

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 7 May 2014

Page

APPLICATION REF. NO:	13/01017/FUL
STATUTORY DECISION DATE:	25 April 2014
WARD/PARISH:	HAUGHTON EAST
LOCATION:	MSD Darlington Ltd Red Barnes Way DARLINGTON DL1 2RR
DESCRIPTION:	Change of use from General Industry (B2) to car dealership sales and servicing (Sui Generis) and installation of showroom windows
APPLICANT:	Mr William Robson

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the change of use from General Industry (B2) to car dealership sales and servicing (Sui Generis) and installation of showroom windows.

The property is currently vacant and has previously been used as a depot and workshop for tmobile crane hire.

No extension to the building is proposed but the south and west elevations would be altered to feature a glazed curtain wall. The proposal would convert two workshops into a showroom with ancillary offices and a workshop.

PLANNING HISTORY

88/00387/MISC, on 17 August 1988 planning permission was granted for the erection of a depot and workshop unit.

96/00595/MISC, on 29 October 1996 planning permission was refused for the variation of condition 5 of planning permission 88/00387/MISC to permit retail sales.

PLANNING POLICY BACKGROUND

The following policies of the development plan are relevant:

Borough of Darlington Local Plan 1997:

- E2 – Development Limits
- E38 - Alterations to Business Premises
- EP2 – Employment Areas
- S20 – Sale of Large Items

Darlington Core Strategy Development Plan Document 2011:

- CS1 – Darlington’s Sub-Regional Role and Locational Strategy
- CS2 – Achieving High Quality, Sustainable Design
- CS5 – The Provision of Land for Employment Purposes
- CS9 – District and Local Centres and Local Shops and Services

RESULTS OF CONSULTATION AND PUBLICITY

Occupiers of neighbouring properties have been consulted by way of letter and a site notice has been displayed. No objections have been received.

The **Highways Officer** raised no objection subject to a condition for secure cycle parking.

The **Environmental Health Officer** raised no objections

PLANNING ISSUES

The site is located in an area allocated for employment use and Policy EP2 of the Local Plan states that permission in these areas will be granted for business (use class B1) uses as well as general industrial (use class B2) uses and warehousing (use class B8) uses where there would be no harm to amenity. Policy CS5 of the Core Strategy safeguards existing viable employment sites for employment uses or for mixed uses where appropriate.

The proposal is therefore contrary to local plan policy because it would not fall within a B1, B2 or B8 use class. However the premises are currently empty and given its location next to McMullen Road (which is a hub for car sales) the change of use to a car showroom is considered to be acceptable as an exception . Furthermore its loss would have a negligible impact on the overall supply and choice of employment land in the borough, over the plan period. The proposal would provide for 19.5 full-time equivalent jobs compared to the 15 full-time equivalent jobs at the business’s existing location on McMullen Road.

The existing site was used as the workshop for MSD cranes and has the infrastructure in place to cater for large vehicles i.e. car transporters and it is demonstrated that unloading will take place within the site compound and not on adopted highway. There are no highways objections to the proposal.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The site is located in an area allocated for employment use in the Local Plan. However as the premises is empty and given its proximity to McMullen Road which is established as a hub for car sales, the proposal is considered to be acceptable as an exception to the Local Plan.

RECOMMENDATION

It is recommended that planning permission be granted subject to conditions.

CONDITIONS

1. A3 Implementation Limit (3 years)
2. B5 Detailed application (Accordance with Plans)
3. Prior to the change of use hereby approved being commenced, precise details of secure cycle parking and storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the change of use shall not be carried out otherwise than in accordance with the approved details

Reason – To ensure that the adequate secure covered cycle parking provision is made.

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:

Borough of Darlington Local Plan 1997:

- E2 – Development Limits
- E38 - Alterations to Business Premises
- EP2 – Employment Areas
- S20 – Sale of Large Items

Darlington Core Strategy Development Plan Document 2011:

- CS1 – Darlington’s Sub-Regional Role and Locational Strategy
- CS2 – Achieving High Quality, Sustainable Design
- CS5 – The Provision of Land for Employment Purposes
- CS9 – District and Local Centres and Local Shops and Services