of Shotton. The density of the development is 62 houses per hectare, which accords with government guidance that states the minimum

density of housing development should be 30 per hectare. The proposals are therefore considered to accord with the general principles of national planning policy.

The Regional Spatial Strategy for the North East provides a sequential approach for development in Policy 4. Although this relates to the identification of land for development in Local Development Frameworks it can also be seen as relevant where there is insufficient allocated land for development. The policy promotes previously developed sites within urban areas as being the most sequentially preferable locations for development. If such locations do not exist, the development plan should consider, in sequence; other suitable locations within urban areas; suitable sites and locations adjoining urban areas; and suitable sites in settlements outside urban areas. As this application relates to a sustainable site situated within the settlement of Shotton, it is considered to accord with the general principles of RSS in terms of a sequential approach for development.

12 Impacts on surrounding occupiers and the street scene

The design, scale and layout of the development are considered to be generally acceptable. There is no consistent design or use of materials surrounding the site that could influence this scheme, the use of brick and tile would be considered acceptable although a condition should be used to control specific materials. The layout of the development is also considered appropriate given the constraints involved with the shape of the site. Internally, the scheme does not achieve some of the distancing standards set out in the District of Easington Local plan (in one instance 18.5 metres rather than the usual 21 metres), however given the shape of the site and that no existing properties are affected this is not considered a significant problem. It is considered that the relatively minor shortfall in distancing standards is outweighed by the benefits of developing a disused site in this instance. Accordingly, the proposals are considered to be in accordance with District of Easington Local Plan policies 1 and 35.

13 Highways Issues

The Highways Authority are satisfied that there would be no significant problems caused by an increase in traffic and that parking provision and access are acceptable. In addition, the site is well served by bus services and community facilities and as such the site is considered a sustainable location for residential development. The development would require the creation of new pedestrian footpaths along the front of the site which should be ensured by imposing an appropriate condition.

14 Neighbour and Parish objections

The level of parking provision and access have been agreed with the Highways Officer. Therefore objections relating to parking and access are not considered to warrant refusal of planning permission. With regard to loss of privacy and light, the distances between the new dwellings and surrounding properties meet the distancing standards set out in the Local Plan and are considered acceptable. On this basis it is considered that there would be no adverse impacts on surrounding occupiers significant enough to warrant refusal of planning permission. The fact that the site is not allocated in the Local Plan for housing is not relevant, it is considered an acceptable location for residential development in general policy terms. With regard to loss of the allotments, it is noted that the site has been vacant, unused and overgrown for some time and this suggests that there is no demand for allotments in this location.

CONCLUSION

- 15 The application site constitutes former allotment land that is now overgrown and vacant, it lies within the development limits defined for Shotton Colliery. While the site would strictly be greenfield, development of the site would allow this piece of land to be improved visually to the benefit of the streetscene. The site is also located within a sustainable location with regards to access to services. Shotton has sufficient facilities to cater for new housing, it is also noted that the site is within proximity of employment sites improving its sustainability further. It is therefore considered that development of this site for housing would be in line with national policy PPS1 and PPS3.
- 16 Taking all relevant planning matters into account it is considered that the proposal is acceptable. The scheme generally accords with the relevant development plan policies and would remove an unused, untidy site within a predominantly residential area. The proposals are of good quality design and would have no adverse impacts to surrounding occupiers, the street scene or wider landscape. The objections from the Parish Council are not considered to warrant refusal of planning permission.

RECOMMENDATION

- 17 That the application be **APPROVED** subject to the following conditions;

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. Plan References; 1904/04, 1904/01A, 1904/03A, 1904/02
Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 1 and 35 of the District of Easington Local Plan.
3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external 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 saved policies 1 and 35 of the District of Easington Local Plan.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A, B, C, D, E, G or H of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local planning authority on an application submitted to it.

Reason: In order that the Local planning authority may exercise further control in this locality in the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

5. Before the occupation of any dwelling hereby approved a new 1.8 metre wide footway shall be constructed to the front of The Bungalow, adjacent to Brackenhill Avenue, to link the side lane adjacent to no. 9 Brackenhill Avenue up to the front of the proposed development. The footway shall be constructed to the satisfaction of the local planning authority.

Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.

6. Before the occupation of any dwelling hereby approved, the vegetation to the rear of the front wall adjacent to Brackenhill Avenue, and to the north west of the private shared driveway access onto Brackenhill Avenue shall be removed.

Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.

7. The development hereby permitted shall not be commenced until:

- a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority if identified as being required following the completion of the desk-top study.
- b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority.
- c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority.
- d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme.
- e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material shall be agreed with the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Planning Policy Statement 23 - Planning and Pollution Control.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
PLANNING POLICY STATEMENT/GUIDANCE
PLANNING POLICY STATEMENT/GUIDANCE
REGIONAL SPATIAL STRATEGY

ENV35 - Environmental Design: Impact of Development
ENV36 - Design for Access and the Means of Travel
GEN01 - General Principles of Development
HOU67 - Windfall housing sites
PPS1 - Delivering Sustainable Development
PPS3 - Housing
RSS - Policy 4

2. In particular the development was considered acceptable having regard to consideration of issues of planning policy, design and layout, impact on surrounding occupiers and highways issues.
3. Objections received were not influential in leading to a refusal. The impact on surrounding occupiers was not considered significant enough to warrant refusal. Highways issues are also considered acceptable.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, , PPS3
- Consultation Responses

