

# COMMITTEE REPORT

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## APPLICATION DETAILS

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<b>APPLICATION NO:</b>	DM/15/03207/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Change of use from Car Show Room (Use Class Sui Generis) to Office Accommodation (B1) Retail (A1) and Coffee Shop (A3)
<b>NAME OF APPLICANT:</b>	Mr Simon Davies, Crafters Companion, Collingwood House, Collingwood Street, Bishop Auckland, County Durham.
<b>ADDRESS:</b>	Bridge Garage, Horndale Avenue, Aycliffe Business Park, Newton Aycliffe
<b>ELECTORAL DIVISION:</b>	Aycliffe East
<b>CASE OFFICER:</b>	Paul Hopper (Planning Officer) Tel: 03000 263 946 Email: paul.hopper@durham.gov.uk

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## DESCRIPTION OF THE SITE AND PROPOSALS

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### The Site

1. The application relates to the former Bridge Garage, Newton Aycliffe situated off Horndale Avenue, Aycliffe Business Park. The site is currently vacant and was last occupied as a car sales showroom with associated workshop and office accommodation. One large building remains in situ at the site which has a floor space of approximately 1162sq m including a mezzanine to the first floor. This is finished in a mix of glazing and grey cladding with a mono pitched roof.
2. The building sits within an extensive area of hardstanding and is bordered to the north by a warehousing and distribution facility, to the south by Horndale Avenue and to the east by a vehicle repair garage. An area of soft landscaping including mature tree planting is located to the west of the site. The site has an open aspect to Horndale Avenue and is delineated by palisade securing fencing to the northern and western boundaries.
3. Vehicular access to the site is taken primarily from Horndale Avenue to the south although a secondary access is available from Jowett Way to the north.

### The Proposal

4. Planning permission is sought for the change of use of the existing building on the site, from car sales showroom to a mixed use comprising office accommodation with ancillary retail/demonstration space and ancillary coffee shop.

5. The applicant is a successful internet based supplier of hand and paper craft equipment currently based at Coundon, and also has storage facilities in Spennymoor and in California in the USA.
6. The business has outgrown its current premises and is looking for a larger base from which to run its international operations whilst also offering some onsite retail space and an associated area for product demonstration. It is therefore proposed to utilise the new building to provide approximately 603sq m of office space, 500sq m of retail/demonstration space and a 59sq m coffee shop. It is anticipated that the use would create an additional 51 full time and 6 part time positions, together with the relocation of 23 posts from the existing operation at Coundon which is to be closed.
7. The external appearance of the building would remain unaltered as part of the proposal although some external signage is anticipated (not part of the current application). Vehicular access would remain unchanged and would be taken from Horndale Avenue serving an area of car parking which would be accommodated on existing hardstanding.
8. This application is being reported to Planning Committee in accordance with the Council's Scheme of Delegation as it relates to development where the floor space is 1000sq m (gross) or more.

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## **PLANNING HISTORY**

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9. The application site has previously received planning permissions relating to the demolition of existing workshops and their replacement with new structures, in addition to extensions to previous forecourt arrangements.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

10. 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.
10. 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'. The following elements of the NPPF are considered relevant to this proposal;
11. *NPPF Part 1 Building a Strong, Competitive Economy*: The Government is committed to ensuring the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
12. *NPPF Part 2 Ensuring the Vitality and Viability of Town Centres*: Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. They should require applications for main town centre uses to be located in

town centres, then in edge of centre locations and only if suitable sites are not available should out of centre uses sites be considered.

13. *NPPF Part 4 Promoting Sustainable Transport*: Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
14. *NPPF 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.
15. *NPPF Part 11 Conserving and Enhancing the Natural Environment*: Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

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

16. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.
17. *Policy D1 - General Principles for the Layout and Design of New Developments* - requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.
18. *Policy D3 - Design for Access* - seeks to ensure new development makes satisfactory provision for all road users and pedestrians.
19. *Policy D4 – Layout and Design of New Industrial and Business Development* – states that the layout and design of all new industrial and business development will normally be expected to have a standard of building design appropriate to the type of estate upon which the proposal is located, accommodate traffic generated by the development without causing danger or inconvenience to other road users, have an appropriate standard of landscaping, including screening of open storage areas, and have regard to policies D1, D2 and D3 of the Plan.
20. *Policy IB1 – Types of Industry and Business Areas* – states that the Council will normally approve planning applications that maintain in appropriate locations a range of land available for industry and business comprising the following types of sites (prestige business areas, general industrial areas, local industrial areas and business areas). Proposals that assist the regeneration of existing industry and business will be encouraged.
21. *Policy IB2 – Designation of Type of Industrial Estates* – designates this part of Aycliffe Business Park as a General Industrial Area.

22. *Policy IB6 – Acceptable uses within General Industrial Areas* – states that business, general industrial and warehousing uses will normally be considered acceptable in such areas as would retail warehouses, premises for the sale of vehicles and vehicle parts and lorry parking provided the development does not lead to such areas forming more than a small part of the total estate area, existing uses of adjoining land being adversely affected and a loss of environmental quality on the estate. Planning permission will normally be refused for large food retail units and scrapyards and car breaking yards and development proposals for other uses will be decided taking account of the purpose of general industrial areas as set out under policy IB1.
23. *Policy S1 – Town Centre Developments* – seeks to protect and promote existing commercial town centres through granting planning permission for further shopping, office, leisure, recreation and community developments of an appropriate scale within or on the edge of the town centre and by granting planning permission that leads to the improvement of town centres through the redevelopment, conversion or modernisation of the buildings, environmental improvements and improvements to access, traffic circulation, public transport infrastructure and parking arrangements.

#### **EMERGING COUNTY DURHAM PLAN:**

##### The County Durham Plan

24. In considering this proposal due regard should be had to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act (2004) which requires that proposals be determined in accordance with the statutory development plan, unless other material considerations indicate otherwise. In respect to this part of County Durham the statutory development plan currently comprises the 'saved' elements of the Sedgefield Borough Local Plan that are consistent with the National Planning Policy Framework (NPPF). Due regard should also be had to relevant parts of the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) as a material consideration. In conjunction with these material considerations regard should also continue to be had to the most up to date relevant evidence base.
25. Paragraph 216 of the NPPF says that 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. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

*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:**

26. *Great Aycliffe Town Council* has no comment to make on the application.

27. *Highway Authority* notes that the proposal incorporates twice the level of on-site car parking provision that would normally be permitted had this been a new build proposal but raises no objection to the application.
28. *Northumbrian Water Limited* has no objection to the application.

#### **INTERNAL CONSULTEE RESPONSES:**

29. *Planning Policy Section* notes that the proposal comprises a retail unit and coffee shop as well as B1 office use in what is an out of town centre location and that as such the applicant has considered more central locations through a sequential assessment submitted in support of the application. The development will provide economic and social benefits in terms of its contribution to the local economy as well as employment given the predicted growth potential and employment creation and that it would also make use of an existing site which has already fallen out of general industrial use. As such no objection is offered.
30. *Noise Action Section* has no objection to the application.
31. *Business Durham* notes that the business is a local family company with its headquarters in Coundon and it is important to retain the business within the County.

#### **PUBLIC RESPONSES:**

32. The application has been publicised by way of site notice, individual notification letters to neighbouring industrial units and local press advertisement. No representations have been received as a result of this process.

#### **APPLICANTS STATEMENT:**

33. The business was formed in October 2005 and is presently based in Coundon, Bishop Auckland DL14 8LG. The current Head Office is 3000 ft<sup>2</sup> with 23 permanent staff, there is also a separate 26000 ft<sup>2</sup> warehouse in Spennymoor DL16 6JB with 12 staff. There is also a US business, CC International, formed in 2007 and based in 17000 ft<sup>2</sup> premises in California.
34. Growth of the business is expected to triple within the next 5 years & 5 to 6 times within the next 10 years. The current Coundon Head Office is already at capacity and is not capable of accommodating the expected growth in business & associated staffing needs. Unit 1, Horndale Avenue will allow Crafters Companion to expand the staff as necessary to accommodate the expected business for at least the next 10 years. It is only 7 miles from their current location and also only 10 minutes from the warehouse so existing staff should be retained & links with the warehouse also maintained.
35. Crafters Companion also see a national opportunity to open a number of large craft retail warehouses, and believe there is a significant gap in the market for this kind of offer & anticipate 23-30 new stores nationally, with Unit 2, adjacent to the proposed Head Office being the first site. The proposal is to create a 6000 ft<sup>2</sup> retail environment & offer 8-10000 products over a wide craft portfolio. Intrinsic to the model will be regular education & demonstration events that will be held most days, creating an additional draw for customers to travel from an expected radius of 50 to 60 miles. Furthermore, Unit 2 offers a significant parking opportunity which they believe is a core requirement for their customer demographic.
36. The retail roll out is a significant part of Crafter's Companion's planned business growth over the next 10 years, so co-locating the first flagship store with the Head Office is

believed to offer the best chance of success. Additionally, the combined 1400 ft<sup>2</sup> head office and flagship retail site will give a strong aspirational impression allowing them to attract & relocate staff providing business security and ensuring suppliers will want to work with them. The Crafter's Companion brand is intrinsically linked with the North East & this specific area, and it is believed that this venture only adds weight to the notion of a family company from the North East with a global reach & will be creating local employment opportunities to realise their goals.

*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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37. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, the impact on Newton Aycliffe town centre, the aims of the Council's employment strategy, the amenity of adjoining users and issues of parking, access and highway safety.

### The principle of development

38. The application relates to an existing building located within Aycliffe Business Park which is allocated for general industrial use through policy IB2 of the Sedgefield Borough Local Plan. Policy IB6 of the Plan states that in such areas business, general industry and warehousing uses are considered acceptable and that proposals for other uses will be considered taking account of the purpose of general industrial areas as set out in Policy IB1 of the Plan which seeks to support the development of a wide range of industrial activities and maintain an adequate supply of land available for industrial and business to be provided. The Local Plan states that other activities not falling within general industry, business or warehousing will only be considered acceptable where they are clearly complimentary to the main uses in terms of their size and functional relationship in providing service to existing business and employees already on the estate.
39. This approach is considered to display broad accord with the overarching principles and aims of the NPPF which seeks to deliver sustainable development in sustainable locations, supporting new development which would assist in building a strong, competitive economy.
40. Whilst the proposal relates to a mixed use development which includes some retail/demonstration space and cafe, these non-industrial uses would be directly related to the principal B1 use of the site as an operational base and headquarters for an internet based paper and hand craft company that would create 51 full time employment positions and 6 part time posts. As such the principle of development is considered acceptable subject to appropriate consideration of the impact of the proposal upon the viability and vitality of the Aycliffe town centre, the Council's employment strategy and other material planning considerations.

### The impact upon the Council's Employment Strategy

41. The site falls within an existing employment allocation on which policy IB6 seeks to encourage general industrial (B1), business (B2) and warehouse uses (B8) although it was last used as a car sales showroom (Sui Generis).

42. The B1 office element of this proposal represents a use specifically permitted through policy IB6 of the Local Plan and is therefore acceptable as it would both secure existing jobs within the County and create new employment opportunities fuelling economic growth in accordance with paragraphs 18 to 21 of the NPPF.
43. With regard to the proposed retail use, this would normally be considered contrary to the general aims of policy IB6 of the Local Plan although it is noted that recent Planning Practice Guidance suggests a more flexible approach to uses on employment sites in recognition of the diverse nature of employment generating uses. As the building was previously occupied by a non-industrial use prior to being vacated for a number of years the proposal would not diminish the availability of employment land in the locality. In addition, the non-industrial elements proposed would be directly linked to, and associated with, the principal B1 use of the site as office accommodation and would both create and safeguard employment posts.
44. The café would be of limited scale and available for use by visitors to the retail/demonstration area and as such is unlikely to become a destination in its own right.
45. The Council's Spatial Policy Section has been consulted and offers no objection to the application, as has Business Durham which supports the proposal noting the importance of retaining a local and successful business within the County. It is therefore considered the proposal would not undermine the primary objective of Aycliffe Business Park as an employment centre and would accord with the recent guidance for greater flexibility on employment sites.

#### The impact of the proposal upon the vitality and viability of Newton Aycliffe town centre

46. Retail uses and cafes are considered town centre uses by the National Planning Policy Framework and the application site occupies an out of centre position to the south of the commercial centre of Newton Aycliffe. Policy S1 of the Sedgfield Borough Local Plan seeks to guide retail and office development to existing town centres first before edge of centre and out of centre locations are considered, in order to protect their roles as retail centres. This approach is consistent with the NPPF which recognises town centres as the heart of their communities and includes a requirement that a sequential approach should be applied to planning applications for main town centre uses that are not in an existing centre.
47. The applicant has therefore undertaken a sequential assessment which identifies one available unit within Newton Aycliffe town centre and 6 units located within Aycliffe Business Park. Given the nature of the mixed use proposed it is unlikely that these would be of adequate size to accommodate the current proposal. In this regard the conclusions of the sequential assessment, that none of the identified sites could be considered preferable to the application site in terms of suitability or viability, are accepted.
48. The applicant has demonstrated, to an adequate degree that no alternative town centre units are available in accordance with the requirements of the NPPF and as such it is considered that the proposal would not have any adverse impact upon the vitality and viability of Newton Aycliffe town centre in accordance with the aims of Part 2 of the NPPF.

## Impact upon adjoining users

49. Policy D1 of the Sedgefield Borough Local Plan requires that new development display a comprehensive and co-ordinated approach which takes account of the sites natural and built features and its relationship to adjacent land uses and activities. Paragraph 123 of the NPPF requires that planning decisions should aim to mitigate and reduce to adverse impacts on health and quality of life arising from noise from new development to a minimum, including through the use of conditions.
50. The application site occupies a position within Aycliffe Business Park and is surrounded by industrial premises to the north, south and east including a distribution centre and vehicle repair garage. The nearest residential properties are located at a distance of around 210 metres to the north at Finchale Road.
51. As the proposal involves the re use of a currently vacant unit, some increase to existing noise levels can be expected. However, any increase in this regard would be limited given the nature of the proposed use and would be heard in the context of an existing and well established industrial area that already contains a range of industrial uses including manufacturing. The Council's Noise Action Team has been consulted and do not raise any objection to the application which accords with the aims of policy D1 of the Sedgefield Borough Local Plan and paragraph 123 of the NPPF.

## Parking, Access and Highway Safety

52. Policy D3 of the Sedgefield Borough Local Plan requires that new development should make satisfactory provision for pedestrians, cyclists, public transport, cars and other vehicles. In addition, part 4 of the NPPF requires that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
53. The site is located approximately 1.2 km from Newton Aycliffe town centre and within 320 metres of two bus stops providing links to the wider area and as such is relatively well served by public transport. It also includes areas of existing hardstanding to the south and west which the applicant intends to use to provide on-site car parking for staff and visitors to be served by the existing access. Whilst the precise details of the layout and surface finish of the proposed parking provision is not included with the application, further detail in this regard can appropriately be required through planning condition, as can its implementation prior to the first use of the building. Despite the lack of detail in this regard the site is nevertheless considered to be of adequate size to accommodate sufficient parking provision.
54. The Highway Authority raises no objection to the application and subject to the conditions described the proposal is considered to accord with the requirements of Policy D3 of the Sedgefield Borough Local Plan and aims of paragraph 34 of the NPPF.

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## **CONCLUSION**

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55. The development involves the change of use of a vacant existing building on Aycliffe Business Park for mix use purposes.
56. In terms of the proposed retail elements the application has been informed by a sequential assessment which demonstrates that no alternative sites are available within



the existing town centre in accordance with guidance contained within the NPPF and as such an out-of-centre location is considered acceptable in this instance.

57. In other respects the proposal would result in the reuse of a building located within an existing and well established industrial area that was last used for non-industrial purposes. As such the proposal, which primarily relates to office accommodation (B1), would not result in any net reduction in the number of industrial units available within the locality and would not have any significant adverse impact upon the Council's Employment Strategy outlined by policies IB2 and IB6 of the Sedgfield Borough Local Plan.
58. From a detailed perspective the proposed change of use can be satisfactorily accommodated at the site and would not have any adverse impact upon the amenity of adjoining users or highway safety in accordance with policies D1 and D3 of the Sedgfield Borough Local Plan.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the following conditions:

1. The development hereby approved 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:

Drawing No.	Description	Date Received
6833_01	Location Plan	15/10/2015
6833_02 REV A	Proposed Floor Plans	14/11/2015

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

3. Notwithstanding the information submitted with the application the combined area of the A1 retail/demonstration and A3 café uses as shown on approved drawing No. 6833\_02 REV A 'Proposed Floor Plans' received 14 November 2015 shall operate in association with the B1 use of the site and not exceed a floor space of 559sq m.

*Reason: In the interests of the amenity of adjoining users and to protect the viability and vitality of Newton Aycliffe town centre in accordance with part 2 of National Planning Policy Framework.*

4. Prior to the occupation of the premises for the use hereby approved details of the proposed car parking provision including layout, number of spaces and surface treatment shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the agreed details. Thereafter the car parking shall be used and maintained in such a manner as to ensure their availability at all times for the parking of vehicles.

*Reason: In the interests of highway safety and to encourage sustainable means of transport in accordance with the requirements of the policy D1 of the Sedgfield Borough Local Plan and the National Planning Policy Framework.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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## **BACKGROUND PAPERS**

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Submitted application form, plans supporting documents and subsequent information provided by the applicant.

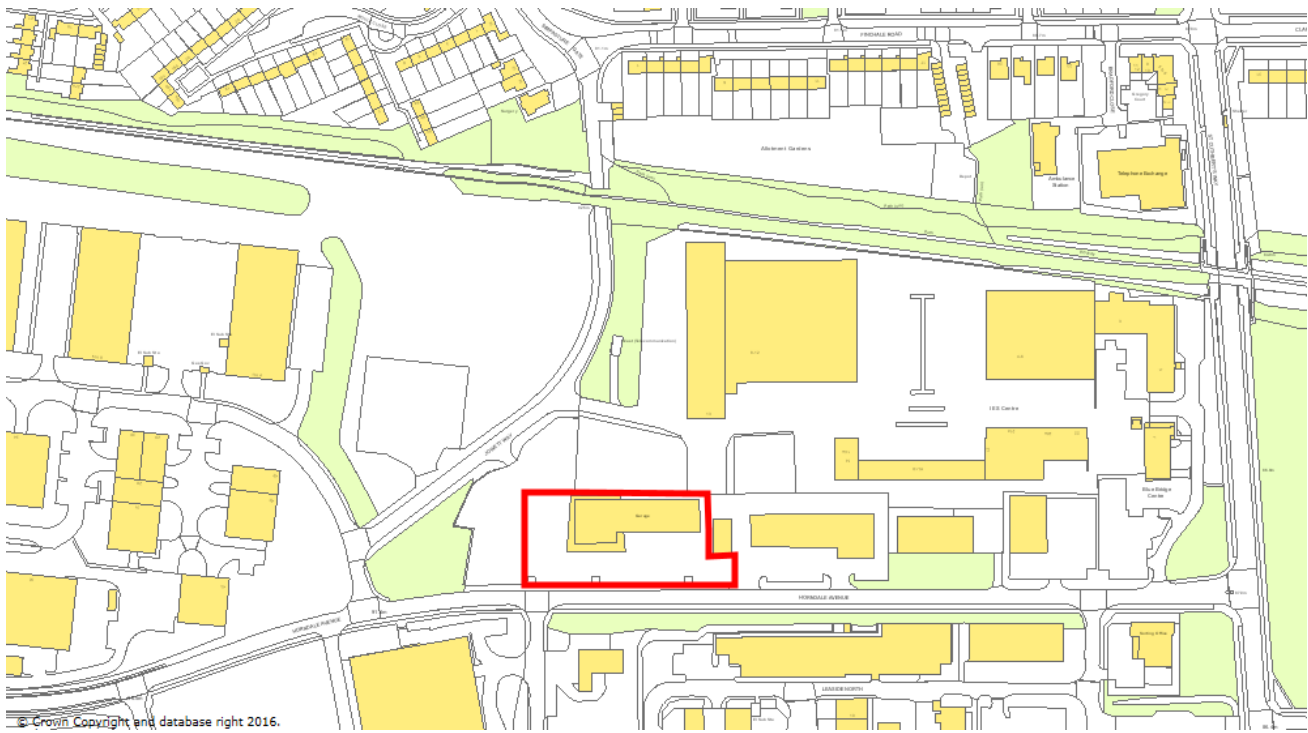
The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

Sedgefield Borough Local Plan 2007

The County Durham Plan (Submission Draft)

Statutory, internal and public consultation responses



**Planning Services**

Change of use from car sales showroom  
(Use Class Sui Generis) to Office  
Accommodation (B1) Retail (A1) and Coffee  
Shop (A3)

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**Comments**

**Date** 11 January 2016