

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE:**

**Page**

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<b>APPLICATION REF. NO:</b>	<b>08/00817/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>19/01/09</b>
<b>WARD/PARISH:</b>	<b>CENTRAL</b>
<b>LOCATION:</b>	<b>Former Darlington Wire Mills Albert Hill Industrial Estate Dodsworth Street DARLINGTON</b>
<b>DESCRIPTION:</b>	<b>Demolition of existing industrial buildings and erection of 1 No. industrial unit</b>
<b>APPLICANT:</b>	<b>Tyne Tees Demolition</b>

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**APPLICATION AND SITE DESCRIPTION**

Planning permission is sought for the demolition of existing industrial buildings and the erection of 1 No. light industrial unit, to be used for waste recycling purposes.

This new building would be just under 19m in width and 61m in length. The building would be a maximum of 10.6m in height and would provide a floor area of 1,080 square metres.

The proposed industrial building would be of a steel portal frame construction (of which there are many in the area). The structure would feature metal profiled sheet cladding and fair faced concrete blocks to the walls and the roof would consist of metal profile sheet with translucent rooflights.

The replacement building is proposed in the same location as the existing buildings that are to be demolished. This is towards the north east of the site but still in a relatively central position.

No new access is proposed to the site as the existing site entrance would be used. There are existing storage structures on the site.

A Waste Disposal Licence was issued from Durham County Council in 1994 (the Environment Agency now have responsibility for issuing such licences and monitoring compliance). The Licence allows for the deposit of controlled waste, using appropriate equipment. The Licence allows for up to 150 tonnes to be disposed of daily.

The facility would handle up to 10,000 tonnes of construction, demolition and excavation waste per year. None of this would be hazardous substances.

The applicants have confirmed in writing that there is to be no intensification of the operation for the foreseeable future and that the larger replacement building will enable more of the operations to take place undercover with a consequential reduction in noise and dust.

The proposed building would provide for 4 full time equivalent employees and for 4 car parking spaces.

Tree planting is also proposed to the east of the site next to the boundary with the railway line. Full details of this landscaping have not been provided and a condition requiring this information to be submitted and approved would be appropriate.

The application site is located on Albert Hill Industrial Estate to the east of the main railway lines. The site covers 0.86 hectares and is bounded to the south by business properties on Nestfield Industrial Estate. Access to the site is via a road which bounds the site to the east.

The site is made up of two main buildings which are in a dilapidated state. The largest building is positioned more towards the north of the site and is set up to the western boundary. This building is of a steel frame construction. The other main building is a lot smaller and is of a brick construction located to the front of the larger industrial unit.

There are remnants of other small buildings and structures on the site as well as plant equipment.

The existing buildings are used as a recycling / waste transfer facility. This would be a B2 (General Industrial) Use. The site is currently accessed from Albert Hill Industrial Estate and the recycling operations take place partly within the buildings with some storage on the surrounding land.

The current floor space of the buildings is 930 square meters. There are currently 2 full time equivalent employees and there are 3 car parking spaces.

## **PLANNING HISTORY**

03/00734/CU on 5 September 2003 planning permission was granted for the continued use of site for recycling purposes, demolition of redundant buildings and erection of boundary walls

94/00076/MISC On 8 April 1994 planning permission was granted for the erection of a 3.6m high block work security wall.

93/00360/MISC on 13 July 1993 planning permission was refused for a waste transfer station unit.

91/00542/MISC On 14 November 1991 planning permission was refused for change of use of land from car auction site to skip hire and concrete batching depot and erection of concrete batching plant.

89/00881/MISC On 7 March 1990 planning permission was refused for use of the land for the sale of cars on Saturday and Sunday only.

83/00044/MISC on 23 March 1983 planning permission was granted for the change of use from industrial garaging and repairs to light haulage vehicles and associated storage and distribution (retrospective).

81/00295/MISC on 27 January 1982 planning permission was granted for the erection of a screen fence.

81/00636/MISC on 19 May 1982 planning permission was granted for the change of use of the former vehicle dismantling and sale of parts to including repairs and car sales

80/00360/MISC on 21 May 1980 planning permission was granted for the change of part of the former works to car servicing and repairs.

80/00809/MISC on 8 October 1980 planning permission was granted for change of use of part of former wire mills for vehicle dismantling and sale of parts.

## **PLANNING POLICY BACKGROUND**

The following policies of the Borough of Darlington Local Plan are relevant: -

- EP17 (Waste Material Storage and Transfer)
- EP2 (Employment Areas)

The following policies of the North East of England Plan - Regional Spatial Strategy to 2021 are particularly relevant:

- Policy 1 (North East Renaissance)
- Policy 2 (Sustainable Development)
- Policy 4 (The Sequential Approach to Development)
- Policy 45 (Sustainable Waste Management)
- Policy 46 (Waste Management Provision)

National planning policies, particularly as set out in Planning Policy Statement 10 (Planning for Sustainable Waste Management) are important considerations.

## **RESULTS OF CONSULTATION AND PUBLICITY**

Occupiers of neighbouring commercial properties were advised of the proposed development by way of letter. A press advert was also issued. No objections have been received.

The Highways Officer was consulted on the application and commented that the size of the development falls well below the threshold for which a Transport Statement or a Transport

Assessment would be requested and it is not anticipated that the amount of traffic generated will have a significant impact on the wider highway network.

A condition requiring secure cycle parking to be provided would be appropriate as this could easily be accommodated on site.

The Environmental Health Officer was consulted on the application who has also liaised with the Environment Agency with regard to the need for any conditions about pollution control for the site. The Environmental Health Officer commented that the existing waste management licence held by the Applicant is very comprehensive, the new building will allow more of the operations to be carried out undercover this will result in a reduction in noise and dust. There are therefore no objections or recommendations with regard to conditions from the Environmental Health Officer.

## **PLANNING ISSUES**

The main issues to be considered here are whether or not the proposed replacement building (which is larger than the existing buildings that are to be demolished) is acceptable in the following terms:

- Planning Policy
- Visual Amenity
- Highway Issues

### **Planning Policy**

The application site is located in an area of existing employment activity. The Borough of Darlington Local Plan encourages the recycling of waste materials and the provision of the necessary storage, processing and transfer facilities. Policy EP17 (Waste Material Storage and Transfer) states that such recycling uses are acceptable in employment areas subject to there being no adjacent Class B1 Uses, the storage of materials is not visible from railway lines or residential properties, there is adequate screening of the site and there is no material adverse impact on the amenity of surrounding areas.

The site is adjacent to the railway lines and is visible to passengers travelling through Darlington. The site is in a long established use which benefits from planning permission. The proposed replacement building would have an improved impact on the appearance of the site by replacing dilapidated buildings with a modern industrial building that would be in keeping with the area. The siting of the building itself would provide some screening of the site. Additional landscape screening is proposed next to the boundary with the railway lines.

The site is not adjacent to any sensitive employment uses such as B1 (Business) and is more than 100m from the nearest residential properties to the south which are separated by employment development.

Policy EP2 (Employment Arias) states that general industrial (Use Class B2) will be permitted where they do not harm the amenity of the area. This is provided that there will be no harm to residential areas.

The North East of England Plan - Regional Spatial Strategy to 2021 was adopted in July 2008. The Regional Spatial Strategy (RSS) encourages strategies for waste minimisation and for increased recycling facilities.

Policy 45 (Sustainable Waste Management) of the RSS states that:

*Strategies, plans and programmes, and planning proposals should give priority to initiatives which encourage behavioural change through:*

*a. developing and implementing waste minimisation plans and schemes;*

*b. implementing waste awareness and education campaigns;*

*c. developing reuse schemes; and*

*d. minimising the use of primary construction materials and the production of waste;*

*and should be based on the following key principles:*

*a. the waste hierarchy with minimisation at the top, then reuse, recycling, composting, waste to energy and landfill;*

*b. enable waste to be disposed of in one of the nearest appropriate installations; and*

*c. ensuring communities take more responsibility for their own waste.*

Planning Policy Statement 10 (Planning for Sustainable Waste Management) sets out the Government's Policies to be taken into account for such waste related developments.

With regard to considering suitable sites for waste development Planning Policy Statement 10 states that the physical and environmental constraints on development, including existing and proposed neighbouring land uses should be taken into account. The cumulative effect of previous waste disposal facilities on the well-being of the local community and the capacity of existing transport infrastructure.

The use of the site is therefore encouraged by national planning policy and sustainability aspirations generally. The site is relatively remote which can accommodate the development without undue environmental impact on the surrounding area.

### **Visual Amenity**

As stated above, the proposal would have an improved visual appearance as compared to the existing buildings on the site. The proposed industrial unit would be positioned on a north/south axis. There are other buildings of a similar scale and construction on neighboring sites to the north and east. The proposal would be in keeping with the industrial character of the area. The site is not highly visible (other than from the railway lines) and is not sited close to any residential properties.

### **Highway Issues**

The proposal would not have any significant impacts with regard to highways safety or generating increased amounts of traffic. The Highways Officer has confirmed that the size of the development falls below the threshold for which a Transport Statement or a Transport Assessment would be required.

A requirement for secure cycle storage to be provided would be reasonable to promote access by alternative transport modes.

## **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

## **CONCLUSION**

The proposed development is considered acceptable in this location which is relatively remote and already used as a waste transfer facility. The proposed replacement building would have a better visual appearance as compared to the existing buildings of the site.

The environmental health officer commented that the proposal will result in more of the operations taking place inside and therefore reduces the potential for dust and noise. The operation is controlled and regulated by the Environment Agency via a license.

The highways officer has commented that the proposal will not have any significant issues with regard to increasing additional traffic or other highways safety implications.

The proposal is considered to accord with the relevant policies set out above.

## **RECOMMENDATION**

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

1. A3 Implementation Limit (3 years)
2. Development shall not commence until details of the proposed landscaping screening have been submitted to and approved by the Local Planning Authority. Thereafter, the scheme shall only be implemented in accordance with the approved details.

Reason – In the interests of visual amenity.

3. B5 Detailed Application (Accordance with Plans)
4. Prior to the commencement of the development hereby approved, details of secure covered parking for cycle stands shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason – To ensure that adequate cycle parking provision is provided in accordance with adopted and emerging planning and transport policy which promotes access by alternative transport modes.

## **SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION**

The proposed development is considered acceptable in this location, subject to the imposition of suitable planning conditions. The development does not have any significant highway safety or crime prevention issues. The proposal is considered acceptable in the light of the relevant policies within the development plan as listed below:

**Borough of Darlington Local Plan (1997):**

- EP17 (Waste Material Storage and Transfer)
- EP2 (Employment Areas)

North East of England Plan Regional Spatial Strategy to 2021 (2008):

- Policy 1 (North east Renaissance)
- Policy 2 (Sustainable Development)
- Policy 4 (The Sequential Approach to Development)
- Policy 45 (Sustainable Waste Management)
- Policy 46 (Waste Management Provision)