

DPP Planning

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Planning Department
Durham County Council
County Hall
Aykley Heads
Durham
DH1 5UL

Ref: L002/HM/MA/5783NE

Date: 25th January 2024

Dear Sir/Madam,

Full planning application for the Change of Use from Use Class B8 'Storage and Distribution' to Use Class B2 'General Industrial' to be used as a vehicle repair shop at Bescol Ltd Delves Lane Consett DH8 7ES.

On behalf of our client, Bescol Ltd, DPP Planning ('the Agent') hereby submits a Full Planning Application to Durham County Council ('DCC') for the Change of Use from storage for hardware and ancillary trade counter, Class B8, to Use Class B2 to be used as a vehicle repair shop (the 'Proposed Development') at Bescol Ltd, Delves Lane, Consett, DH8 7ES (the 'Site').

This application is submitted electronically via the Planning Portal under reference (ref: PP-12736783) and seeks the Change of Use for the following:

"Change of Use from Use Class B8 'Storage and Distribution' to Use Class B2 'General Industrial'."

The following documents are submitted in support of this planning application:

- Application Forms
- Application Fee
- Covering Letter (this letter)
- Site Location Plan (ref: TQRQM24024132718967)
- Proposed Plan (ref: C416 401) prepared by Chipchase Associates Ltd
- Proposed Adjustment to Approved Planning Drawing C416-100 (ref: C392 200) prepared by Chipchase Associated Ltd
- Proposed Elevations (ref: C416 502) prepared by Chipchase Associates Ltd

Site Description

Figure 1 – The Site

Cardiff

Leeds

London

Manchester

Newcastle upon Tyne

DPP One Limited
Company number 08129507
VAT number 138284595



The Site is located within County Durham and extends to approximately 543sqm. The Site currently consists of a parking area, a rectangular warehouse and an area of green space to the east. Moreover, access is gain via Delves Lane from the south and north of the car park, which contains 12 car parking spaces in total.

For wider context, the Site is located approximately 10 miles to the west of Chester-lee Street and approximately 11.46 miles to the north west of Durham. The Site is also approximately 11.62 miles to the south west of Newcastle upon Tyne.

To the north, the Site is bound by B&M Home store and to the east, an area of green space. Located in close proximity to the south of the Site is the Abigail Lodge Care Home and Hampton Manor residential properties. Further to the south, is an automotives workshop and car dealership. To the west, the Site is bound by a transport company and Lidl.

The Site is located in Flood Zone 1 meaning that the Site is at a very low risk of flooding from fluvial sources. The Site is also at a very low risk of flooding from surface water.

The Site is not located within a Conservation Area and contains no listed buildings.

Due to the proximity of the warehouse to Delves Lane, bus stops at Morton’s Garage provide services to Durham, Lanchester and Consett daily. The site is also easily accessible by private car or for pedestrians on foot.

Planning History

The following table details each of the applications available on the public access records accordingly:

Application Reference	Application Description	Decision
1/1986/0476/88412	2 car garages and showrooms B And M Home Stores Delves Lane Consett DH8 7ES	Refused 21 May 1986
SL/1/2000/0732/DMFP	Proposed Warehouse with Ancillary Retail	Approved December 2000

Application Reference	Application Description	Decision
	Land South East of Delves Service Station, Consett Co Durham	
1/2003/1213/18240	Single storey extension. Bescol Ltd Delves Lane Consett DH8 7ES	Approved 26 th January 2004
1/2008/0763/66462	Advertising consent for the erection of two fascia signs Bescol Ltd Delves Lane Consett DH8 7ES	Approved 22 December 2008
DM/15/00237/AD	1 free standing double sided pylon Bescol Ltd Delves Lane Consett DH8 7ES	Approved 17 th March 2015

Proposed Development

The Proposed Development consists of the Change of Use of the Bescol Ltd premises (Class B8) to Use Class B2 ‘General Industrial’, to be utilised as a vehicle repair store.

The Proposed Development will utilise the existing structure on the Site, with the existing number of parking bays and the existing access as approved by planning application 1/2000/0732/12219 approved by Derwent Council in 2000. By way of context, there are 12 visitor parking bays on the Site in total, including 1 disabled parking bay and 4 overflow parking bays.

Within the building, there is an east facing garage to the south of the building, with an office and staff room which occupy the rear of the shop floor.

As aforementioned, the vehicle repair store will utilise Class B2 use on the Site, in order to become a vehicle repair store as opposed Class B8 ‘Storage and Distribution’ centre.

Planning Policy Context

National Planning Policy Framework (2023)

The National Planning Policy Framework (‘NPPF’) was first published in March 2012, with the latest update in December 2023. It sets out the Government’s overarching economic, environmental, and social planning policies for England and provides guidance to which all Development Plan Documents should comply. As such, the NPPF is a material consideration in the determination of planning applications.

The NPPF echoes the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, affirming that the Development Plan remains the statutory basis for the determination of planning applications unless material considerations indicate otherwise. The presumption in favour of sustainable development lies at the heart of the Framework, and for decision-taking, Paragraph 11 sets out that this means expediently approving development proposals that accord with an up-to-date Development Plan without delay or, where there are no relevant policies or those policies are out-of-date, permission be granted unless the application of policies within the Framework indicates a clear reason for refusing development, or any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits.

The following NPPF sections are considered relevant to the Proposed Development:

- Section 2 – Achieving sustainable development
- Section 4 – Decision making
- Section 9 – promoting sustainable transport
- Section 12 – Achieving well-designed and beautiful places

Development Plan

As noted above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where the Development Plan contains relevant policies, an application for planning permission shall be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Development Plan comprises the County Durham Plan (CDP) (2020).

Within the Development Plan, the Site is subject to the following policy designations:

Policy 6 – Development on Unallocated Sites, states that the development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area but well-related to a settlement, will be permitted provided the proposal accords with all relevant development plan policies and:

- a) Is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
- b) Does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate back land development;
- c) Does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
- d) Is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
- e) Will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
- f) Has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g) Does not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;
- h) Minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i) Where relevant, makes as much use as possible of previously developed (brownfield) land; and
- j) Where appropriate, it reflects priorities for urban regeneration.

Other CDP policies relevant to the Proposed Development include:

Policy 21 – Delivering Sustainable Transport, states that development must ensure that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestion or air pollution and that severe congestion can be overcome by appropriate transport improvements.

Policy 29 – Sustainable Design, states that all development proposals will be required to achieve well designed buildings and places. Developments will be expected to contribute positively to an area's character, identity,

heritage significance, townscape and landscape features to create spaces that are adaptable to changing social, economic and environmental conditions.

Other Material Considerations

Parking and Accessibility SPD (2023) – sets out the parking requirements for employment uses. For garages/repair services, this consists of 1 space per member of staff and 1 space per 25sqm.

Principle of Development

The key planning considerations for the purposes of assessing this planning application are addressed in turn below.

National planning policy sets out a presumption in favour of sustainable development and goes on to make clear that development which accords with the relevant policies in an up-to-date Development Plan should be granted planning permission, without delay, unless there are material considerations which indicate otherwise.

Policy 6 ‘Development on Unallocated Sites’ outlines the requirements for new developments to ensure that they are not adverse to the local surroundings. The criteria for this Policy has been assessed in turn below:

- a) Is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;

The change of use would be on an unallocated Site. The Site is considered to be compatible with the surrounding allocated land as it will retain employment use. Further to this, the Proposed Development is unlikely to result in the intensification given that the current use of the Site as a trade counter and proposed use as a vehicle repair garage..

- b) Does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate back land development;

The Proposed Development does not seek to amend the existing structure on the Site, and will therefore not add any units vulnerable to creating a ribbon development.

- c) Does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;

The development site is currently allocated for B8 ‘Storage and Distribution’ Use, and does not contain any recreational, ecological or heritage value.

- d) Is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;

In relation to the development Site, the Proposed Development will match the scale and character of the surrounding area as no alteration are proposed to the existing structure, introducing a Use to the Site which is common on Delves Lane. Moreover, an area to the south of the development is allocated for B2 employment land at Delves Lane North.

- e) Will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;

It is considered that the Proposed Development would not have a severe impact on the highways network, as the Proposed Use will generate similar levels of activity associated with the trade counter use at the existing Hardware store. Furthermore, the Site is considered to be in an established location with two pre-established access points and car parking.

- f) Has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;

The Proposed Development is in close proximity to two bus stops, one to the north of the Site on Delves Lane, and another to the south on Gloucester Road with a consistent supply of services to Durham, Crookhall and Delves.

- g) Does not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;

The Proposed Development will see the loss of a hardware store, however no further facilities and no essential services will be lost as a result of the Proposed Development.

- h) Minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;

The Site is not located on land vulnerable to flooding or the impacts of climate change. The established store on the Site demonstrates the viability of the structure and works well within the local environmental context. With no change to the structure on the Site, the risk of flooding is not increased elsewhere.

- i) Where relevant, makes as much use as possible of previously developed (brownfield) land; and

The Development will entirely incorporate previously developed land, making use of the existing parking and structure on the Site.

- j) Where appropriate, it reflects priorities for urban regeneration.

The Proposed Development will support the local economy and reflect urban upkeep as the Proposed Development will be utilised in the same location.

In view of the above, it is considered that the Proposed Development is a suitable Policy 6 Site in a sustainable location with easy access to local facilities. Additionally, the Proposed Development does not conflict with any aspect of Policy 6, in keeping and not prejudicial with local environmental, historical and allocated parcels of land.

Policy 26 'Sustainable Design' sets out the requirements for development to be in keeping with the local area, sympathising with any local character and identity. The Proposed Development will not seek to change the appearance of the structure or the parking provision on the Site and is therefore considered to satisfy local design requirements as established in the Delves Lane area for Policy 26.

Furthermore, due to the surrounding uses of the Site, Use Class B2 is common within the local area with car dealerships and repair shops. Overall, the intended use of the property for vehicle repairs is consistent with the established use of the premises as an employment site.

Other Material Considerations

Parking and Accessibility

In line with the Parking and Accessibility Supplementary Planning Document (2023) outlined above, it is proposed that the current parking provision on the Site will be retained. Existing parking provision is considered to be adequate within the context of the existing development. The requirements of the SPD are not minimum or maximum and are assessed within the context of the Proposed Development.

Policy 21 'Delivering Sustainable Transport' states that changes to the proposed development should not cause an adverse impact on the local highway network. As established in point e) of Policy 6, the Proposed Development is not anticipated to increase pressure on the local highways network and is established in consideration of the existing uses on Delves Lane.

Summary and Conclusions

For the reasons set out above, it is strongly contended that the Proposed Development should be granted without delay.

We trust that the above and supporting material provides you with sufficient information to validate this Change of Use Application. Should you require any further information or have any queries, please do not hesitate to contact me.

Yours faithfully,

A solid black rectangular box used to redact the signature of Helen Marks.

Helen Marks
Director
DPP