

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/03093/FPA
FULL APPLICATION DESCRIPTION:	Alterations to front elevation to create extra floor space to existing showroom area.
NAME OF APPLICANT:	Mr A Mitchison
ADDRESS:	Bristol Street Motors, Abbey Road, Pity Me, Durham, DH1 5DQ
ELECTORAL DIVISION:	Framwellgate and Newton Hall
CASE OFFICER:	Michelle Hurton michelle.hurton@durham.gov.uk 03000 261398

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site relates to a commercial property located on Abbey Road, Pity Me.

The Proposal

2. Planning consent is sought to alter the front elevation of the show room by replacing one of the roller shutter doorways with a window to create extra internal floor space to the existing car showroom area. This would be achieved by extending the showroom into the adjacent workshop area and losing workshop space.
3. The application is brought before members because it has been requested by Councillor Wilks and by Framwellgate Moor Parish Council.

PLANNING HISTORY

4. There has been various advertisement consents granted for this site in 2002, 2003 and 2011. Full planning permission has been granted for the erection of the showroom in 2001 and for floodlighting in 2002 and 2003.

PLANNING POLICY

NATIONAL POLICY:
National Planning Policy Framework

5. 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.

6. 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'
7. The following elements are considered relevant to this proposal:-
8. 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.
9. 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.
10. 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.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

LOCAL PLAN POLICY:

City of Durham Local Plan 2004

11. Policy EMP8 (General Industrial Estates) – The council will, in conjunction with other public and private agencies, seek to improve the overall quality of general industrial estates within the district while permitting development falling only within classes B1 (Business Use), B2 (General Industry) and B8 (Warehousing) of the Use Class Order.
12. Policy S11 (Miscellaneous Sales) – The sale of motor vehicles, caravans, boats, heavy building materials, greenhouses and garden sheds will be permitted within general industrial estates.
13. Policy Q1 (General Principles (Designing for People)) – The layout and design of all new development should take into account the requirements of users.
14. Policy Q2 (General Principles (Designing for Accessibility)) – The layout and design of all new development should take into account the requirements of users. It will be expected to embody the principle of sustainability.
15. Policy Q7 (Industrial and Business Development) – seeks to promote an attractive image of the District and thereby stimulate inward investment through the provision of well-designed buildings which are appropriate to their designation.

16. Policy Q11 (Shopfronts – Provision of New) – New shopfronts will be permitted provided that they respect the scale, proportion, materials and character of the building and the area in which they are located.
17. Policy T1 (Traffic Generation – General) – The council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant affect on the amenity of occupiers of neighbouring property.
18. Policy T10 (Parking – General Provision) – states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

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.durham.gov.uk/media/3396/City-of-Durham-local-plan-saved-policies/pdf/CityOfDurhamLocalPlanSavedPolicies.pdf>

EMERGING POLICY:

County Durham Plan

10. The emerging County Durham Plan was Submitted in April 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. Further, the Planning Practice Guidance explains that in limited circumstances permission can be justifiably refused on prematurity grounds: when considering substantial developments that may prejudice the plan-making process and when the plan is at an advanced stage of preparation (i.e. it has been Submitted). To this end, the following policies contained in the Submission Draft are considered relevant to the determination of the application:
11. Policy 1 (Sustainable Development) – States that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
12. Policy 15 (Development on Unallocated Sites) – States that development on unallocated sites will be permitted where development is appropriate in scale, design and location; does not result in the loss of a settlement's last community building or facility; is compatible with and does not prejudice any intended use of adjacent sites and land uses; and would not involve development in the countryside that does not meet criteria defined in Policy 35.
13. Policy 16 (Sustainable development in the build environment) – Development proposals will be permitted where they promote accessibility and permeability by creating places that connect with each other and with existing networks, and are easy to move through.
14. Policy 18 (Local Amenity) – Seeks to protect the amenity of people living and/or working in the vicinity of a proposed development in terms of noise, vibration, odour, dust, fumes and other emissions, light pollution, overlooking, visual intrusion, visual dominance, loss of light or loss of privacy.
15. Policy 19 (Air Quality, Light and Noise Pollution) – Development which have the potential to lead to a significant deterioration in air quality should be accompanied

by an assessment of the likely impact of the development on air quality. All development will be expected to minimise light pollution and/or prevent unacceptable levels of exposure to such through good design. All development will be expected to prevent unacceptable levels of noise pollution to both existing and new development by good design.

16. Policy 23 (Employment Land) – Sets out the proposed locations of Prestige and General Employment allocations.
17. Policy 48 (Delivering Sustainable Transport) – All development shall deliver sustainable travel by delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; and ensuring that any vehicular traffic generated by new development can be safely accommodated.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

18. Parish Council – An objection letter has been received from Framwellgate Moor Parish Council on highway safety grounds.
19. Ward Councillors – An objection letter has been received from Cllr Wilkes on highway safety grounds.

INTERNAL CONSULTEE RESPONSES:

20. Highways Section – No objection raised

PUBLIC RESPONSES:

21. The application was advertised by means of letter to 28 neighbouring properties within the area. A site notice was also posted near to the site. One objection letter has been received in respect of the above development. Concerns raised relate to an increase in visitors to the site, lack of car parking at the site, and an existing planning requirement to offload transporters not being adhered to.

APPLICANTS STATEMENT:

22. This project involves the refurbishment of the existing dealership to reflect the requirements of a growing and sustainable business model by Bristol Street Motors, but equally, to reflect the mandatory requirements of Vauxhall.
23. Vauxhall (as with other car manufacturers) are progressively refining their identity and are setting minimum mandatory standards on car showroom areas and finishes to enhance the customer experience.
24. Whilst the showroom area is increasing, it will not necessarily reflect an increase in customer volume attending site.
25. Since the workshop will decrease in size to accommodate the increase in showroom area, the total number of service bays is reduced by one. This loss would in fact reduce the number of visits per day to the servicing arm of the business by approximately 6 vehicles per day.

26. Whilst the increase in showroom areas will naturally increase the potential sales of vehicles; this can only be of benefit to the local economy in providing employment opportunities to meet these increasing volumes.
27. The business model by Bristol Street Motors is not defined solely by customers visiting site; however, much business is carried out via the internet and telephone sales.
28. Ascertaining planning permission for this development will not only improve the customer experience as required by the car manufacturer; but will offer robust employment opportunities to the local community.

PLANNING CONSIDERATIONS AND ASSESSMENT

29. 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.
30. The main considerations in regard to this application are the principle of the development, design, scale and layout and highway safety and residential amenity.

Principle of development

31. The application site relates to an existing car sales, MOT testing and servicing garage dealership located within the designated general industrial estate of Abbey Road Industrial Estate, Pity Me.
32. The application site is located amongst various industrial and commercial properties, and as such development of this nature would be considered to be within a sustainable location and would be supported in terms of national, regional and local planning policy, in particular NPPF Part 1, 4 and 7 and Saved Policies EMP8, S11, Q1, Q2, Q7 and Q11 of the local plan. The proposal would improve the commercial operations of the company, and would help to support sustainable economic growth. The alterations of the property would be in keeping with the character and appearance of the area, and are considered acceptable in principle.

Design, Scale and layout

33. In respect of the design and layout of the development, it is considered that the alterations to the front elevation from 1 no. roller shutter doorway to 1 no. window has been designed in such a way as to remain in keeping with the design and appearance of the existing property. It would result in extra showroom floor space being created internally and alterations to the overall internal layout arrangements, but not an extension of the premises.
34. The staircase within the main showroom is to be relocated to the rear of the building to help accommodate the internal alterations.
35. Therefore in design terms it is considered that the proposed alterations are in keeping with the host property and would not detract from the appearance of the property or the wider streetscene in line with Saved Policies EMP8, Q1, Q2, Q7 and Q11 of the City of Durham Local Plan 2004.

Highway Safety

36. In relation to Highway safety, Durham County Council Highways engineer has been consulted as part of the application process and they have raised no objection to the proposed development given that the proposed works would not impact upon the public highway.
37. One objection letter has been received from a neighbouring resident of a property located to the east of the site, approximately 250 metres away. A letter of objection has been received from Framwellgate Moor Parish Council, and a further letter of objection from Cllr Wilkes.
38. Concerns raised relate to an increase in visitors to the site which could generate more cars, and lack of car parking at the site which results in employees and customers parking on the grass verges. There is also concern that an existing planning requirement to offload transporters within the curtilage of the site is not being adhered to.
39. With regards to the concerns raised above the proposals do not expand the site floor area but rather re-design the internal layout. Due to the site not increasing in size or indeed adding or taking away parking space, the proposed works are considered acceptable in principle. With regards to the current issues relating to car transporters, although reported as a problem at present, there is no information to suggest that car transporter deliveries will increase or change. These concerns have been passed over to the planning enforcement team for further investigation, but are not considered to have a bearing on this current application.

Residential Amenity

40. It is considered that due to the application site not increasing in size, that the proposed alterations to the front elevation and the proposed internal alterations would not adversely affect the neighbouring residents at the site. The immediate neighbouring properties are industrial and commercial in nature, with the nearest residential properties some distance away.

CONCLUSION

41. The proposal is in keeping with the appearance, character, design and scale of the existing premises and will not have a detrimental impact upon the amenities or highway safety of the surrounding area.
42. The application site is not increasing in size and due to there being no reduction or addition to parking spaces, no objections have been raised by the Highways engineer.
43. Taking all relevant planning matters into account including the objections raised, 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 policies of the existing local plan or the NPPF on which the recommendation of approval has been based.

RECOMMENDATION

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.

Plan References	Date Received
Application Form	14 October 2014
Location Plan & Block Plan	14 October 2014
Existing & Proposed Principal Elevation	14 October 2014
Proposed Floor Plans	14 October 2014

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies EMP8, S11, Q1, Q2, Q7, Q11, T1 & T10 of the City of Durham Local Plan 2004 and parts 1, 4 and 7 of the NPPF.

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
- City of Durham Local Plan 2004
- National Planning Policy Framework
- Consultation Responses
- Letters of Representation

