

THE CITY OF DURHAM TRUST

c/o Blackett, Hart & Pratt, LLP
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Durham, DH1 1TH

1 March 2022

Mr John Russell
Planning Development Central/East
Room 4/86-102
County Hall
Durham City
DH1 5UL

Dear Mr Russell

DM/21/04118/FPA: New service station shop building, to replace existing, with associated forecourt alterations, and new electric vehicle charging facility, Stonebridge Service Station, Stonebridge Durham DH1 3RX

Further to our letter of 22 December 2021, the Trust offers the following comments on the above application following the applicant's additional design and access documentation regarding the green belt.

The new documentation acknowledges that the application site is in the green belt and seeks to address the implications of green belt policy. Specifically, it argues that:

"4.3.....It is therefore only the redevelopment of the existing facility and the replacement of the buildings upon the site which raise issues in terms of its impact upon the Green Belt, and particularly its 'openness' and not the principle of the land use. However, improving the site's relationship with the Green Belt should be a material consideration in the determination of the application."

The Trust agrees that the issue in this case is National Green Belt policy as set out in the NPPF of July 2021 paragraph 149 (and therefore County Durham Plan Policy 20):

***"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces."***

In the case of this application the existing building has a gross internal floorspace of 77 square metres and is being replaced by a gross internal floorspace of 172 square metres, more than double. However, the recently submitted amended Design and Access documentation provides estimates of the volumes of the existing and the proposed buildings; this displays a reduction in volume by about 5%. Whilst either floorspace or volume might be the better measure by which to determine whether a replacement building is materially larger than the one it replaces, the Trust considers that the key issue is the impact of the proposed development on 'openness'. In

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this case the removal of the car wash and plant room buildings and the storage container would, in our view, marginally improve openness and thus the proposal is considered to be in overall compliance with national and CDP policy.

The Trust notes that the amended Planning and Access documentation also advances the following argument:

“4.4 Special circumstances have already been demonstrated in respect of petrol filling station requirements to show that the enhanced petrol filling station facilities proposed are required to meet the needs of motorists and local residents in an environment where the number of petrol filling stations is ever decreasing, whilst the number of cars on the road is increasing. Importantly, introducing an electric vehicle charging facility in this Green Belt area should be considered essential and necessary to supporting the growth of electric vehicle use and become part of a future network of charging places.”

The Trust rejects the claim that a petrol filling station with electric vehicle charging facilities meets the NPPF and CDP terms of “very special circumstances” for being located in a green belt, especially at this location in this very narrow section of Durham City Green Belt.

The Trust concludes that the application now recognises the need to comply with green belt policy; that the issue here is that openness must not be reduced; and that the substantial increase in size proposed for the replacement shop unit is offset by the proposed removal of the carwash and plant room buildings and the storage container. It will be essential to require that all of the proposed removals of existing buildings are implemented, otherwise the development would conflict with CDP and national policy. Provided that these removals are required by the conditions of approval, the Trust is content to withdraw its objection to this application.

Yours sincerely

John Lowe,
Chair, City of Durham Trust