

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	CE/13/01551/FPA
FULL APPLICATION DESCRIPTION:	Siting of cabin accommodation for recycled clothing (retrospective)
NAME OF APPLICANT:	Terncove Limited
ADDRESS:	Land to the rear of Peterlee Post Office, Yoden Way, Peterlee, Co. Durham
ELECTORAL DIVISION:	Peterlee East
CASE OFFICER:	Laura Martin 03000261960 Laura.martin@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site relates to an area of car parking situated to the rear of Yoden Way and adjacent to the Asda Supermarket in the town of Peterlee. The application site relates to 3 of the existing car parking bays at the site.
2. The application seeks retrospective planning consent for the siting of a cabin for the recycling of clothing at the site. As previously noted the cabin occupies 3 bays and measures 6.1m by 2.7m and measuring 2.7m in height. The unit is pre-fabricated with a window and two doors with textured plastic cladding in Goosewing Grey with the company's liveries. Access to the building is achieved via a ramp to the frontage.
3. The application is referred to the planning committee at the request of Cllr Laing due to the retrospective nature of the application and on highway grounds.

PLANNING HISTORY

None relevant to the application.

PLANNING POLICY

NATIONAL POLICY:

4. 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 dependent.

5. 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'
6. The following elements are considered relevant to this proposal:-
7. Part 1 - 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.
8. Part 2 - Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

LOCAL PLAN POLICY:

District of Easington Local plan

9. 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.
10. 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.
11. Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
12. Policy 101 - Peterlee and Seaham town centres will be protected and promoted as the main retailing centres. Permission will be granted for further town centre uses and the improvement of the town centre through redevelopment and environmental and transport infrastructure improvements.
13. Policy P15 - Defines the area of the main shopping centre in Peterlee

EMERGING POLICY:

14. The emerging County Durham Plan is now in Pre-Submission Draft form, having been the subject of a recent 8 week public consultation, and is due for submission in Spring 2014, ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, 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.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

15. Town Council- no response at the time of issuing the report

INTERNAL CONSULTEE RESPONSES:

16. Highways Authority- Raises no objections

PUBLIC RESPONSES:

17. The application was advertised by means of a site notice at the premises. No letters of representation have been received in respect of the above development at the time of issuing the report.

APPLICANTS STATEMENT:

18. The applicant has been offered the opportunity to provide a supporting statement, but none has been provided.

PLANNING CONSIDERATIONS AND ASSESSMENT

19. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

20. The main considerations in regard to this application are the principle of the development, highways, design and retrospective nature of the application.

Principle of development

21. Policy P15 of the Easington Local plan defines the main shopping area for the town of Peterlee and the application site falls within this boundary. The cabin is well located in respect of the surrounding established town centre uses and is easily accessible via public transport, private car or on foot.

22. The recycling cabin is a commercial enterprise and as such is a use which would be anticipated within a town centre location. In addition, it provides an opportunity for linked trips, whereby visitors to the town centre shops can also undertake some recycling at the same time. Thus there would be an element of sustainability in accordance with the NPPF. Therefore in principle the development is considered acceptable.

Highways

23. As previously noted the application site does utilise 3 existing car parking bays for the siting of the cabin and the access ramp to the building. As part of the application the Highways Authority were consulted and advise that they raise no objection to the use of an area of the private car park for this purpose. In addition there is a large car park in association with the town centre located within a 2 minute walk and it is considered that the loss of 3 spaces would not be detrimental to the existing highway network or surrounding parking facilities.

Design

24. As previously noted the cabin is located adjacent to the existing town centre in close proximity to the service yard for the Asda supermarket. As such it is considered that

the design is keeping with adjacent buildings in terms of colour and scale and as such no issues are raised in respect of design. Due to the temporary nature of the building however a restriction limiting the retention of the unit to five years would be appropriate to any approval at the site. This is in order for the Local Planning Authority to reassess the situation and the condition of the cabin in terms of visual amenity, as it may deteriorate over time.

Retrospective nature of the application

25. In respect of the retrospective nature of the application, as legislation allows for the submission of a retrospective application this is not a consideration to which weight should be afforded in the determination of the application. The development has been assessed on its merits, and is considered to be acceptable.

Consultation period

26. At the time of issuing the report all the necessary consultation periods in respect of public representations had not expired. Time periods expire immediately before the date of the committee, and any comments received prior to the committee meeting will be reported as an update in the usual way. However, officers may not have had sight of any representations submitted late in the process until after the Committee's consideration of the proposal. On the basis of current considerations, the application would be recommended for approval. Therefore it is requested that in order to avoid delay in issuing the decision, the Planning Committee agree to delegate authority to the Head of Planning for the final determination of the application subject to there being no further representations received relating to material planning considerations other than those already considered in this report. Should any material planning concerns be received that have not already been addressed by the Committee, the application would remain undecided and would be referred back to the subsequent committee meeting for members' further consideration.

CONCLUSION

27. The cabin is well located within the defined main shopping area with both good public transport linkages and access via foot. There is ample car parking surrounding the site and the loss of 3 spaces is not considered significant to warrant refusal of the application.

28. Taking all relevant planning matters into account it is considered that the proposal is acceptable given that it accords with both national and local policy. It is not considered that the policies contained within the emerging County Durham Plan would conflict with the intentions of the existing local plan or the NPPF.

29. Subject to the suggested conditions, planning permission should be approved under delegated powers subject to the expiration of the consultation period and that no overriding material planning considerations are submitted.

RECOMMENDATION

That the application be **APPROVED under Delegated powers subject to consideration of any further consultation responses** and subject to the following conditions:

1. This consent is granted for a temporary period of 5 years from the date hereof when, unless the renewal of consent has been sought and granted previously, the building hereby approved shall be removed and the land reinstated to its former condition in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: To allow the Local Planning Authority to review the position in accordance with Policy 1 and 35 of the Easington Local Plan.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References; Prelim01 Rev A, Location plan, site layout plan, aerial photograph and design and access statement all received 26 November 2013.

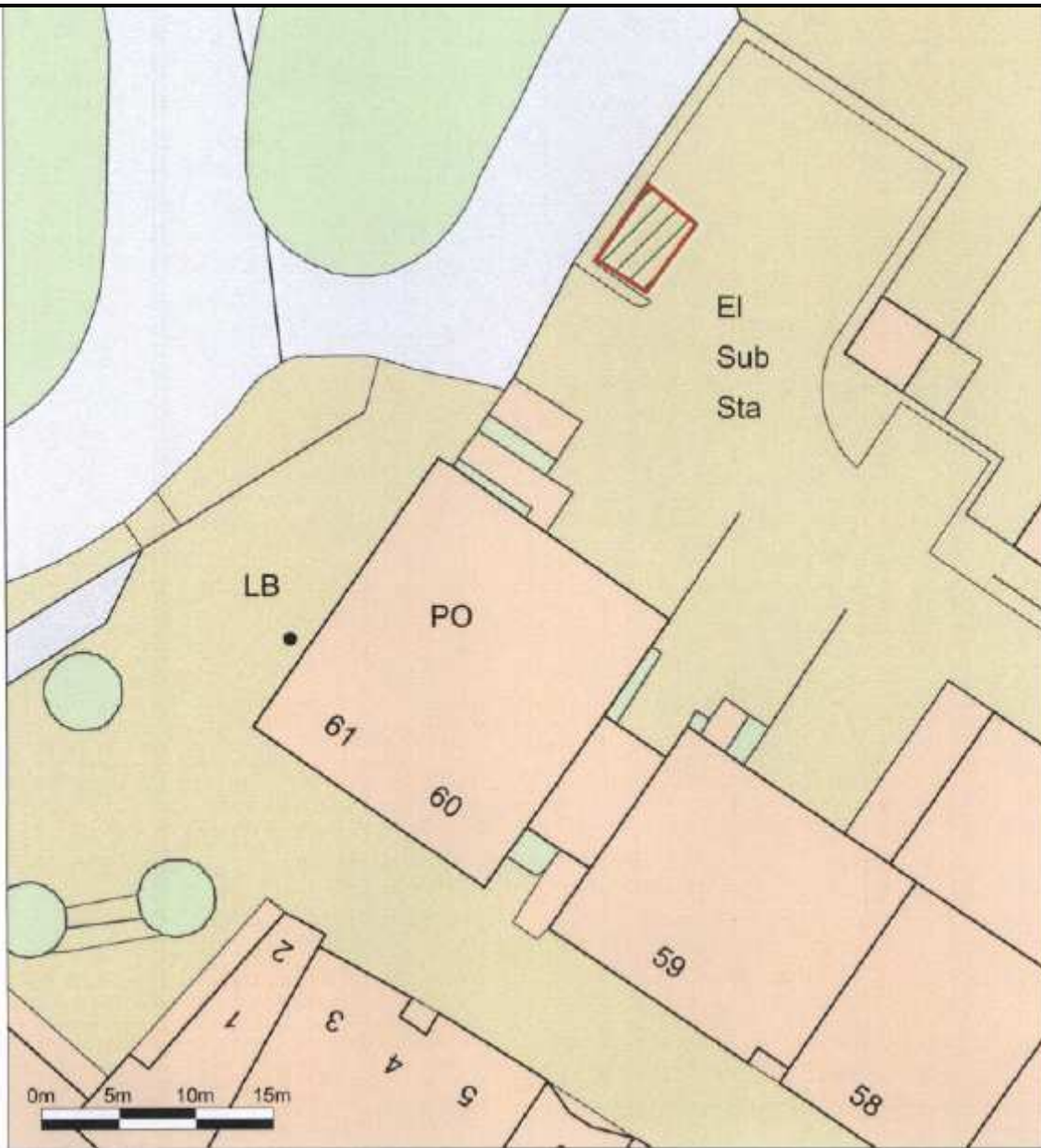
Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the Easington Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within the 8 week target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



Planning Services

SITING OF CABIN ACCOMMODATION FOR RECYCLED CLOTHES (RETROSPECTIVE) AT LAND TO THE REAR OF PETERLEE POST OFFICE, YODEN WAY PETERLEE

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Comments

Date 11 March 2014.

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