



Planning, Design and Access Statement for proposed expansion of facilities at Tom Walker & Sons, Thorpe Leazes, Stockton-on-Tees, TS21 3HZ.

On behalf of Tom Walker & Sons

October 2023

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Rev	Date	Author	Reviewed	Approved
1	06/10/2023	Charly Wilson	Stephen Litherland	23/10/2023

1.0 Introduction

- 1.1 Origin Planning Services (the ‘Agent’) are submitting a detailed planning application on behalf of Tom Walker & Sons (the ‘Applicant’) for the proposed expansion of the existing facilities at Tom Walker & Sons, Thorpe Leazes, Stockton-on-Tees TS21 3HZ.
- 1.2 By way of background, the business began in 1982 when Tom Walker formed the company which began as a regional cheese wholesaler and is now one of the UK’s leading distributors, importers and packers of cheese. The business has, therefore, operated successfully for over 30 years. Subsequently, Tom Walker & Sons has now been acquired by HMS (485) Limited in 2020 who are now looking to build and expand upon the existing successful business at this premise.
- 1.3 This document provides an assessment of the planning policy context and assesses the planning balance. This document should be read in conjunction with other validation documents and plans, outlined in the list below. The purpose of this statement is to support the proposal by setting out the context of the proposed development; outlining the policy framework relevant to the consideration of the planning application; and considering those matters relevant to land use planning and material to the consideration and determination of the subject planning application.
- 1.4 In support of this application are a suite of supporting documents, which comprises the following:

Validation Report	Author	Date
Full Package of Detailed Drawings	POD	September 2023
Planning Statement	Origin Planning Services	October 2023
Preliminary Ecological Appraisal	OS Ecology	September 2023
Flood Risk Assessment & Drainage Strategy	Coast Engineering	September 2023
Transport Statement	TPS Consultants	September 2023
Arboricultural Method Statement inc Impact Assessment	Elliott Consultancy	October 2023
Noise Report	LA Environmental	October 2023

- 1.5 This Statement will set out the context of the weighted planning balance by considering the Development Plan and any material considerations which are relevant to this determination.

2.0 Site Context

- 2.1 At present, the proposed development site comprises of four building; an office with reception area, two high care production areas (one with chilled storage and the other with ambient storage) and a machine shed for storing equipment.
- 2.2 The site is located to the north west of the main village of Thorpe Thewles at Thorpe Leazes Farm. To the north, east and west of the site is open space and the land south of the site comprises of an area of woodland with open fields further afield.

Planning History

- 2.3 In terms of planning history, the proposed developed site already obtains a certificate of lawfulness for an existing use for change of use of agriculture building for cheese processing, packing and wholesaling with ancillary office and garaging (17/0192/CPE) as well as a certificate of lawfulness for an existing operation which includes the extension of the existing building to create a packing area, the construction of a machine store and the construction of a cold store (17/0191/CPE).

Pre-application Discussions

- 2.4 A pre-application enquiry was submitted to Stockton Borough Council in September 2021 and a formal response was received on the 2nd of February 2022. The formal response confirmed the principle of development is acceptable on this site subject to further information clarifying our position regarding Policy SD4 of Stockton's Local Plan, which this planning statement discusses at section 5. There were also comments regarding flood risk, ecology, landscaping, trees/hedges, highways and energy efficiency at the proposed development site which have also been discussed/responded too in section 5 of this report.

3.0 Proposed Development

- 3.1 The proposed works comprise the erection of 1 new factory. To facilitate the expansion of this business and the factory an additional 42 car parking bays are proposed. In addition to this it is proposed that a number of temporary structures at the site are to be removed and a HGV turning circle is proposed to ensure the site can accommodate the expansion of the business and additional vehicular movement associated with this.
- 3.2 In terms of hours of operation the business currently operates between 7am and 7pm, however, to facilitate the growth of this business the operators are now looking to be open 24 hours a day.
- 3.3 With regard to the nature of goods being processed onsite the main products are different varieties of cheese from hard cheeses to soft continentals and dairy free. In addition, there will be co-packing a variety of products including cheese, confectionery, novelty packs and hampers (hampers could contain a multitude of food and drink products). Products are likely to be both chilled and ambient.
- 3.4 As this proposed development relates to the expansion of an existing business there are currently 25 permanent employees plus temporary workers which could be 8 in the quieter months and up to 75 around the Christmas period. The plan is to increase the permanent workforce as the volume through the factory increases. To support the expansion of this business it is proposed that an additional 75-100 employees would be required.
- 3.5 Please see submitted plans for further detail of the proposed development.

4.0 Planning Policy Context

Development Plan

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, is relevant in determining planning applications and states that:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 4.2 The above legal requirement is also reiterated within the National Planning Policy Framework (2023). This section therefore examines the policies contained within the “Development Plan” which comprises the following:
- 4.3 The Statutory Development Plan for this site comprises policies contained within the Stockton-on-Tees Borough Council Local Plan adopted January 2019.

Local Plan

- 4.4 The following policies are considered to be of relevance to this development proposal:

- Policy SD1 – Presumption in favour of Sustainable Development;
- Policy SD2 – Strategic Development Needs;
- Policy SD4 – Economic Growth Strategy;
- Policy SD7 – Infrastructure Delivery and Viability;
- Policy SD8 – Sustainable Design Principles;
- Policy EG1 – General Employment Sites;
- Policy EG7 – Supporting Rural Economic Development;
- Policy TI1 – Transport Infrastructure;
- Policy ENV1 – Energy Efficiency;
- Policy ENV4 – Reducing and Mitigating Flood Risk;
- Policy ENV6 – Green Infrastructure, Open Space, Green Wedges and Agricultural Land;
- Policy ENV7 – Ground, Air, Water Noise and Light Pollution.

National Planning Policy Framework (2023) (NPPF), National Planning Policy Guidance and Other Material Considerations

- 4.5 The NPPF was revised in 2023 and provides the national planning guidance against which this application will be determined and is a material consideration in the determination of this application. The NPPF is the most significant of material considerations and significant weight is given to this policy document.

4.6 The NPPF provides direction for decision making in planning applications stating that the both plans and decisions should apply a presumption in favour of sustainable development, meaning for decision makers (paragraph 11):

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Presumption in Favour of Sustainable Development

4.7 The NPPF at paragraph 10 reaffirms the presumption in favour of sustainable development, reaffirming the three overarching objectives as follows (paragraph 8):

a) ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

b) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

c) ***an environmental objective*** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

4.8 These three objectives are considered to be interdependent and are to be pursued in mutually supportive ways to secure net gains across each of the objectives. We consider that the

proposed development represents a sustainable development and accords with paragraph 8 of the NPPF in the following ways:

An Economic Objective

- 4.9 The proposed development is for the expansion of the existing business, thus retaining and supporting the economic growth of this rural business.
- 4.10 There will also be economic benefits associated with the development in terms of job creation through the construction phase as well as an increase in employment opportunities as additional employees will be required to support the expansion of these facilities (numbers up to 75-100 new employees).
- 4.11 In addition, the increase in productivity will also bring in more business rates for Stockton Borough Council.

A Social Objective

- 4.12 The proposed expansion of this business will provide social benefits in the form of employment opportunities for the local community both full time, part time and seasonal roles. As stated above, the proposed development will include significant levels of job creation with up to 200 new employees required to support the business over the Christmas periods.
- 4.13 It is also noted that the site is also within a 2km distance from Stillington and has access to a bus stop approximately 0.9km away and is therefore within easy access of a potential workforce which would be required to support the expansion of this business.

An Environmental Objective

- 4.14 As aforementioned, the proposed development site is a short distance from a potential workforce and there is a bus stop close by providing access to the facility via sustainable transport methods.
- 4.15 It is also recognised that environmental sustainability is also applicable to the construction and design of the development itself. Therefore, sustainable construction will be adhered to and the additional facilities will be built to the most recent building regulations which have high requirements in terms of intrinsic sustainability.

Making Effective use of land

- 4.16 Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out

a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Supporting a Prosperous Rural Economy

4.17 Chapter 6, paragraph 84 of the NPPF is concerned with 'Supporting a prosperous rural economy' stating that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

Planning Practice Guidance (PPG)

4.18 The updated national Planning Practice Guide (PPG) supports the NPPF and provides guidance on its interpretation.

5.0 Planning Assessment

Principle of Development

- 5.1 Paragraph 81 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 5.2 Moreover, paragraph 84 further states that planning policies and decisions should enable: the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- 5.3 Policy SD2 – Strategic Development Needs states that strategic growth needs have been identified for the period 2017/18 to 2031/32, which will be met through new sustainable development and infrastructure provision that integrates positively with the natural, built and historic environment of the Borough.
- 5.4 Policy SD4 – Economic Growth Strategy states that economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth. Belasis, Cowpen Lane, Durham Lane, Preston Farm, Portrack Lane and Teesside Industrial Estate are the main locations for new light industrial, general industrial and logistics related development.
- 5.5 As previously mentioned the proposal is an expansion of an existing site comprising of the established business and not for a new business. It is therefore considered that it is logically more appropriate for the proposed development to be located at this established site rather than a site within the preferred areas as set out in Policy SD4. Furthermore, the proposed development will introduce new employment opportunities and therefore provide economic benefits for the area.
- 5.6 Policy EG7 – Supporting Rural Economic Development states that the Council will support and promote the sustainable growth and expansion of both new and existing rural land-based businesses and enterprises, both through the conversion of existing buildings and well-designed new buildings which are well related to existing development and respect the character of the countryside.
- 5.7 We consider that the principle of development for industrial/business use has been established as acceptable through the existing facility onsite. The proposed expansion of this business would support the sustainable growth of this rural based business and any future expansion would ensure that any new proposed buildings were well related to the existing facility and would respect the character of the countryside, in accordance with policies SD2, SD4 and EG7.
- 5.8 To conclude, we consider that the principle of development at this location has been confirmed as acceptable through the existing facility there and that the proposed expansion of this

business would support the economic growth of this rural business, offering economic and employment benefits within the local area, in accordance with local and national planning policy.

Design, Scale and layout

- 5.9 Paragraph 126 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.10 Policy SD8 – Sustainable Design Principles states that the Council will seek new development to be designed to the highest possible standard taking into consideration the context of the surrounding area and the need to respond positively to the local character.
- 5.11 The proposed development is for the expansion of the existing Tom Walker & Sons facility, utilising neighbouring land in order to achieve this. We consider that the proposed development would be of a scale and size which would be consistent with existing development at this location and would be designed to ensure it would assimilate well with the existing development and the wider countryside.
- 5.12 To conclude, the proposed expansion has been designed to the highest standard to ensure that the proposed development would assimilate well with the existing facilities/buildings onsite at present and within the wider countryside, in accordance with local and national planning policy.

Highways and Access

- 5.13 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.14 As the proposed development relates to an existing facility it is noted that there is an existing access arrangement to the site which is considered to be acceptable for this use. We consider that this existing access will be sufficient to support the proposed expansion of this business.
- 5.15 As aforementioned 42 additional car parking bays and 2 accessible parking bays have been proposed to accommodate the expansion of the business, in accordance with Stockton Borough Councils parking standards. This includes provision for 5 EV charging parking bays as well as 2 disabled access parking bays. It is therefore concluded that the proposed development is acceptable in respect of highways.

Ecology

- 5.16 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment.
- 5.17 Policy ENV5 states that the Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.
- 5.18 In support of this application a Preliminary Ecological Appraisal has been prepared by OS Ecology. The PEA states that the following mitigation measures are recommended:
- Scrub and trees will be retained where practicable and will be managed for biodiversity, looking to create a range of structural diversity.
 - Schedule 9 Cotoneaster species should be removed in line with best practise to a method statement.
 - A pre-construction walkover for badger setts should be undertaken within the woodland habitat 1 month before the expected commencement of works.
- 5.19 To conclude, we consider that the proposed development site is suitable for the proposed expansion of the existing facilities and any potential impact can be suitably mitigated, ensuring that the proposed development would not have a detrimental impact on ecology as a result of development, in accordance with local and national planning policy.

Flood Risk and Drainage

- 5.20 Paragraph 167 of the NPPF states that 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere'. Further to this, paragraph 169 states that 'major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate'.
- 5.21 In support of this application a Flood Risk Assessment and Drainage Strategy has been prepared by Coast Engineering and concludes that the risk of flooding from surface water, groundwater, sewer and reservoir low.
- 5.22 In terms of drainage the report sets out that foul water will be discharged via foul flows into the existing foul water treatment tank. The proposed development also incorporates SUDs techniques such as a swale and permeable paved car park.

Trees and Hedges

- 5.23 Paragraph 174 of the NPPF states that 'planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including

the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland’.

5.24 In support of this application a tree survey and arboricultural impact assessment has been prepared by Elliott Consultancy and sets out the following potential conflicts and responsive mitigation/countermeasures:

- **Conflict 1: Loss of trees due to the proposed layout**

Construction of the proposed layout will necessitate the removal of five trees, nine complete groups of trees and sections from seven other groups.

Mitigation / Countermeasure: Two individual trees, two complete groups of trees and sections of four other groups that would need to be removed were classified as Category B. The remaining three trees, seven complete groups and three other groups requiring sections to be removed were classified as Category C. The removals would be required to construct the proposed building and vehicle parking. All trees and shrubs in areas unaffected by the proposals, including the Category A Tree 1 and the majority of the plantation woodland to the south will be retained and protected during the construction period. From an arboricultural perspective the magnitude of impact from the losses required is deemed to be low/moderate. Postdevelopment tree planting would assist with mitigating the impacts.
- **Conflict 2: Construction within close proximity to trees.**

The proposed parking area encroaches within the root protection area of Tree 1.

Mitigation / Countermeasure: The encroachment on the east side of the root protection area is very minor and should not result in a negative impact to the tree’s condition. The access from the highway into the parking area utilises an existing driveway so should not negatively impact the tree provided that excavations are avoided when undertaking resurfacing works, if necessary.
- **Potential Conflict 3: Location of utilities runs with Root Protection Areas.**

Damage can be caused to root tissue during the installation of utilities runs.

Mitigation / Countermeasure: No new utility runs must be located within any of the retained trees’ root protection areas. Any works to existing utilities will be undertaken with regard for the retained tree cover and will be in accordance with NJUG (National Joint Utility Groups) guidelines.
- **Potential Conflict 4: Damage to trees within site during demolition and construction.**

Trees may be damaged due to a variety of reasons during a demolition and development process.

Mitigation / Countermeasure: A physical demarcation will be created between the retained trees and demolition/development areas to ensure that the trees and the medium within which they are rooting are protected from damage. The actual method of creating the demarcation might vary, where appropriate, but will typically be a

physical barrier. The location for the barrier is detailed upon Appendix 4 with a specification within Appendix 5.

- **Potential Conflict 5: Pruning trees to create clearance to structures.**

Tree 1 may require pruning in order to provide adequate clearance over the proposed access.

Mitigation / Countermeasure: Pruning will be limited to crown lifting and will be undertaken in accordance with BS 3998:2010 Tree work. Recommendations.

- **Potential Conflict 6: Damage to structures from trees.**

Trees are capable causing damage to structures either directly, such as physical contact damage or indirectly given the right conditions, such as subsidence.

Mitigation / Countermeasure: Chapter 4.2 'Building near Trees' of the NHBC Standards should be consulted by those responsible regarding building foundation depths required according to the species of adjacent trees, and for suitable species to be planted given their intended positions to new and existing structures.

Noise

5.25 In support of this application a noise assessment has been prepared by LA Environmental which concludes that the noise impact from the proposed development would not be intrusive and would result in 'no observed adverse effect'.

5.26 Further details can be found in the submitted Noise Report.

6.0 Summary

- 6.1 This planning application seeks planning permission for the proposed expansion of the existing facilities at Tom Walker & Sons, Thorpe Leazes, Stockton-on-Tees TS21 3HZ.
- 6.2 This statement has sought to demonstrate that the proposal accords with relevant planning policies contained within the adopted Local Plan, as well as the aims of the NPPF.
- 6.3 We therefore respectfully request that the Local Planning Authority support this application.