

## COMMITTEE REPORT

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### APPLICATION DETAILS

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**APPLICATION NO:** 3/2012/0017  
**FULL APPLICATION DESCRIPTION:** **CHANGE OF USE OF GROUND AND FIRST FLOOR FROM A1 TO A2 (ACCOUNTANTS)**  
**NAME OF APPLICANT:** **MR GARETH ROBERTS**  
**ADDRESS:** 18 NORTH BONDGATE,, BISHOP AUCKLAND, DL14 7PG  
**ELECTORAL DIVISION:** BISHOP AUCKLAND TOWN ED  
**Chris Baxter**  
(Senior) Planning Officer  
**CASE OFFICER:** 03000 263944  
chris.baxter@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSALS

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The site

1. The application site comprises of an existing A1 shop located at 18 North Bondgate in Bishop Auckland. The premises is currently used as a canine grooming parlour. Commercial properties surround the site to the south, east and west. Directly to the north is the highway with the former bus depot situated beyond. The Council car park is located to the north west of the site. The building is also located within the Bishop Auckland Conservation Area.

The proposal

2. Planning permission is sought for the change of use of the ground and first floor of the premises from class use A1 (shops) to class use A2 (financial and professional services). It has been indicated in the application that the premises is to be used as an accountant's office. No internal or external works are proposed as part of this application.
3. This application is reported to committee as the owner of the property is a County Councillor.

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### PLANNING HISTORY

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4. Planning permission was granted in 2004 for the conversion of the premise into an A1 retail shopping use.

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### PLANNING POLICY

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NATIONAL POLICY

5. *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)* sets out the overarching planning policies on the delivery of sustainable development through the planning system.
6. *Planning Policy Statement 4: Planning for Sustainable Growth (PPS4)* sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.
7. *Planning Policy Statement 5: Planning for the Historic Environment (PPS5)*: sets out the Government's planning policies on the conservation of the historic environment.

#### **REGIONAL PLANNING POLICY**

8. 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. The overall objective for minerals policy in the Region, as set out in RSS, is to ensure the prudent use of the Region's indigenous natural resources in line with sustainable development objectives.
9. In July 2010, however, the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can be attached to this intention. The following policies are considered relevant:
  10. *Policy 8: Protecting and Enhancing the Environment* states that planning proposals should seek to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East.
  11. *Policy 12: Sustainable Economic Development* states that the majority of new economic development and investment should be focussed in main settlements.

#### **LOCAL PLAN POLICY:**

12. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the determination of this application:
  13. *Policy GD1 (General Development Criteria)* states 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.
  14. *Policy BE5 (Conservation Areas)* states that the character of each Conservation Area will be protected from inappropriate development.

15. *Policy S1 (Town Centres)* states that the District Council will seek to maintain and protect the town centres of Bishop Auckland and Crook as identified on the Proposals Map Inset Nos 1A and 9 as the major retailing centres in the District.

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

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

16. *Bishop Auckland Town Council* has raised no concerns.

### **INTERNAL CONSULTEE RESPONSES:**

17. *Ecology Team* has raised no concerns.

### **PUBLIC RESPONSES:**

18. A site notice was posted and the application was advertised in the local press. No representations have been made.

### **APPLICANTS STATEMENT:**

19. The agent for the application declined to submit a statement.

*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://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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20. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 relevant guidance, development plan policies and all material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development and the impact on surroundings.

### Principle of development

21. Policy S1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 states that the Council shall seek to maintain and protect the town centre of Bishop Auckland and proposals for shops, offices and other commercial activities (Class A1, A2 and A3) will be permitted. The proposal to convert the premise into an A2 accountant's office directly accords with policy S1 of the Local Plan and is therefore considered acceptable.

22. Policy EC10 (Determining Planning Applications for Economic Development) of PPS4 encourages economic growth within existing town centres and states that planning applications that secure sustainable economic growth should be treated favourably. It is considered that the change of use of this premises into an A2 use accountant's office would be contributing to sustainable growth within the Bishop Auckland Town Centre.

23. The proposed change of use is acceptable in principle and in accordance with policy S1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and policies within PPS4.

#### Impact on surroundings

24. The premises is surrounded mainly by neighbouring commercial properties. It has been indicated in the application that the proposed opening hours will be 9am – 5pm on Mon – Fri and 9am – 12pm on Saturdays. These are standard office opening hours which are considered acceptable. Given the nature of the proposed use and the proposed opening hours, it is not considered that the proposal would adversely impact on the amenities of neighbouring properties.
25. It is noted that there is no parking facilities associated with the premises. However given there is a public car park directly adjacent to the building, the vehicles of any employees or customers would be adequately accommodated.
26. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area. This application is only for the change of use of the premises and no details have been provided with regards to internal or external alterations. Given there are no proposed changes to the external appearance, the character and appearance of the Bishop Auckland Conservation Area would be preserved.
27. Given the above it is considered that the proposed change of use would not have a detrimental impact on the surrounding area and would be in accordance with policies GD1 and BE5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
28. It is noted that should any external alterations to the shop front be required, then a separate planning application would need to be submitted.

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## **CONCLUSION**

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29. Policy S1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and policies within PPS4 places emphasis on uses such as A2 accountant offices to be directed into existing town centres such as Bishop Auckland. The proposed change of use to A2 accountant's office would contribute to sustainable economic growth within Bishop Auckland Town Centre.
30. Neighbouring properties would not be adversely compromised as a result of the proposed change of use to A2 accountant's office. Adequate parking provision is provided within close walking distance to the premise. The character and appearance of the conservation area would be preserved.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the following **conditions/reasons**.

#### **Conditions:**

1. The development should not be begun later than 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:

<b>Plan Ref No.</b>	<b>Description</b>	<b>Date Received</b>
	Site Location Plan	23/01/2012

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

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## **REASONS FOR THE RECOMMENDATION**

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1. The proposal is considered acceptable having regard to policies GD1, BE5 and S1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and policies within Planning Policy Statement 4 and 5.
2. The proposal is acceptable in principle as it contributes to the sustainable economic growth of Bishop Auckland Town Centre. Neighbouring properties would not be adversely compromised and adequate parking provision is located within close walking distance. The character and appearance of the Bishop Auckland Conservation Area would be preserved.

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## **BACKGROUND PAPERS**

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- Submitted Application Forms and Plans
- Planning Policy Statements: 1, 4 and 5.
- Draft National Planning Policy Framework
- North East of England Plan - Regional Spatial Strategy to 2021
- Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007
- Circular 06/2005
- Consultation Responses



Bus Station

Letter

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**Planning Services**

**CHANGE OF USE OF GROUND AND  
FIRST FLOOR FROM A1 TO A2  
(ACCOUNTANTS) AT 18 NORTH  
BONDGATE, BISHOP AUCKLAND, DL14  
7PG**

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**Comments**

**Date 22<sup>nd</sup> March 2012**

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