South Tyneside Council

Reference:	250566
Location:	2 Brooklands Way Boldon Business Park Boldon Colliery NE35 9LZ
Ward:	Boldon Colliery
Description:	Change of use of from Use Classes E(g), B2 and B8 to Use Class E veterinary practice. Construction of a glazed corridor link between unit 2 and the existing adjacent Unit 3 Bridge Referrals veterinary practice and the addition of 3no. doors and 2no. windows at ground floor level.
Recommendation:	Grant Permission with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Description of the Site

This application for change of use relates to 2 Brooklands Way, an industrial unit on Boldon Business Park. The unit has been vacant for an extended period of time. To the north, south and east are industrial units located within the Business Park and to the west of the A19. The properties are located within a Predominantly Industrial Area as identified within the Local Development Framework Site Specifics Allocations Document

Description of the Proposal

The application proposed a change of use of the unit from light industrial (B2) to a veterinary practice. The application also proposed internal altercations to the building along with minor alterations to the external elevations consisting of a glazed link to the existing veterinary practice at 3 Brooklands Way to the west and the addition of 3no. doors and 2no. windows at ground floor level.

The previous use of the premises was as a light industrial unit used for the manufacture and distribution of engineered fasteners. It is now proposed for the unit to be used as an extension to the existing veterinary practice at 3 Brooklands Way, previously considered a sui generis use, but is now incorporated onto Use Class E Commercial, Business and Services of the Town and County Planning (Use Classes Order) 1987 (as amended).

The agent has advised that the requirement for the extension to the practice are very specialised in that the business model for the practice requires large MRI and CT machines

(which would be unviable in smaller units) to enable expansion of the neurological unit, and the creation of a hydrotherapy and Physiotherapy service, and a new Emergency Vet Team premises.

The scheme also proposes consolidation of the existing hardsurfaced area to the south to form 18 parking spaces. Fifty parking spaces would be provided to serve the unit in total.

Relevant Planning History

The planning history of the site, 2 Brooklands Way, is as follows:

ST/0571/99/DM Erection of Industrial Unit. Approved 03/09/1999

Also, in terms of 3 Brooklands way, the following is relevant:

ST/0942/21/FUL The change of use of an industrial building to a veterinary practice, including the installation of 7No. new windows and 4no. new external doors and an glazed entrance lobby. Internal works include the erection of a number of internal partitions. Approved 11/01/2022.

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 07/10/2025.

Transport Development Officer: The details of the application have been examined. The development site, including vehicular accesses, are accessed from an unadopted, private road, for which the STC Highway Authority are not responsible for the maintenance, liability, etc.

Given the above and that the sections of other site perimeter that are adjacent to the adopted public highway, have parking restrictions along most of those frontages, the Highway Authority has no objection to the proposal as it considers that the scheme will not have an adverse impact on the adopted public highway network.

Business Investment Manager: The Business Investment are supportive of the proposal by the applicant to expand and invest further in South Tyneside, which will lead to the creation of further new, quality job opportunities for residents of the borough.

Contaminated Land Officer: No objection.

Summary of Representations

None received.

Relevant planning policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

The statutory development plan comprises the Council's adopted Local Development Framework (LDF) development plan documents. Those LDF documents of relevance to this application comprise of the Development Management Policies Development Plan Document (DPD) 2011.

The following policies and guidance are also relevant to this planning application:

DM1 - Management of Development (A, B and G)
DM2- Safeguarding Employment Uses
SA3- Economic Development Opportunities
E1 Delivering Economic Growth and Prosperity

On 4 March 2025, the Council was directed by the Secretary of State for the Ministry of Housing, Communities & Local Government to submit the South Tyneside Local Plan for examination by 12 March 2025 in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Plan has now been submitted and is at the examination stage. Paragraph 49 of the National Planning Policy Framework (2024) states that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and,
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Whilst the draft Local Plan is now at a more advanced stage of preparation, the weight that can be given to individual Policies in the Plan varies dependent upon the extent and nature of objections to those Policies. In this regard, it is considered that certain Policies can only be afforded very limited or limited weight whilst others can be afforded significant weight in assessing this planning application. Relevant Policies are as listed below (with text provided after each Policy regarding the weight that officers consider can be afforded to that Policy):

Policy SP1: Presumption in favour of Sustainable Development (limited)
Policy SP17: Strategic Economic Development (Very limited weight)
Policy SP18: Employment Land for General Economic Development (Very limited weight)
Policy 22- Protecting Employment Uses (Very limited weight)
Policy 47- Design Principles (limited)

Given the weighting of the above emerging local plan policies, they are not expressly cited in the planning assessment.

National planning policy is also a material consideration in determining this planning application. Relevant national policy comprises the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the National Design Guide and the National Model Design Code.

Assessment

The key issues in the assessment of this planning application are as follows:

- The loss of the industrial unit in a Predominantly Industrial Area,
- The impact of the proposed use on occupiers of the adjacent units,
- The impact of the proposals on highways safety; and
- Biodiversity Net Gain

Loss of Industrial Use

Policy DM2 relates to Safeguarding Employment Uses and states that non-employment uses will only be approved where, only in exceptional circumstances, the proposal provides benefits that significantly outweigh the loss of employment land. Policy DM2, C, D and E set out the exception criteria :

- Criterion C- the employment use of the site or premises is no longer viable, by the same or any other employment user (use Classes B1, B2 and B8): and
- Criterion D- the site or premises would not make a significant contribution to the borough employment land supply over the next 10-15 years in meeting RSS Employment land requirements: or
- Criterion E- the proposal provides long-term benefits that would significantly outweigh the loss of land for employment use.

The proposed use is a veterinary hospital which falls into Use Class E and is therefore contrary to the adopted development plan. The proposal must therefore be assessed against the criteria set out above.

The proposal would facilitate the expansion of a specialist veterinary hospital which would house specialised equipment and provide specialised services for pet owners. As opposed to primary veterinary practices which deal with clients via appointment and walk-ins for standard treatment, the veterinary hospital would deal with more complex cases and provide specialist care for animals which would need to be referred to the hospital by a primary veterinary practice (i.e no walk-in appointments).

The agent has advised that the requirement for the extension to the practice are very specialised in that the business model for the practice requires large MRI and CT machines (which would be unviable in smaller units) to enable expansion of the neurological unit, and the creation of a hydrotherapy and Physiotherapy service, and a new Emergency Vet Team premises.

The use would also have specific requirements which has restricted the minimum size of unit which would accommodate the veterinary hospital and also restricted the location for the siting of the veterinary hospital adjacent to the existing operation.

These circumstances include; the size of the unit required (due to the specialised equipment), locational requirements to meet the catchment area for the practice (covering the Northumberland/Scottish Border down to Teesside and North Yorkshire), a location for operating hours of 24 hours a day, good transport links with high amounts of parking and facilities around the unit for staff and clients.

It is therefore considered that the use would not be appropriate for a town centre and would be compatible with the other industrial units on Boldon Business Park. It is therefore noted the unique nature of the proposal and the specific locational requirements for the veterinary hospital limit the options for siting such a use within the borough. In addition, in the context of the current and foreseeable economic climate it is not anticipated that the loss of the industrial unit would have a notable detrimental impact on the availability of industrial accommodation within the Borough and where it is noted that the Council's Business Investment manager raised no objection.

The supporting statement advises that the extension practice would create 58 additional jobs, some of these being highly specialised, providing a range of job opportunities in the borough.

As such, the proposal would result in inward investment into the borough which would be unlikely to be relocated (due to the nature and specific needs of the applicant) elsewhere in South Tyneside.

Importantly, the applicant has provided information of the specialist, high quality jobs that would be created through the proposal offering potential economic benefits to the borough. These high-quality jobs, long term benefits and investment into the borough are an important consideration of this proposal.

Taking all of the above into account, it is considered that the proposal would support long term employment opportunities and would therefore provide a long term benefit which would outweigh the loss of this piece of PIA land, in this instance.

The proposed use would fulfil criterion E of the exemptions in Policy DM2 of the Local Development Framework Development Management Documents and would not undermine the objectives of policy E1 and SA3 of the South Tyneside LDF.

Visual Amenity

The proposals include minor alterations to the elevations of the building namely a new glazed linking walkway to its western elevation and the addition of 3no. doors and 2no. windows at ground floor level.

The changes to the elevations of the building are not considered harmful to the visual amenity of the unit itself, or the surrounding area.

The proposal therefore complies with Policy DM1 (A) of the Local Development Framework.

Impact of the proposed use on the occupiers of the adjacent units

The proposed use would have similar characteristics, in terms of its impacts on occupiers of adjacent units from the noise and activities within the site (which would be 24 hours a day), the coming and going of pet owners (dropping and picking up pets for procedures) and staff, other uses in the area.

Therefore, it is not considered that the proposal would have such a detrimental impact on the occupiers of the neighbouring units to be notable in excess of normal industrial operations across the business park. The proposal accords with policy DM1(B) of the South Tyneside LDF in this regard.

Highways Safety

The traffic and safety team were consulted on the application and have no objections to the application. The proposal would retain the off-street parking provision for the unit and would therefore cause no harm to highways safety.

The proposal therefore accords with DM1 (G) of the Local Development Plan.

Biodiversity Net Gain

In terms of Biodiversity Net Gain, the development would be below the threshold as it would impact an area of less than 25 square metres of on-site habitat. This would fall under the de minimus exemption under the Biodiversity Gain Requirements (Exemptions) Regulation

2024. Therefore, based on the above, the development would be in accordance with Policy EA3 of the LDF Core Strategy and the NPPF with respect to ecology.

Conclusion

For the reasons set out above, the proposed use of the unit as a veterinary practice would result in the loss of PIA land, however the agent has provided information to show that this loss would be outweighed by the economic benefits and job creation would outweigh the loss of this PIA land.
The use would not be harmful to the occupiers of adjacent units or to highways safety. It is therefore considered that the proposal would not undermine the relevant policies of the Local Development Framework and the expectations of the NPPF.

It is considered appropriate to recommend the proposed change of use for approval subject to a condition to prevent other such uses within use Class E at the site other than the proposed veterinary practice.

In deciding whether to grant planning permission the Council must have due regard to the 3 equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of planning permission in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Recommendation

Grant Permission with Conditions

1. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

   As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2. The development shall be carried out in accordance with the approved plan(s) as detailed below

   Proposed Level 00 Plan Drg No 25123-HL-ZZ-ZZ-DR-A-2000-S3 Rev P03 received 05/09/2025
   Proposed Level 01 Plan Drg No 25123-HL-ZZ-01-DR-A-2001-S3 Rev P02 received 05/09/2025
   Proposed North and East Elevations Drg No 25123-HL-ZZ-ZZ-DR-A-2100-S3 Rev P02 received 05/09/2025
   Proposed Roof Plan Drg No 25123-HL-ZZ-R-DR-A-2004-S3 Rev P02 received 05/09/2025
   Proposed Site Plan Drg No 25123-HL-ZZ-ZZ-DR-A-1600-S3 Rev P02 received 05/09/2025

Proposed South and West Elevations Drg No 25123-HL-ZZ-ZZ-DR-A-2101-S3 Rev P02 received 05/09/2025

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

3. The development hereby permitted shall be constructed as specified within the application form (received 05/09/2025) and Proposed South and West Elevations Drg No 25123-HL-ZZ-ZZ-DR-A-2101-S3 Rev P02 received 05/09/2025.

   To ensure a satisfactory standard of development, in the interests of visual amenity. In accordance with adopted South Tyneside LDF Development Management Policy DM1(A).

4. The premises shall be used for a veterinary practice and for no other purpose (including any other purpose within Class E of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

   The Local Planning Authority would wish to carefully examine any alternative use of the building to assess whether the development would be acceptable in terms of policy, access and amenity, in accordance with DM2- Safeguarding Employment Uses of the South Tyneside LDF.

Informatives

1. Approval of a Biodiversity Gain Plan NOT REQUIRED before development commences

   The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

   (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
   (b) the planning authority has approved the plan.

   However, based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply - please refer to Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk).

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

   Further information is also available on the Mining Remediation Authority website

at: Mining Remediation Authority - GOV.UK

Case officer: Adam Williamson
Date: 24/10/2025

Authorised Signatory: *G. Simmonette*
Date: 24/10/2025