

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/02224/FPA
FULL APPLICATION DESCRIPTION:	Insertion of a 1,672 sq.m mezzanine floor
NAME OF APPLICANT:	Aviva Investors Limited
ADDRESS:	Unit 1, McIntyre Way, Durham City Retail Park, Gilesgate Moor, Durham
ELECTORAL DIVISION:	Belmont
CASE OFFICER:	Colin Harding, Senior Planning Officer, 03000 263945, colin.harding@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site:

1. The application site comprises the existing B&Q retail warehouse at Durham City Retail Park. At present, only part of the unit is occupied by B&Q, with the remainder currently unoccupied. To the north of the site lies residential housing, and Bannatyne Health Club and Spa, to the east lies Just Car Clinic, with the A1(M) beyond, to the south lie other units on the retail park, Currys PC World, Argos and Sports Direct, amongst others. To the west is car parking, with car dealerships beyond.
2. There are no Public Rights of Way in the vicinity, and The Scrambles Local Wildlife Site lies approximately 1km to the east of the site, Durham City Centre Conservation Area lies 1km to the west of the site, and an Area of High Landscape Value lies 300m to the south east.

The Proposal:

3. Planning permission is sought for the erection of a 1,672 sq.m mezzanine floor within the vacant part of the existing retail unit, at its eastern end. No external alterations are proposed as part of this application.
4. The proposed mezzanine floor would be associated with an as yet unnamed national homewares and furniture goods retailer.
5. This application is being reported to Central and East Planning Committee as it constitutes a major retail development proposal involving the creation of more than 1000 sq.m of additional floor space.

PLANNING HISTORY

6. The retail park was originally approved on appeal, following the refusal of application 4/02/00526. Since then, there have been a number of planning applications and applications for advertisement consent;
7. DM/17/03290/FPA – Insertion of mezzanine floorspace – Approved 09.01.2018
8. DM/17/03286/FPA - External alterations and car park works – Approved 31.01.2018
9. DM/16/01505/FPA - External alterations to existing vacant retail unit including provision of new service yard gates and fence; new escape stair case; new roller shutter and reconfigured entrance lobby – Approved 20.07.2016
10. DM/16/01506/FPA - Erection of a 1114 sqm Mezzanine Floor – Approved 20.07.2016
11. DM/15/01652/FPA - Proposed external substation, Re painting of existing cladding, re-painting of the curtain wall mullions and alterations to the service yard canopy design - Approved 24/07/2015
12. DM/15/01132/AD - 2No Internally Illuminated Signs, 3No Non-Illuminated Panel Signs and 2No Banner Signs - Approved 22/05/2015
13. DM/14/02769/FPA - External alterations to the existing retail unit and site, including removal of builders yard roof, ground works to builders yard, erection of new lighting columns, trolley shelters, bollards, service yard gates and new fire exit doors on the building's northern elevation – Approved 24/10/2014 – This application comprised the external changes that would allow Morrisons to operate a foodstore.
14. DM/14/01588/COL - Application for a Lawful Development Certificate for proposed A1 Use – Approved 04.08.2014 – This application confirmed that the unit can operate as a general A1 retail unit, with no restrictions on goods sold.
15. CE/13/01118/FPA - External alterations including new canopies to front, sides and rear elevations – Approved 13/07/2014
16. 4/10/00957/AD - Erection and display of 10 no. signs comprising non-illuminated and internally illuminated fascia and individual letter signs to north and east elevations of existing building (amended plan). – Approved 17/02/2011
17. 4/04/01333/FPA - Installation of external air conditioning equipment within a secure cage – Approved 25/01/2005
18. 4/04/01156/AD - Erection and display of illuminated and non-illuminated fascia and freestanding site signs – Approved 01/12/04
19. 4/04/01154/FPA - Erection of greenhouse and open canopy within garden centre area – Approved 01/12/2004

PLANNING POLICY

NATIONAL POLICY

20. A revised National Planning Policy Framework (NPPF) was published in July 2018. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
21. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
22. *NPPF Part 2 - Achieving sustainable development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
23. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
24. *NPPF Part 6 – 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 a low carbon future.
25. *NPPF Part 7 - Ensuring the Vitality of Town Centres.* Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
26. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy.

27. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; determining an application; ensuring the vitality of town centres; use of planning conditions
- <https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

City of Durham Local Plan (2004) (CDLP)

28. *Policy S1A (Retail Hierarchy)* - seeks to protect and promote the vitality and viability of all centres within the local retail hierarchy.
29. *Policy S8 (Retail Warehousing Outlets)* – states that new retail warehouse development will be permitted on designated sites, providing, amongst other things, that there is demonstrable need, a sequential test has been carried out, and the vitality and viability of existing centres would not be adversely affected.
30. *Policy S9B (Major Out of Centre Proposals)* – states that where an identified need for large-scale retail cannot be met through existing allocations, preference should be given to sites within the city centre, followed by district centres at Sherburn Road/Dragon Lane and the Arnison Centre, and then local shopping areas within the built up area of Durham City. Where such development cannot be accommodated in these locations, it will only be acceptable elsewhere if; it satisfies a demonstrable need and conforms to the sequential approach, does not adversely affect the viability and viability of any existing centre within and outside of the district, would not give rise to serious access problem, would not result in a substantial increase in car usage, and it can be shown that the site is accessible by a choice of means of travels.
31. *Policy EMP8 (General Industrial Sites)* - This policy designates general industrial sites, and identifies the site of Durham City Retail Park as being suitable for B1, B2 and B8 development.
32. *Policy T1 (Transport – General)* – states that developments that would generate traffic which would be detrimental to highway safety or amenity of adjoining occupiers will be resisted.
33. *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.
34. *Policy CC1 (Vitality and Viability)* – states that the Council will seek to protect and enhance the vitality and viability of the city centre by promoting a mix of uses, and sustaining the city centre shopping centre in accordance with other retail policies.
35. *Policy U8a - Disposal of Foul and Surface Water.* Requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.

RELEVANT EMERGING POLICY:

The County Durham Plan (CDP)

36. Paragraph 48 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. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process 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.durham.gov.uk/article/3266/What-s-in-place-to-support-planning-and-development-decision-making-at-the-moment- \(Durham City Local Plan\)*](http://www.durham.gov.uk/article/3266/What-s-in-place-to-support-planning-and-development-decision-making-at-the-moment- (Durham City Local Plan))

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

37. *Highway Authority* – No objection raised - It is accepted that the increase in floor space by introduction of a mezzanine floor will allow the retailer to stock and display large and bulky items that typically require large display areas. Whilst the aim is to attract more footfall there is no clear evidence of vehicle trip rates increasing. It is likely that trips would link to neighbouring retail outlets in the retail park and not be generated as primary trips.

INTERNAL CONSULTEE RESPONSES:

38. *Spatial Policy* – Given the Certificate of Lawfulness that the unit is subject to, the LPA is not in a position to impose restrictions on the goods that can be sold within the existing floorspace. The application proposes a mezzanine on the store that will be occupied by the retailer. The applicants have provided a review of the sequential assessment submitted on the previous approval for a smaller mezzanine in 2016. This again concludes that there are no other sequentially preferable sites. These conclusions are agreed, the application has therefore passed the sequential test.

PUBLIC RESPONSES:

39. The application has been advertised by means of press and site notices. No letters of representation have been received.

APPLICANTS STATEMENT:

40. The proposed development is progressed to allow the currently vacant space to be occupied and brought back into active economic use. Planning permission for a similar mezzanine application was granted by the Council in January 2018, to allow part of the vacant floorspace to be occupied by Go Outdoors.
41. However, due to the acquisition of Go Outdoors by JD Sports, a review of the estate portfolio was undertaken, and interest in this vacant unit fell away.
42. As the Council will be aware, Unit 1 has been vacant for a number of years, following the downsize of the B&Q store, and Morrisons' withdrawal from the scheme. A number of applications have been approved since 2014 to allow the vacant building to be re-occupied and brought back into active economic use.

43. The proposed mezzanine application follows the requirements of an identified furniture and predominantly bulky goods retailer, and will provide the appropriate unit layout and floorspace, and in accordance with the operator requirements.

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://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

PLANNING CONSIDERATIONS AND ASSESSMENT

44. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of the development, and its impact upon highway safety.

Background

45. This retail unit has been unoccupied since 2015, when B&Q downsized their store at Durham City Retail Park. At that time it was expected that Morrison's would occupy the vacant space, however this never materialised.
46. In 2016, planning permission was granted for external alterations to allow the unit to be sub-divided to allow occupation by two unnamed retailers, as well as the installation of a 1,114sq.m mezzanine. Again, the prospective occupiers ultimately decided not to take on the unit.
47. Members may recall that a similar planning application (17/03290/FPA) for the insertion of a 1,394sq.m mezzanine floorspace was approved by this committee in January 2018. At that time, it was expected that the unit would be occupied by Go Outdoors, an outdoor and camping equipment retailer. However, since the acquisition of Go Outdoors by JD Sports, a review of the new stores pipeline resulted in Go Outdoors also withdrawing their interest in this particular unit.
48. At present, discussions are ongoing between the applicant and an as yet unnamed new prospective occupier, however no firm agreement is in place. However, the applicant has been able to confirm that the prospective occupier is a national homewares and furniture retailer.

Principle of Development

49. Within the CDLP, this site benefits from dual allocation, with Policy EMP8 allocating the site for employment purposes, whilst CDLP Policy S8 allocates it for Retail Warehouse use. Policy EMP8 is considered to be NPPF compliant, so weight can continue to be afforded to it, whilst Policy S8 is not fully up to date. The policy was based upon an identified need for retail warehouse development contained within evidence which informed the CDLP prior to its adoption. More up to date evidence based work no longer identifies such a need. The NPPF does not explicitly reference bulky goods, nor does it require an assessment of need, however the requirement of Policy S8 for a sequential assessment to be carried out is NPPF compliant. Consequently, only a degree of weight can continue to be afforded to this policy.

50. Durham City Retail Park was originally developed in line with Policy S8, in that occupiers were restricted to bulky goods. However, following an application relating to Unit 9 of the Retail Park in 2002, it was accepted that the condition attached to the original planning permission for Retail Park, which sought to restrict goods to be sold did not adequately serve this purpose, and that a restriction on goods did not apply to the Retail Park.
51. In 2014, the applicant submitted an application for a Certificate of Lawfulness in relation to this particular unit, and it was confirmed that there is no restriction on the goods to be sold. Therefore, the use of the unit by food or comparison goods retailer does not fall within the remit of this application. The subdivision, in itself is not considered to be development, and therefore does not require planning permission.
52. In 2017, planning permission was granted for the provision of an additional 1,394sq.m of A1 retail floorspace in the form of a mezzanine floor. This application seeks permission for a larger mezzanine floor of 1,672sq.m in area, an increase of 278sq.m. Overall, in terms of gross floor space, the unit would total 3,586sq.m split between ground floor (1,914sq.m) and mezzanine (1,672sq.m), as opposed to the 3,381sq.m previously approved, an overall gross increase of 205sq.m. Additionally, the applicant has advised that a void area will be proposed in the rear part of the ground floor of the unit, which would not be used for sales or storage. This area would amount to 334sq.m, meaning that the overall usable floorspace of the unit would only amount to 3,252sq.m, which would actually amount to a 129sq.m reduction in retail floorspace from the configuration previously approved. Although the applicant has advised that they would accept a planning condition restricting the use of this area, the Local Planning Authority, before imposing such a condition, should be certain that the condition is necessary in order to make the development acceptable.
53. In this context, the matter of principle centres around whether the provision of an additional 1,672sq.m of A1 retail floorspace in this location, is acceptable, and whether it would unreasonably impact upon Durham City Centre, or other defined Local Centres.
54. CDLP Policies S1A and S9B advocate a retail hierarchy approach to locating new major retail development, and requires, where out of centre retail proposals are forthcoming, that they be subject to a sequential test. This is consistent with the NPPF, which at Paragraph 86 states that a sequential test to planning applications for main town centre uses should be applied where they are not in accordance with an up-to-date Local Plan. It goes on to state that applications for main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. It also states that when considering out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Policy S9B requires an identified need to be established which is not reflected in the NPPF and thereby the policy is not fully consistent with the NPPF.
55. In addition to this, the NPPF also states that when assessing applications for retail, leisure and office development outside of town centres, an impact assessment should be required. LPAs should require an impact assessment if the development is over a proportionate, locally set threshold. Where there is not a locally set threshold, the NPPF gives a default threshold of 2,500sqm. As there is currently no locally set threshold, the NPPF threshold applies in this instance, and therefore there is no requirement for an impact test to be carried out as the additional floorspace is only 1,672sq.m. However, an update to the sequential assessment submitted in late 2017 has been carried out.

56. Planning Practice Guidance (PPG) confirms that it is for the applicant to demonstrate compliance with the sequential test and the application of the test should be proportionate and appropriate for the given proposal. It goes on to state that in determining whether a proposal complies with the sequential test, the following considerations should be taken into account:
- With due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre.
 - Is there any scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
 - If there are no suitable sequentially preferable locations, the sequential test is passed.
57. Two alternative potential development sites were identified that are within, or close to a defined a centre. They comprised Unit C (former Homebase) at Arnison Retail Park, and Prince Bishop's Shopping Centre in Durham City. For the purposes of the sequential assessment, the gross floor space of the existing unit, and the proposed mezzanine floor are considered to comprise the required unit size. This amounts to 3,252sq.m. It is further considered that it would not be reasonable to expect the applicant to disaggregate the business for the purposes of the sequential assessment.
58. Unit C at the Arnison Centre is now no longer available following refurbishment by New Look, and can therefore be discounted. However, Unit 1 is available, but would only provide 285sq.m which would only amount to around 8% of the floorspace required, and is therefore unsuitable. With regards to the Prince Bishop's Shopping Centre in the city centre, the conclusions of the sequential assessment that the units are heavily constrained in terms of size, and with extremely limited opportunity for extension, and therefore are not suitable, are accepted.
59. The review of the sequential test has identified that units within The Gates Shopping Centre, are, or will shortly becoming available. The largest of these is c.550sq.m which would only represent around 15% of the required floorspace, and would prevent the applicant from implementing its established business model which required significant display areas for homewares and furniture goods. Again, these findings are considered to be acceptable.
60. Having regards to the above, it is considered that the sequential test has been passed, and this element of CDLP Policy S9B has been met. Additionally, as there are no sequentially preferable sites available, the vitality and viability of the city would, it is considered, be maintained, in accordance with Policy CC1 and Part 7 of NPPF.
61. It is considered that in the strictest terms that the proposal would be contrary to CDLP Policy S8 in that it would not constitute a retail warehouse. CDLP Policy S8 is not fully up to date. Furthermore, given that it has been previously accepted that there is no current restriction on the range of goods that can be sold at present from the application site, it is considered that it would be unreasonable to resist this proposal on this basis, particularly as the submitted sequential assessment has demonstrated that there are no suitable sequentially preferable sites available.

62. However, as the most relevant local plan policies are out of date, the application is subject to the provisions contained with Paragraph 11 of the NPPF. This states that in situations where relevant policies are out of date, that permission should be granted unless either policies in the NPPF provide a clear reason for refusing the development, or where the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of doing so. This test will be applied following the consideration of all relevant matters.

Vehicular Access and Highway Impact

63. Durham City Retail Park is considered to be in a sustainable location, with good pedestrian, cycle and public transport access, in accordance with the requirements of Policy S9B in this respect.
64. The Highway Authority acknowledges that the additional proposed floorspace is intended to increase footfall, however, there is no clear evidence that vehicle trips would increase as a result. It is considered likely that trips would link to neighbouring retail outlets and would not be generated as primary trips.
65. CDLP Policy T1 states that planning permission will not be granted for development generating traffic that would be significantly detrimental to highway safety. This is considered to be only partially NPPF compliant, with paragraph 32 stating that development should only be prevented or refused on transport grounds where residual cumulative impacts are severe. Consequently only reduced weight can be afforded to Policy T1.
66. Though an applicable Policy, T10 is considered inconsistent with the content of the NPPF as the NPPF is considered to permit a more flexible approach to parking standards and furthermore the parking standards which have informed Policy T10 are out of date. As a result the Policy is attributed very limited weight in the decision making process.
67. Whilst the Highway Authority consider that there would be an increase in footfall, it does not necessarily follow that trip generation would increase. As a result any impacts are considered unlikely to constitute a severe impact, for the purposes of Paragraph 109 of the NPPF, and consequently the proposal is considered to be acceptable in this respect.

Other Issues

68. With regards to other issues, the potential impacts of the development are considered to be minimal, with the proposed works being entirely internal to the existing building. Any external alterations would be subject to a separate application.
69. The site is located within Flood Risk Zone 1, which is the lowest level of risk. Additionally, the proposed floorspace is at mezzanine level, so flood risk would not be increased at the site, or elsewhere, and therefore the application would be in accordance with CDLP Policy U8A and Part 14 of the NPPF.

Planning Balance

70. Although Durham City Retail Park through CDLP Policies EMP8, S8 and S9B, was originally envisaged as an employment and retail warehousing site, the way the Retail Park has developed has led to it become a more general retail outlet, with it being accepted that there are no restrictions on the type of goods to be sold.

71. In this context, it is considered that weight to apportioned to Policies EMP8 and S8 is diminished, although a sequential assessment in accordance with Policy S9B to ensure that there are no sequential preferable suitable sites available, is still necessary. The sequential assessment has been carried out, and its conclusion that there are no available preferable sites is considered to be reasonable and thereby in accordance with Policy S9B. As identified, there would be a degree of conflict with CDLP Policy S8 in that the proposal is not restricted to being a retail warehouse.
72. However, as those policies most relevant to the determination of the application cannot be considered to be up-to-date, the application should be considered in the context of Paragraph 11d of the NPPF. No policies within the NPPF which protect areas or assets of particular importance provide a clear reason for refusing the application in this case and therefore planning permission should be granted unless any adverse impacts of a proposed development significantly and demonstrably outweigh the benefits.

Benefits

73. The development would result in the re-occupation of an empty retail unit that has been unoccupied for several years, and would result in retail employment opportunities, as well as contributing to local economic wellbeing. It would also bring a currently empty unit back into active use, to the benefit of the character of the area.

Adverse Impacts

74. There may be a minor increase in parking demand, but not such that it would be considered to be a severe impact.

CONCLUSION

75. The NPPF sets out that there are three dimensions to sustainable development, the economic, social and environmental roles and these roles should not be taken in isolation because they are mutually dependant.
76. The development would provide for job creation once operational. The development would therefore contribute to the economic and social dimensions of sustainable development.
77. In relation to the environmental effects, the re-occupation of the unit would address the overall condition of the empty unit, and enhance the character and appearance of the area, by being brought back into active use.
78. In the planning balance the scheme is considered to represent sustainable development with no applicable policies that protect areas or assets of particular importance providing a clear reason for refusing the application whilst any adverse impacts arising from the development would not significantly and demonstrably outweigh the benefits.

79. The applicant has advised, that with the inclusion of a void area at ground floor level, that the overall retail floorspace of the retail unit that would be delivered through this particular development would actually represent a reduction over previously approved configurations. Whilst the extant scheme represents a strong fallback position, it is considered that the applicant's argument should only be afforded limited weight if the proposed ground floor void is secured by means of planning condition. However, given the inability of any sequentially preferable units to accommodate the overall floorspace requirements of the prospective retailer, and the successful assessment of the proposal overall against CDLP and NPPF policy, it is considered that a planning condition restricting the use of the ground floor void would not be necessary to make the development acceptable, and as a result would fail to be in accordance with advice contained within NPPG which states that planing conditions should only be applied where they are necessary.

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:

SITE LOCATION PLAN 14751-120 Rev C
BLOCK PLAN 14754-121 Rev D
PROPOSED SITE PLAN 14754-123 Rev C
PROPOSED GENERAL ARRANGEMENT PLAN 14754-125 Rev D
PROPOSED SECTIONS 14754-127 Rev C
PROPOSED ELEVATIONS 14754-129

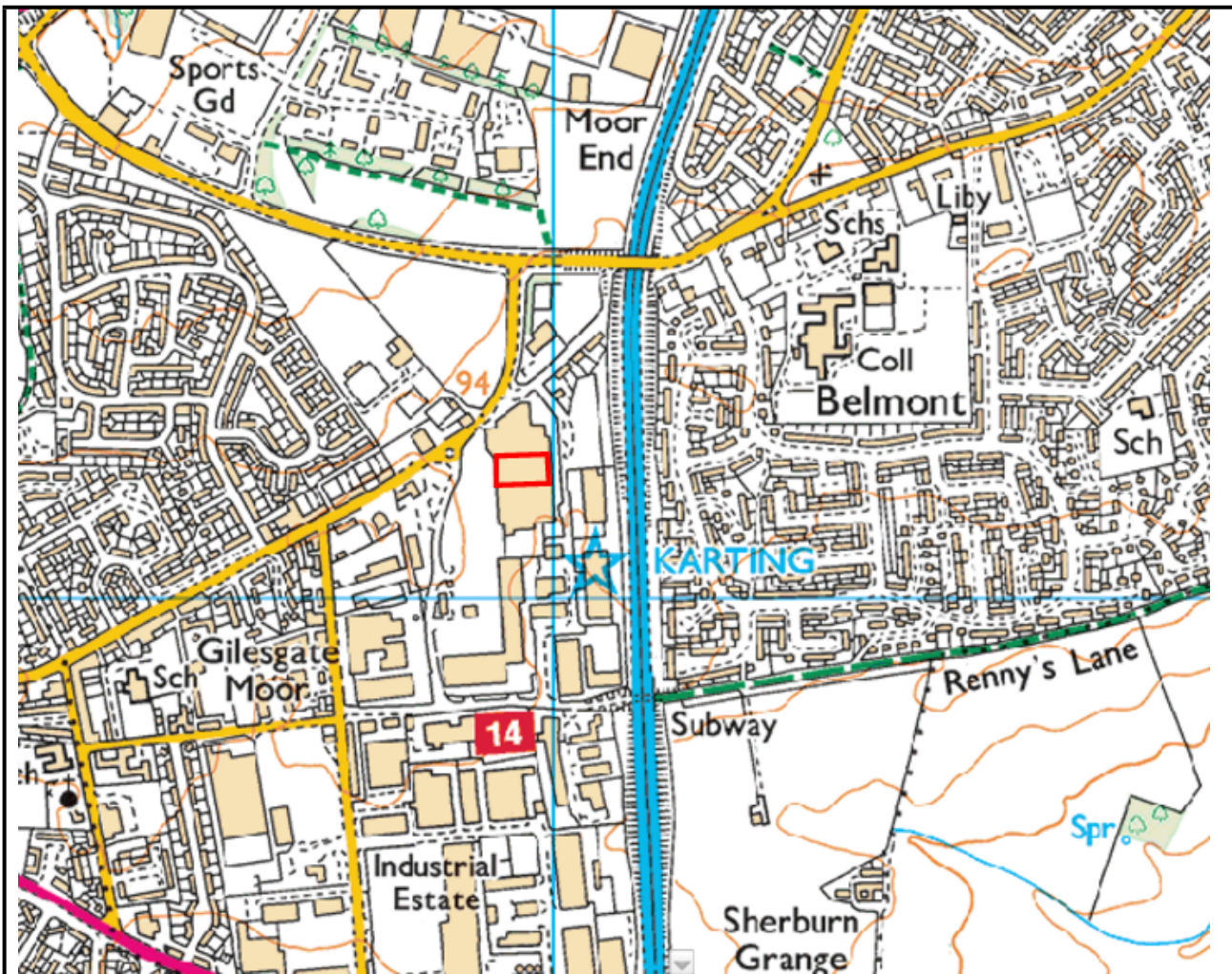
Reason: To define the consent and ensure that a satisfactory form of development is obtained having regards to City of Durham Local Plan Policies S8 and S9B, as well as Parts 2 and 4 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

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.)*

BACKGROUND PAPERS

- Submitted application forms, plans supporting documents and subsequent information provided by the applicant
- The National Planning Policy Framework (2018)
- National Planning Practice Guidance
- City of Durham Local Plan
- Statutory, internal and public consultation responses



Planning Services

DM/18/02224/FPA
 Insertion of a 1,672 sq.m mezzanine floor at Part of Vacant Warehouse, Unit 1, McIntyre Way, Durham City Retail Park, Gilesgate Moor, Durham

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Comments

Date
 October 2018

Scale
 Not to scale