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### APPLICATION DETAILS

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APPLICATION No:	DM/17/00942/FPA
FULL APPLICATION DESCRIPTION:	Demolition of existing warehouse and construction of new warehouse extension with alterations to existing loading/unloading facilities and associated external works including fencing
NAME OF APPLICANT:	Kevin Gay on behalf of PWS Distributors Ltd
ADDRESS:	PWS Distributors Ltd, Station Road, Aycliffe Business Park, Newton Aycliffe, DL5 6EQ
ELECTORAL DIVISION:	Aycliffe East
CASE OFFICER:	Laura Eden Senior Planning Officer 03000 263980 <a href="mailto:laura.eden@durham.gov.uk">laura.eden@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site lies within Station Road, Newton Aycliffe in an area defined as a general industrial estate by policy IB2 of the Sedgefield Borough Local Plan. The surrounding area is predominantly within industrial usage. The site is bounded by Heighington Lane to the south. Immediately to the south west of the site on the opposite side of Heighington Lane lies the Locomotion One Public House, a Grade II listed building and Grade II listed signal box at Heighington Station.
2. The application site relates to an existing warehouse (2,800sqm) to the west of the main PWS operation. The building is of post war construction and does not offer sufficient height or space to meet the current requirements of the business. To the rear of the building lies a car parking area and delivery area both of which are accessed from existing access points on Station Road. There is a landscaping belt which runs adjacent to Heighington Lane.
3. PWS is recognised as one of the leading UK Distributors of Kitchen Components. In addition to the development site they occupy other units immediately to the east, west and north. They also have a factory on land to the east of the C147 Spring Road. Car parking is allocated on two sites within the PWS complex with site wide provision for 340+ vehicles.

#### The Proposal

4. Planning permission is sought for the demolition of the existing warehouse and the construction of a larger warehouse together with alterations to the existing loading/unloading facilities and associated external works including new landscaping

and fencing. The extension would measure approximately 67m wide by 87m long and would extend to 6,000sqm which would result in a net gain of 3,200sqm of floor space. It would match the height of the adjacent PWS building to the east and it is proposed that the materials to be used in construction would be similar in appearance to that of the existing building. This would consist of profiled metal wall cladding in a matching colour although it is acknowledged that the existing building has weathered over a number of decades.

5. The proposals would also include alterations to the existing loading/unloading facilities located to the west of the proposed building and to the rear of the remaining warehouse on site. The existing car park would be lost as a result of the proposals but there are two car parking sites within the PWS complex that have provision for 340+ vehicles. Some of the existing landscaping belt will also require removal to facilitate the development. A scheme has been proposed for additional landscaping to compensate for this. It is also proposed to erect new boundary enclosures.
6. This application is being referred to the Planning Committee as the proposed floor area for the developments exceeds 5,000sqm.

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## **PLANNING HISTORY**

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7. There have been a number of planning applications relating to the wider PWS site. With regards to this site specifically it benefits from planning consent granted in 2000 and 2008 for car parking and also for the demolition of existing warehouse to facilitate a replacement building and links to the adjacent warehouse. This latter consent was essentially for the same development currently being applied for. That scheme was never implemented and the consent lapsed.
8. A further application submitted by PWS is also under consideration. It relates to a new paint line building to the south of one of their existing buildings on land to the north of Heighington Lane.

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## **PLANNING POLICY**

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### **NATIONAL POLICY:**

9. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
10. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
11. The following elements are considered relevant to this proposal;
12. *NPPF Part 1 Building a Strong, Competitive Economy*. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

13. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
14. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
15. *NPPF Part 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
16. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
17. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

*The above represents a summary of the NPPF considered most relevant the full text may be accessed at:*

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

## **LOCAL PLAN POLICY:**

### **Sedgefield Borough Local Plan**

18. Policy IB2 (Designation of Type of Industrial Estate) Outlines the designated industrial estates across the borough.
19. Policy IB6 (Acceptable Uses in General Industrial Estates) Sets out acceptable uses within General Industrial Areas, taking account the purposes of such areas.
20. Policy IB13 (Extension to Industrial and Business Premises) States a presumption in favour of such proposals provided adjacent industrial and business premises are not adversely affected, the site is not over intensively developed and there are no negative impacts in respect of residential amenity, area character or traffic generation.
21. Policy D1 (General Principles for the layout and design of new developments) Sets out that all new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.

22. Policy D2 (Design for people) Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.
23. Policy D3 (Designed with pedestrians, cyclists, public transport) Requires that developments should make satisfactory and safe provision for pedestrians, cyclists, cars and other vehicles.
24. Policy D4 (Layout and Design of new Industrial and Business Development) Sets out that the layout and design of all new industrial and business development will normally be expected to have a high standard of building design, accommodate traffic generated by the development without causing danger or inconvenience to other road users and have an appropriate standard of landscaping including screening of open storage areas.
25. Policy E15 (Safeguarding woodlands, trees and hedgerows) Sets out that the Council expect development to retain important groups of trees and hedgerow and replace any trees which are lost.

## **RELEVANT EMERGING POLICY**

### **The County Durham Plan**

26. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

27. *Great Aycliffe Town Council* – No comments or objections
28. *Highways Authority* – No objection
29. *Northumbrian Water* – No comments to make at this stage

### **INTERNAL CONSULTEE RESPONSES:**

30. *Travel Plan Advisor* – Following amendments the travel plan now meets the required DCC standards
31. *Landscape Section* – Raise a number of concerns with the initial landscaping scheme which proposed low level shrub planting to mitigate the loss of trees that require removal to facilitate the development. A revised scheme has since been submitted and is currently under consideration.

32. *Tree Officer* – Recognise that many of the existing trees will be removed or subsequently decline due to works proposed therefore suggest a replacement planting scheme is undertaken.
33. *Design and Conservation Section* – Raised concerns regarding the form, detailed design and loss of existing landscape would could have an adverse impact on the setting of the adjacent listed building and signal box
34. *Drainage* – No objection
35. *Ecology* – No objections to the proposals subject to the imposition of an informative relating to nesting birds.
36. *Environmental Health (Contaminated Land)* – Is satisfied with the submitted Phase 1 Desk Top Study and agrees with the risk assessment and recommendations. Due to its findings a contaminated land condition is required.
37. *Environmental Health (Noise)* – No objections
38. *Sustainability* – No objections

#### **PUBLIC RESPONSES:**

39. The application has been advertised by a press notice, on site and neighbouring residents were notified. No letters of representation have been received.

#### **APPLICANTS STATEMENT:**

40. None received

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### **PLANNING CONSIDERATIONS AND ASSESSMENT**

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41. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development; access and highway safety, impact on surrounding land users, visual, heritage and landscape impact, drainage and flooding and other considerations.

#### **Principle of development**

42. The site is designated under Policies IB2 and IB6 of the SBLP as an existing general industrial area. Class B1, B2, and B8 (storage and distribution) are acceptable uses under Policy IB6. The development mainly concerns the erection of a building for B8 - warehousing purposes which is acceptable in terms of the SBLP policies. In terms of more up to date guidance, consideration can also be given to the Employment Land Review carried out in 2011/12 which identified that this area should continue to be allocated for B1, B2 and B8 uses.
43. The NPPF also provides a presumption in favour of sustainable development and encourages the building of a strong, competitive economy. As outlined the proposal is considered to lie within a sustainable location and the development would support an existing business and employer within the area.

44. It is therefore considered that the principle of development is acceptable in terms of both local and national planning policy subject to the acceptability of detailed matters.

#### Access and Highway Safety

45. The information submitted in support of the application explains that the enlarged warehouse would be completely automated and operated by existing staff. As such there would be no requirement for any on-site car parking for additional staff to be considered. It is acknowledged that some existing car parking would be lost at the site however PWS provide centralised car parking on two individual sites within their complex with site wide provision for 340+ vehicles. The Highway Authority has confirmed they have no objection to development and the proposal would accord with policies D1, D3 and D4 of the SBLP in terms of highway and access issues.
46. Due to the amount of floor space proposed a Travel Plan has been submitted in support of the application. This has been assessed and following amendments the Travel Plan advisor has confirmed that it meets the required DCC standard to help mitigate the negative transport impacts of development. Agreement has been reached for the long-term management strategies for integrating proposals for sustainable travel options at the site.

#### Impact on the amenity of adjacent land users

47. Local Plan Policy D1 highlights that developments should have regard to a sites relationship to adjacent land users and activities. This policy is considered to be in accordance with one of the core principles of the NPPF which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
48. In this respect the development site is substantially bordered by other industrial businesses including those in PWS ownership to the north, east and west. Therefore it is not considered that any adverse amenity issues would be raised over and above the existing situation. Furthermore, the environmental health section has raised no objection to the proposed development and its impacts.

#### Visual, Heritage and Landscape Impact

49. Part 7 of the NPPF deals with good design generally advising that it is a key aspect of sustainable development, indivisible from good planning that can lead to making places better for people. Policies D1 and D4 of the SBLP expect development proposals to include an appropriate standard of design.
50. The site is located within a broadly industrial landscape and should be viewed in the context of this setting. Furthermore, the development now proposed has formerly benefitted from consent although it is acknowledged this has now lapsed. The overall height of the building would match that of the adjacent PWS building to the east. It is proposed that the materials to be used in construction would be similar in appearance to that of the existing building which would consist of profiled metal wall cladding. Details have also been provided with regard to new boundary enclosures which are typical of fencing used within industrial estates comprising of 2.4 metre high steel welded mesh fence finished in green. In this regard it is considered that the proposed scale and design of the extensions and associated modification works around the site are appropriate and accord with policies D1 and D4 of the SBLP and part 7 of the NPPF. Furthermore it is not considered necessary in this case to impose conditions requiring the subsequent agreement of detailed design matters

51. Policy E15 seeks to retain important groups of trees where possible and replace any trees which are lost. On the southern boundary of the site there is a large group of existing trees and some hedgerows planted on a mounded area. To facilitate the development these are to be substantially removed, This is regrettable as the planting does make a notable contribution to the landscape and visual amenity of the local area. However this has previously been considered acceptable as part of the previous consent and there are significant economic benefits associated with the proposed development. A landscaping scheme is intended to help mitigate the loss. This has been revised to include more trees and tall shrub planting and is currently out for consultation with landscape colleagues. It is hoped an update will be available in time for the committee meeting however in the interim period a landscaping scheme and timing condition is proposed.
52. Colleagues in the arboricultural section acknowledge that many of the existing trees will be removed or subsequently decline due to works proposed therefore they suggest a replacement planting scheme is undertaken.
53. Part 12 of the NPPF requires the local planning authority to have special regard to preserving the setting of listed buildings or any special architectural or historic interest which it possesses in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The site is close to the Grade II listed Locomotion PH and Grade II listed signal box at Heighington Station. These are located immediately to the south west of the site, approximately 20m from the site boundary, on the opposite side of Heighington Lane.
54. The design and conservation officer has raised a number of concerns regarding the proposed development. Whilst their concerns are noted it is not considered that they would amount to reasons to refuse the application. The proposed building is to read as an extension to the adjacent building therefore its scale, massing and detail has largely been dictated. The development would be in line with a former approval and once a suitable landscaping scheme has been agreed it is not considered that the development would have an adverse impact on the setting of the listed building.

#### Drainage and Flooding

55. The NPPF requires that consideration be given to issues regarding flooding particularly from surface water run-off and that developments adequately dispose of foul water in a manner that prevents pollution of the environment.
56. The site does not lie within a known flooding area however constitutes major development. The Lead Local Flood Authority has been consulted and accepts the submitted drainage design with regards to surface water management. Northumbrian Water have not raised any concerns regarding the development.

#### Ecology

57. Paragraph 11 of the NPPF and policy E11 of the Local Plan requires that local planning authorities take into account, protect and mitigate the effects of development on biodiversity interests. The applicant has submitted a Great Crested Newt Risk Assessment report which concludes that the likely risks to newts is low.
58. The Ecology Section have raised no objection to this report however as works are proposed to trees they have recommended that an informative is imposed in order to address any risk of impact on breeding birds by the proposals. It is therefore considered that the granting of planning permission would not constitute a breach of

the Conservation of Habitats & Species Regulations 2010 and the Planning Authority can satisfy its obligations under these.

#### Other Considerations

59. A Phase 1 Contaminated Land Desk Top Study Report has been submitted in support of this application which makes recommendation for a Phase 2 Site Investigation. The contamination land officer is satisfied with the submitted report and its recommendations therefore suggest a condition is imposed requiring the submission of further information.
60. The site is considered to have good locational sustainability credentials. Furthermore, the agent has also provided information pertaining to how sustainability would be embedded into the development. On this basis no objection is raised by colleagues in the sustainability section.

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## CONCLUSION

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61. The proposal involves works to improve the operational efficiency and competitiveness of an established business and local employer on the Aycliffe Business Park. Planning permission has previously been granted for works of a similar nature and it is considered that the site represents a suitable and sustainable location for further industrial development both in principle and in detailed terms. As the report outlines all material planning considerations have been assessed and can be satisfactorily resolved with any outstanding detailed matters controlled through condition. As such the application is recommended for approval.

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## RECOMMENDATION

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That the application be APPROVED subject to the following conditions;

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

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

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

Drg. no. 17.01/01 location plan received 20/03/2017  
Drg. no. 17.01/03 proposed block plan received 20/03/2017  
Drg. no. 17.01/04 existing and proposed elevations received 20/03/2017  
Drg. no. 17.01/05 proposed section through received 20/03/2017  
Drg. no. 17.01/06 roof plan received 20/03/2017  
Drg. no. 17.01/07 proposed security fence received 20/03/2017  
Travel Plan Issue 2 dated 25<sup>th</sup> May by Tim Speed Consulting  
Drainage Strategy received 01/06/2017  
Micro Drainage Information received 01/06/2017  
Layout showing attenuation tanks received 01/06/2017

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies GD1, I5 and T1 of the Wear Valley Local Plan.

3. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following, unless the Local Planning Authority is satisfied that the site is suitable for the proposed use and dispenses of any such requirements, in writing:

#### Pre-Commencement

(a) A Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(b) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out by competent person(s). No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

#### Completion

(c) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

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 risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11.

4. Prior to the commencement of development a detailed scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide detail for:-

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

Details of planting procedures or specification.

Finished topsoil levels and depths.

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

Full details of any regrading or alteration of levels on the site.

Full details of the surfacing/hard standing proposed for the road and parking areas

The approved landscaping scheme shall be implemented and completed in accordance with the approved details in the first planning season following the substantial completion of the development. 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 appearance of the area and to comply with policies E15, D1 and D4 of the Sedgefield Borough Local Plan.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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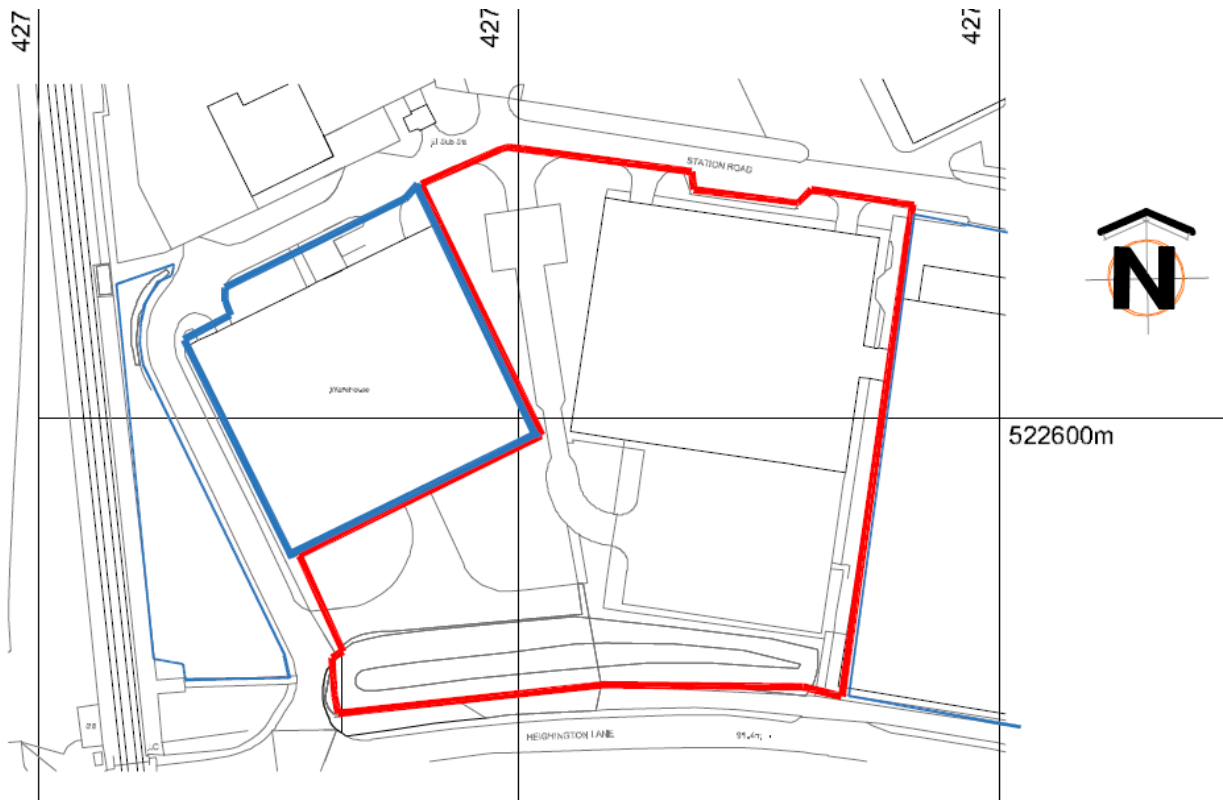
The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering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

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## **BACKGROUND PAPERS**

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- Submitted application form, plans, supporting documents and subsequent information provided by the applicant
- The National Planning Policy Framework (2012)
- National Planning Practice Guidance
- Sedgefield Borough Local Plan
- Evidence Base Documents
- Statutory, internal and public consultation responses



## Planning Services

**Demolition of existing warehouse and construction of new warehouse with alterations to existing loading/unloading facilities and associated external works including fencing**  
**Mr Kevin Gay on behalf of PWS Distributors Ltd**  
**PWS Distributors Ltd, Station Road, Aycliffe Business Park, Newton Aycliffe, DL5 6EQ**  
**Ref: DM/17/00942/FPA**

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**Date**  
**22<sup>nd</sup> June 2017**