

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	CMA/4/99
FULL APPLICATION DESCRIPTION:	Erection of Community Fire Station
NAME OF APPLICANT:	County Durham & Darlington Fire & Rescue Authority
ADDRESS:	Land at Sniperley Farm, Sniperley Park, Lanchester Road, Durham
ELECTORAL DIVISION:	Esh and Witton Gilbert
CASE OFFICER:	Peter Herbert, Senior Planning Officer Peter.herbert@durham.gov.uk Tel: 03000261391

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

- 1 The application site lies to the north west of Durham City. Measuring 1.56 hectares in area, and currently an agricultural field, the land is bounded by Sniperley Farm to the north east, the A691 Durham - Consett road to the south west, an agricultural field to the south east - with the Sniperley Park and Ride facility just beyond, and the entrance drive to Sniperley Farm to the north west, with parkland associated with Sniperley Hall beyond.
- 2 The site lies within countryside designated within the City of Durham Local Plan as being of High Landscape Value and Green Belt. The land rises gently from the A691 to a high point in the north west corner, and there are long distance views both to, and from, Durham City to the south and Bearpark to the south west.

The proposal

- 3 It is proposed to establish a community fire station on the application site. The proposed site having been chosen for its advantages over the existing Finchale Road, Durham fire station site. Outside the traffic constraints of the main built up area of the City, the Sniperley Farm site would allow ease of access to journeys west via the A691, south via the A167, and north via the A167 (accessed via the road link that serves the Park and Ride facility by utilising bus lanes. Thus allowing appliance response times to be met.
- 4 The concept of a community fire station is a recent one, its objective being to integrate community facilities into the heart of the building whilst maintaining the functional needs of the Fire Authority. Similar stations have recently been completed at Bishop Auckland and Spennymoor.

- 5 The Sniperley proposal would be split into four elements, grouped around a central and secured yard, vehicular access to which to be taken from an improved Sniperley Farm access road to the north west. The four elements would be:

Community and Entrance Hub, and Operational Hub.

- 6 These would be located in the north west corner of the site. They would take the form of a two storey pitched roof building with a curved north west corner façade facing the A691 containing the building's main entrance. Inside, on the ground floor, would be reception, main circulation area including staircase and lift, operational muster room, offices, locker, drying and cleaning rooms, gym, and services rooms. On the first floor would be a community multiple function room, canteen, kitchen, common room, offices, toilets and plant room. A traditional "fireman's pole" would allow direct and rapid transit to the muster room below upon receipt of emergency calls.
- 7 A staff entrance would be located within the north east façade, next to which would be located a cycle store, refuse and recycling store and generator.

Appliance Bay Wing

- 8 A two storey mono pitched roofed five bay appliance wing would be attached to the first building with direct access onto the A691 via a forecourt and "wig wag" traffic light control, activated when emergency response is necessary. To the rear would be a canopy facing into the central yard, beneath which appliances can be cleaned and maintained. The yard itself would contain a central manoeuvring area, underground water tank for training use, training space including road traffic collision procedures, 35 car parking spaces, including two for the disabled, and a fuel tank and can store, and sprinkler tank pump.

Training Building and Garages.

- 9 In the north east corner of the site would be positioned a training building and two attached garages. The former would consist of a two storey training house with mono pitched roof for ladder exercises, and a four storey tower. The garages would be two storey with flat roof.
- 10 The site would be secured by a perimeter fence with access to the central yard being via gates approached from the improved Sniperley Farm access road. However, as explained above, appliances would enjoy unfettered access to the A691. Outside the perimeter fence 6 designated staff parking spaces, plus 2 for the disabled, would be provided in front of the main public entrance, whilst 16 visitor spaces would be provided next to the yard entrance. Both parks would be accessed from the improved Sniperley Farm road.

Materials

- 11 The main building would be constructed in stone, with timber on the upper storey. Full height south facing glazing would be shaded by timber brise soleil, with other windows punched traditionally into the walls. The south facing double height rapid response vehicle doors would incorporate transparent panels providing views of the appliances parked within. The pitched roof would be in zinc, the flat roof in standing seam aluminium. The training building and garaging would be treated as a stand alone brick structure.

- 12 The perimeter of the site would be landscaped through grass and tree planting, with a wild flower meadow established between the central car park and south eastern boundary. The existing A691 boundary hedge line, which would be partially removed to allow access and egress for appliances, would be reinforced along the south western roadside boundary, with a new section of hedge established between road edge and appliance bay wing edge along the south western edge of the access. A new hedge line would also be established along the south eastern site boundary. Low shrub planting would be carried out around the central yard car park edges to further soften the visual impact of parked vehicles. A 2.4 m high green polyester coated galvanised metal perimeter security fence would run along the south western, south eastern and north eastern site boundaries, with a security gate positioned within the north east boundary between the operational hub building and garages. A 2.4 m high close boarded tanalised timber acoustic fence would run inside the perimeter fence within the north east boundary.
- 13 Approximately 1070 sq m of the site would be occupied by built development. The average pitched roof building height would be 12 m, mono pitched roof height 7 m, while the training tower would be the highest element at just over 12 m.
- 14 The total number of employees would be 34 and these would be transferred from the existing Finchale Road site. However, there would only be 10 permanent staff present per shift.
- 15 The application is supported by completed application forms, drawings, and a Design and Access Statement, Supporting Planning Statement including Sequential Analysis and Green Belt Justification, Transport Statement, Flood Risk assessment, Noise Impact Assessment, Foul Water and Utilities Assessment, Landscape Assessment, Sustainable Energy Statement, Historic Environment Desk-Based Assessment, Extended Phase 1 Habitat Survey, Phase 1 Land Quality Assessment , and Air Quality Impact Assessment.
- 16 The application is reported to Committee as the application represents a major development

PLANNING HISTORY

- 17 The site is previously undeveloped agricultural land and there is no planning history.
- 18 Planning permission was granted in 1999 for the conversion of the farmhouse at Sniperley Farm to a day nursery, and this was subsequently implemented. That use has now been discontinued.
- 19 In 2009 planning permission was granted for the conversion of two redundant farm buildings and the erection of a glazed courtyard extension. This has not been implemented.

PLANNING POLICY

NATIONAL POLICY

- 20 The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy

Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social, and environmental, each mutually dependant.

- 21 The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
- 22 In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. 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:
- 23 *NPPF Part 1 – Building a strong, competitive economy* – The NPPF outlines in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 22 specifically states that; planning policies should avoid long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 24 *NPPF Part 4 – Promoting Sustainable Transport* – States that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It is recognised that different policies and measures will be required in different communities and opportunities to maximize sustainable transport solutions which will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 25 *NPPF Part 7 – Requiring Good Design* – The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.
- 26 *NPPF Part 9 – Protecting Green Belt Land* – Local Planning Authorities (LPAs) are advised that, when considering planning applications, substantial weight should be given to any harm to the Green Belt. "Very special circumstances" will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The NPPF advises that LPAs should regard the construction of new buildings as inappropriate, subject to certain exceptions. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence. Paragraph 88 states that when considering applications LPA's should ensure substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential

harm to the Green Belt by reason of inappropriateness ,and any other harm, is clearly outweighed by other considerations.

- 27 *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.
- 28 *NPPF Part 11 – Conserving and Enhancing the Natural Environment* – The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognising the benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.

LOCAL PLAN POLICY:

City of Durham Local Plan 2004

- 29 *Policy E1 – Durham City Green Belt* – seeks to protect the Green Belt's fundamental characteristic of openness, and excludes new buildings other than for agriculture or forestry use, essential facilities associated with outdoor sport and recreation, cemeteries and other uses which will preserve openness, limited infill, replacement of an existing dwelling, and limited extensions to existing dwellings.
- 30 *Policy E10 – Area of High Landscape Value* – protects such areas by resisting development that would have an unacceptable adverse impact, and requiring acceptable development to respect the area's character, together with the protection of important landscape features.
- 31 *Policy E16 - Nature Conservation – the Natural Environment* – is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.
- 32 *Policy E24 – Ancient Monuments and Archaeological remains* – seeks to preserve scheduled ancient monuments and other nationally significant archaeological remains and their setting in-situ.
- 33 *Policy Q1 – General Principles Designing for People* – requires the layouts of developments to take into account the requirements of users including: personal safety and security; the access needs of people with disabilities and the elderly; and the provision of toilets and seating where appropriate.
- 34 *Policy Q2 – General Principles Designing for Accessibility* – the layout and design of all new development should take into account the requirements of users and embody the principle of sustainability.

- 35 *Policy Q5 – Landscaping General Provision* – sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
- 36 *Policy Q7 – Industrial and Business Development* – seeks to promote an attractive image of the District and thereby stimulate inward investment through the provision of well-designed buildings which are appropriate to their designation.
- 37 *Policy T1 – Traffic – General* – states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and/or have a significant effect on the amenity of occupiers of neighbouring property.
- 38 *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.
- 39 *Policy T20 – Cycle Facilities* – sets out a requirement to encourage the provision of facilities for parking cycles in the city centre and at other appropriate locations.
- 40 *Policy U8a – Disposal of Foul and Surface Water* – requires developments to provide satisfactory arrangements for disposing of foul and surface water discharge. 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.
- 41 *Policy U14 – Energy Conservation – General* states that the energy efficient materials and construction techniques will be encouraged.
- 42 *Policy U15 – Energy Conservation – Renewable Resources* – permits the regeneration of energy from renewable resources provided that that no unacceptable adverse impact results upon landscape, nature conservation interests, the amenity, health and safety of local residents, noise and vibration levels, and upon areas of archaeological, architectural or historic interest.

RELEVANT EMERGING POLICY

The County Durham Plan

- 43 The County Council is currently developing a countywide Local Plan, and has carried out a consultation on a “Preferred Options Draft” during the latter part of 2012. The application site has no formal allocation or designation within the County Durham Local Plan

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

- 44 *The Environment Agency* – raises no objection to this proposal, recommending that the developer follows the risk management framework provided in *CLR11 Model Procedures for the Management of Land Contamination*. In respect of surface water drainage, run-off should be controlled as close to the source as possible and the use of sustainable urban drainage (SUDS) is encouraged. Foul drainage

disposal should be into the foul sewer, and the Sewerage Undertaker should be consulted.

- 45 *Northumbrian Water* – raises no issues provided that foul water disposal is carried out in accordance with the submitted Foul Water and Utilities Assessment strategy. In regard to surface water, disposal should be in accordance with the submitted Flood Risk Assessment strategy.
- 46 *The County Highway Authority* – Whilst no objection in principle is raised to this proposal, it is stated that the A691 is a heavily trafficked road. According it is viewed as being essential that emergency vehicle access is traffic signal controlled by means of County Council “wig wag” signals, and visibility is protected by vegetation height being monitored and controlled. The improved Sniperley Farm access is considered to be acceptable, allowing safe access to both the fire station and farm. No concerns have been raised regarding the adequacy of the local road network to accommodate the nature and level of traffic anticipated to be generated by this proposal.

INTERNAL CONSULTEE RESPONSES:

- 47 *Spatial Policy* – Officers note that very special circumstances must be demonstrated to justify Green Belt incursions. The site chosen must also be measured against sustainable planning objectives and impact upon the local highway network.
- 48 In terms of site selection, the applicant is considered to have taken a credible sequential approach (as suggested in para 24 of the NPPF) and to have demonstrated that the site chosen is the most suitable taking into account size, access and maneuverability, availability, topography, physical relationship to the community, the local highway network and emergency response times. The proposal would have a visual impact on the openness of the Green Belt. However, in view of the relatively small size of the site and its proximity to the Park and Ride it is considered that this would be a limited impact, particularly as the three main Green Belt aims, the prevention of settlement sprawl and coalescence, encroachment into the countryside, and impact upon the setting of Durham City be impacted upon to only a very limited degree, it being added that the site does not form a backdrop to the world Heritage Site. It is therefore concluded that very special circumstances have been demonstrated for development in the Green Belt.
- 49 The site chosen is on the edge of County Durham’s main settlement, close to services and facilities. Therefore this is considered to be sustainable development, a presumption in favour of which is the cornerstone of the NPPF. The site has to a greater part been chosen because it affords enhanced response times due to it being clear of the more congested road network to the east, but without having a significant impact upon the local road network. This too is accepted. Accordingly Policies E1 and T1 of the Local Plan are considered to have been met. In summary, this proposal is supported.
- 50 *Design and Historic Environment* – The proposed fire station is observed to be very much of a standard design conceived by Napper Architects. This concept has been built out elsewhere in the North East of England in recent years. The building form and layout follow function, but in a contemporary style. The particular needs of the applicant have determined the scheme’s design, and height has been limited to two storeys, other than the tower, to respect the rural location. The choice of materials makes a similar rural reference, yet remaining distinguishable and recognisable as a public building. The grouping is said to have an ‘ad hoc’ feel reflective of the

functional evolution of many rural farm buildings, and as such the development is considered to be appropriate to its location and worthy of approval.

- 51 *Landscape* – No objection is raised in principle. However, it is noted that the proposed development's highly visible location within the Green Belt necessitates high quality landscaping to mitigate impact within medium distance views. This should be achieved through the use of native species where possible to encourage and support wildlife. The removal of a significant section of A691 boundary hedging is not opposed as it has little wildlife interest due to it being mainly Hawthorn. New hedging, and the reinforcement of existing, should use a Blackthorn, Hawthorn, Hazel, Honeysuckle, Burnet Rose and Dog Rose mix indigenous to this part of Durham. The 10 Oak trees proposed along the south western boundary within the perimeter fence should be semi matures of 30 – 35 cm diameter and 6 – 7 m overall height. All other proposed tree planting should take the form of extra heavy standards to establish an instant screening effect that would break up the impact of the proposed buildings as seen when traveling along the A691. The creation of a wild flower meadow, and low shrub planting around the central yard car park edge, are also welcomed and encouraged. Appropriate shrubs would be Bilberry, Blackthorn, Bramble, Dewberry, Dog Rose, Downey Current, Field Rose, Gooseberry and Gorse, ensuring all spiny species are set back from parking bays. Standard sized trees such as Crab Apple, Rowan, and Wild Cherry could be added within this shrub bed, undulating rather than straight, to give extra height.
- 52 *Access and Rights of Way*– Sniperley Farm is accessed from the A691 via Public Footpath 9 Witton Gilbert Parish, and this will also form the main vehicular access (excluding appliances) to the fire station. However, it is noted that a footpath is being provided alongside this access road, although it stops short of the visitor car park. It is suggested that the applicant may wish to consider extending the path to that car park. It is stressed that the public right of way should remain unobstructed at all times, and that any temporary closure would be subject to a six weeks in advance application to Durham County Council. Any damage to the right of way must be made good, and maintenance is stated to be generally the responsibility of those enjoying private vehicular rights
- 53 *Archaeology* – A submitted geophysical survey suggests that the archaeological potential over most of the site is low, but that the southern corner does contain some unexplained anomalies which will require monitoring during development. This is accepted by the Council's archaeologist, and not viewed as an impediment to the site's development subject to any planning consent being subject to conditions relating to the implementation of a programme of archaeological investigation, and the recording of findings together with their publishing and archiving.
- 54 *Ecology* – Under Section 40 the Natural Environment and Communities Act, the Fire and Rescue Service as an organisation carrying out functions of a public character under a statutory power is required to have regard to biodiversity conservation when carrying out its functions. Accordingly, a suitable species rich grass and wildflower mix, with correct long term management, is encouraged within the open area between the central yard car park and the south eastern and north eastern site boundaries.
- 55 *Pollution Control* – The submitted Noise Impact Assessment has been carefully reviewed by the Council's Senior Environmental Health Officer. Noise contours have been modeled to demonstrate predicted noise levels resulting from training activities and vehicles using sirens, set against existing ambient daytime and night noise levels.

- 56 The stated background noise levels are 53dB daytime and 30dB at night, with the predicted combined noise level resulting from fire appliance activities (including siren use) and training being 48dB. As it is assumed night time activity would be confined to emergency call outs, the actual increase in noise levels at such times is predicted to be just 2dB. This is considered to be marginal, although it has been noted that these are average sound levels, and do not appear to include tonal elements such as sirens, voices talking and shouting, and vehicles stopping and starting.
- 57 However, it has been concluded that World Health Organisation noise guideline values would be complied with, and yard activities could realistically be controllable. Only the use of sirens is likely to cause nuisance, and such nuisance would be most likely to occur during night time hours. This could not be reasonably treated as a statutory nuisance, and siren use would be less during the night due to quieter road conditions. It is therefore concluded that, overall, noise levels will be minimal and unlikely to cause significant nuisance levels.
- 58 *Sustainability* – Both Air Source Heat Pumps (ASHP) and Ground Source Heat Pumps (GSHP) are proposed as a means of accessing renewable energy, which is welcomed, but the claim that both produce the same Coefficient of Performance (CoP) is questioned. More usually a GSHP is accepted as being more efficient than an ASHP as subterranean conditions are more stable and consistent than air. Accordingly, in view of the expanse of land available to the applicant for the provision of underground coils and boreholes, GSHPs are advised throughout.

PUBLIC RESPONSES:

- 59 Upon selection of the Sniperly Farm site, community consultations were held on 14 and 15 September 2012 at the Fire and Rescue Authority Headquarters at Framwellgate Moor. Responses are said to have been predominantly positive, although some concerns regarding increased traffic, suitable landscaping and the avoidance of light pollution were raised.
- 60 The application was advertised on site and in the press as a departure from the development plan and 57 letters were sent to occupants of nearby property.

Objections

- 61 *The City of Durham Trust* – reluctantly accepts the site chosen for the new fire station, despite its Green Belt location, as the optimum for a vital service where quick access is critical. However, the architecture is objected to. The design is considered to be neither one thing or another, not iconic (acknowledged to be unnecessary) or distinctive. The choice of materials is said to be a poor mix of rustic (wood), Durham City (stone) and industrial (steel) references, making for “uncomfortable reading”. This is compared to the current Framwellgate Moor Station which is of a single material (brick) where there had been no attempt to “break up the general essay”. A redesign is urged.
- 62 Four letters of objection have been received from local residents. Issues raised are:
- Opposition in principle to Green Belt land being built on. The Park and Ride facility should not be seen as a precedent.
 - Harmful visual and wildlife impact.

- Noise impact upon Witton Grove to the south east of the application site further along the A691, reference being made to existing disturbance from emergency vehicle sirens.
- Unsafe vehicular access.
- Design and land use incompatible their surroundings.
- Loss of value for surrounding properties.
- Cumulative impact when combined with the Park and Ride facility.
- Impact of fire training that could give rise to smells and contamination.
- Redevelopment of existing Framwellgate Moor fire station site urged.

63 The owner of Sniperley Farm also objects to the application on a number of grounds:

- No pre submission consultation was carried out with the farm owners, and public money has been committed to site purchase in advance of a planning decision.
- A lack of robust evidence in regard to development within Green Belt tests.
- No proper indication of community use.
- Concerns regarding safe access, legal rights of use, an excessive parking provision, conflict with farm access, and lack of Travel Plan to encourage sustainable travel.
- Noise from training facility.
- No Article 11 notice having been served in respect of land within the control of the new Sniperley Hall Farm owners that has been included within the red edged site boundary.
- The scheme is considered to be undeliverable as the access route proposed does not allow for the existing arrangements to the farm to remain in place and be operational contrary to the terms of the farm's recent acquisition. This, it is stated, would be rigorously enforced by injunction if necessary.
- The layout is said to increase the likelihood of noise disturbance to the farm through the position of training and car parking close to the common boundary.
- No evidence for need for "wig wag" traffic signals.

Support

64 *Councillor Mamie Simmons* –offers no objections to the application.

65 *Councillor Mark Wilkes* – is broadly supportive of the application, believing it to be beneficial to the community. However, he is concerned about the loss of part of the A691 boundary hedging and has asked that it be transplanted to form the south eastern boundary. He also requests enhanced landscaping, wildlife provision, rainwater harvesting and renewable energy use

APPLICANTS STATEMENT:

66 Whilst accepting that what is proposed constitutes normally inappropriate development in the Green Belt, it is argued that very special circumstances exist in this particular case.

67 Rather than redevelop the existing Framwellgate Moor fire station site, which is constrained by site size, close proximity to a number of residential properties, and a frequently congested road network, the site chosen offers advantages in all these matters.

- 68 A rigorous sequential test has been carried out that considers alternative locations within the Durham City area and demonstrates why these do not meet the applicant's very special requirements.
- 69 The development has been designed to be assimilated within its surroundings as far as possible to minimise visual impact. It does not compromise the main objectives of Green Belt designation. It does not encroach into one of the Green Belt's most sensitive parts.
- 70 The Fire & Rescue Services Act 2004 requires the Service to be focused within easy reach of the community in order to promote fire safety through prevention, and the site chosen is said to be the most suitable currently available.

PLANNING CONSIDERATIONS AND ASSESSMENT

- 71 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development of the site for the proposed uses, layout, design and visual amenity and impact on conservation interests, traffic, archaeology, ecology, sustainability, floodrisk and drainage

Principle of the development

- 72 The current Durham Fire Station has operated from its Finchale Road, Framwellgate Moor site, within a predominantly residential part of Durham City, for a number of years, and is now considered by the applicant to be inadequate.
- 73 The buildings are old, with a remaining life of no more than 5 years, while mechanical services are at the end of their useful life. The site is expensive to operate in terms of water and energy consumption, and has poor environmental ratings.
- 74 The openness of the site makes it difficult to carry out training safely, and the nature of these activities, which include the production of smoke and spraying of water, are not compatible with adjacent land uses. Complaints are regularly received. Furthermore, the main building is no longer large enough to accommodate the Service's needs, with inadequate meeting and training space, including space to provide education and outreach work with the local community.
- 75 The applicant has been examining alternative fire station locations since 2009, including a lengthy dialog with the Local Planning Authority (LPA). An exercise has been carried out to examining alternative available sites large enough to accommodate the required facility, and which meet the Services other operational requirements.
- 76 The application site lies within the Durham Green Belt, the prime and protected characteristic of which is openness. National planning policy (NPPF Part 9) and local planning policy (E1) precludes most built development from Green Belt land except where very special circumstances have been demonstrated.
- 77 The Fire and Rescue emergency service could potentially be such a case due to its specialised nature and emergency response requirements, provided it has been

demonstrated that no alternative less sensitive sites are available, and the implicit harm to the Green Belt – as all normally inappropriate development is viewed, is outweighed by the benefits.

- 78 If such a case has been demonstrated, impact upon countryside designated as being an Area of High Landscape Value (AHLV), upon highway safety and the local road network, archaeology, ecology, and residential amenity must also be fully assessed.
- 79 Selection of the Sniperley Farm site has been informed by the applicant's requirement by the Office of the Deputy Prime Minister (ODPM) to produce an Integrated Risk Management Plan (IRMP). The plan must integrate all aspects of service delivery, including fire cover and fire safety, and aim towards improved community safety and a more productive use of fire service resources. As part of the IRMP a suite of computer software known as the Fire Service Emergency Cover (FSEC) toolkit has been used to calculate the time a fire vehicle would take to arrive at incidents, and predict;
- The number of lives lost in dwelling fires, special services incidents and other building fires
 - The amount of property loss in other buildings fires
 - The total cost of the resources allocated.
- 80 Following this cost – benefit analysis a model area for a new fire station location has been established, within which a site search has been confined. Any site outside this search area would not maximise response times and has thus been rejected.
- 81 The site chosen has the advantages of excellent accessibility to key transport networks in Durham, allowing good and quick connectivity to the Arnison Centre and the residential areas of Pity Me and Framwellgate Moor to the north, the settlements of Witton Gilbert and Langley Park to the west, and Durham City centre and Nevilles cross to the south-east and south, significantly assisted by the presence of two no-car lanes. The land is also available.
- 82 It has therefore been demonstrated that the special location requirements of an emergency service, that have been determined through carefully assessed evidence, constitute the very exceptional circumstances referred to in NPPF Part 9 that can justify development in a Green Belt.

Alternative Sites

- 83 Alternative sites have been considered by the applicant. *The existing Framwellgate Moor fire station site* has been discounted for redevelopment due to its restricted size, close proximity to a large number of residential properties, a history of disturbance complaints, location within a frequently congested urban road system, and the difficulty in providing a continuous service when redeveloping an existing facility.
- 84 *St Leonard's School playing fields* to the south of County Hall were considered in view of size and close proximity to key transport links. However they are leased from Durham County Council, are currently in use, and presently unavailable. Furthermore, the playing fields are identified as such within the emerging County Plan, and their loss would have to be justified to Sport England. This site lies within both the Green Belt and the Durham (City Centre) Conservation Area, and

development there has the potential to impact upon the World Heritage Site. Accordingly any proposal in this location is likely to attract considerable opposition.

- 85 *Land to the south of University of Durham Hospital* was considered, there having been pockets remaining following the hospital's However, on closer examination, all land of sufficient size has been developed for residential use.
- 86 *Land south of Aykley Heads Business Park* was identified as a potential location, it being close to a complimentary use in the form of the Police Headquarters. Nevertheless, the site contains a bowling green, the loss of which would require justification to Sport England, presents access difficulties for fire and rescue appliances, and would necessitate such vehicles travelling through Aykley Business Centre which would be a potential safety hazard.
- 87 *Land south of A691* which is currently agricultural fields was considered due to its size and close proximity to the Sniperley Park roundabout, with good access to both the A691 and A167. Lying within both the Green Belt and AHLV the site is no more sequentially preferable than the application site. It also lies opposite a residential estate (Sniperley Park), therefore liable to similar noise complaints to those attracted by the existing Framwellgate Moor fire station. The site is also more prominent in long distance views across the Green Belt. Furthermore, access directly onto Sniperley roundabout by fire appliances responding to emergencies is not considered to be desirable from a highway safety standpoint.
- 88 *Agricultural Land west of the A167* was considered by virtue of its size and close proximity to Sniperley roundabout, but it too lies within Green Belt and AHLV. The site is also adjacent to residential properties at Witton Grove and on a more open site than at Sniperley Farm.
- 89 *Land at University of Durham Hospital* adjacent to the hospital entrance and Dryburn Road roundabout was considered at the suggestion of the County Council but it transpires that this is no longer available and is being used as a car park.
- 90 Although there is no planning requirement for a sequential test to be carried out, it is helpful to understand how the application site was chosen. However, it has been satisfactorily demonstrated that no sequentially preferable site is currently available for the very specific needs of the applicant, and that very exceptional circumstances do exist to justify the consideration of a Green Belt site for an emergency service. NPPF Part 9 and Policy E1 of the Local Plan have therefore been satisfactorily addressed.

Scale, Massing, Layout and Design

- 91 The design, scale and massing reflect the development's function, and are considered to be appropriate to this location. Modulation in the form of curved walling, full pitched, mono pitched and flat roofing, and a variety of materials have been used to lessen visual impact, while landscaping will further soften the buildings through tree, shrub, hedge and grass planting. The layout allows direct appliance access to the A691, with staff access separate. The building positions also provide natural security by enclosing two sides of the central yard and car park. It is therefore concluded that the objectives of Policies Q1, Q2, Q5 and Q7 of the Local Plan have been met.

Traffic

- 92 The local road network is considered to be capable of safely accommodating the traffic generation predicted to be associated with this proposal subject to the provision of “wig wag” traffic signaling to allow safe emergency vehicle egress, and the maintenance of vegetation at a low level within visibility splays. The improved Sniperley Farm access is considered to be both safe and appropriate for fire station and farm use, while the level of car and cycle parking provided is also considered to be appropriate for a development of this kind. The objectives of Policies T1, T10 and T20 of the Local Plan are considered to have been met.

Archaeology

- 93 Subject to further investigation work and findings recording, no obstacle to the development of this site is raised, which meets the objectives of Policy E24 of the Local Plan have been met

Ecology

- 94 There are no known protected species present on the site, but there is an opportunity to enhance biodiversity through the creation of a wild flower meadow and species rich hedging that will encourage wildlife. This will be done as part of the development. Policy E16 of the Local Plan has therefore been addressed.

Pollution Control

- 95 It has been concluded that the impacts will be minimal, and that noise emitting from appliance sirens are likely to be the main source of potential nuisance, particularly at night. However, such incidents are anticipated to be limited due to the reduced need for siren use when roads are quiet. The addition of an acoustic screen is welcomed, whilst working practices will be controlled by planning condition requiring written agreement by the Local Planning Authority to hours of operation of such activities as training, and their exact nature. It is therefore considered that the impacts upon the amenities of nearby residential occupiers by reason of noise are not sufficient to warrant refusal of the application.

Other matters

- 96 The City of Durham Trust has accepted that very special circumstances justify the site's selection. However it opposes the architecture and choice of materials. These aspects of the development were discussed at length prior to the application's formal submission, and are accepted as appropriate by the Council's Design officers, to which due weight must be attached. Genuine attempts have been made to make the building noteworthy without being overassertive, and on balance this is considered to be fully acceptable.
- 97 To address the three public objections, other than those from the neighbouring land owner which will be dealt with separately:
- a) The Sniperley Park and Ride site is deemed to be an appropriate Green Belt development (NPPF paragraph 90), but has not been treated as a precedent. The fire station proposal has been assessed entirely on its own merits.
 - b) That there will be landscape impact is accepted. However, in the opinion of Council's landscape architect the impact would not be of a magnitude

that would outweigh the wider community benefits of the fire station. There is no evidence to suggest that wildlife harm would result, and it is the view of the Council's ecologist that an opportunity exists to enhance bio diversity within the part of the site that would not be built on.

- c) The submitted Noise Assessment's conclusion that noise increase resulting from this proposal will be minimal has been accepted by the Council's pollution control officer. Accordingly, there is no evidence to suggest that those living at Sniperley Grove, to the south west of the application site, will be adversely affected. Comments relating to siren noise have been taken into account. However, by virtue of the very special emergency nature of siren use, this can never be discounted for those living close to a main road. The applicant has though stated that sirens will only be used for safety reasons, and not indiscriminently. At night, when traffic is light, their use is avoided.
- d) The County Highway Authority has carefully considered both the emergency vehicle and general vehicles access arrangements and they are deemed to be safe. Appropriate weight must be attached to such a professional conclusion.
- e) The assertion that the development, and its design, is inappropriate to the site and its surroundings has also been carefully considered. It is readily accepted that this land would not normally be considered to be appropriate for development. However, it is the applicant's very special case that justifies this proposal's serious consideration. Furthermore, if such very special circumstances are accepted, the design is considered by the Council's design officer as appropriate to both the development's function and location.
- f) The loss of neighbouring property values is not normally considered to be a material consideration in the determination of a planning application. In any event, little weight could be attached to such a concern as property values are influenced by a wide range of factors; therefore it is difficult to determine whether this proposal could have a negative, or indeed positive, impact on the value of other properties.
- g) Concerns about the cumulative impact of the park and ride facility and fire station are appreciated, but would not be a reason in itself to withhold planning permission. On the one hand the two developments would visually combine to create a significant incursion into the countryside, yet on the other they would consolidate to form one incursion rather than two, and hence a visual logic.
- h) Although training would take place at the proposed fire station, this would not be its prime function, merely an ancillary activity. However regular training is necessary, but only during the daytime, and this would be controlled by planning condition should planning permission be granted.
- i) The existing Framwellgate Moor site is not considered suitable for a new fire station for a number of reasons. These include the site's size, close proximity to a large number of residential properties, the frequently congested nature of the local road network, and difficulty in maintaining a service whilst redeveloping the site.

98 The owner of Sniperley Farm has raised similar issues, and some very specific concerns:

- a) It has been contended that inadequate consultation was carried out prior to planning application submission, and that public money has been committed to securing the site without the certainty of a planning consent. Extensive pre-application discussions, over a number of years, have taken place between the Local Planning Authority and the Fire and Rescue Authority. Public exhibitions were also carried out by the applicants in advance of a planning submission. That the Sniperley Farm owner was not contacted directly is a matter for the applicant, as is the decision to purchase the site prior to the determination of this planning application.
- b) Although not a requirement of Green Belt development proposals, a sequential test has been carried out that seeks to demonstrate no other suitable sites exist in the area which fulfill the very particular requirements of the Fire and Rescue Authority. The conclusions are credible. However the acceptability of otherwise of this proposal rests solely upon whether very special circumstances exist, and whether resulting harm is outweighed by wider community benefits (NPPF paragraph 88). It is a matter of professional judgment as to whether such benefits exist, but considerable weight has to be attached to the very special and potentially lifesaving role the Fire and Rescue Authority performs, and its logistical requirements relative to emergency response times.
- c) The applicant has indicated that fire prevention is a high Fire and Rescue Authority priority. Community engagement is critical in that endeavor. Accordingly, this will be one of the key roles of the proposed fire station. The proposal floor plans clearly show allocated space for such engagement, therefore there is no reason to believe that this additional wider community benefit will not take place.
- d) As already discussed, access and egress to the proposed development are judged by the County Highway Authority to be fit for their purposes and safe. Continued and unfettered access to Sniperley Farm is also considered to be deliverable. Proposed parking provision is considered acceptable due to the community function of the fire station and its anticipated staff and visitor levels. Use of the Park and Ride car park would not be acceptable as this is only a facility for those using the bus service into Durham City. A Travel Plan is not considered appropriate for a development of this type due to the nature of the activity, modest staff numbers, and the requirement of retained firemen to respond quickly to calls which public transport and car sharing would not satisfy. Any legal requirements resulting from the sale of the application site to the applicant fall outside the planning consideration of this proposal.
- e) The issue of noise has been particularly carefully considered. It is recognised that there is a cottage at Sniperley Farm, although residential use of the main farmhouse has ceased following the establishment of a day nursery. The conclusion drawn by the submitted Noise Assessment that noise increase is likely to be minimal is accepted by the Council's Pollution Control officer, although the addition of an acoustic screen at the suggestion of the applicant is welcomed. Appropriate weight must be attached to this professional judgment. However, a condition of any

planning approval would be the submission, for agreement, of working practices and hours of operation.

- f) The applicant has acknowledged that the Article 11 Notice was not originally served, but this has been rectified.
- g) The legal terms of Sniperley Farm's recent acquisition fall outside the planning consideration of this application. However, the County Highway Authority is satisfied that access to the farm would not be compromised. That the access would be changing is accepted, but this represents a vastly improved situation from a highway safety standpoint compared to what is now there.
- h) Potential noise nuisance emanating from both car parking and training has been dealt with in 5 above.
- i) The need for "wig wag" traffic control to allow safe emergency vehicle egress from the site has been determined by the County Highway Authority. This is an effective and regularly used mechanism outside fire stations, and emits no audible signal, only lights.

CONCLUSION

- 99 This proposal is considered to represent the very special circumstances that can justify development within a Green Belt. Substantial weight has been given to any harm that might result from such development. However, given the site's modest level of sensitivity relative to more key parts of the Green Belt, balanced against the particular needs of an emergency service and its wider community benefits, it has been concluded that the scheme's benefits do outweigh harm, and justify a departure from Local Plan policy in this particular instance.
- 100 Furthermore, the key Green Belt objectives of restricting the sprawl of large built-up areas; preventing neighboring towns from merging into one another; safeguarding the countryside from encroachment; preserving the setting and special character of historic towns; and assisting the recycling of derelict and other urban land are not considered to be fundamentally breached by this proposal due to its position close to existing development and within one of the Green Belt's less sensitive parts.
- 101 Although not absolutely necessary, a sequential test has been carried out to demonstrate why the site chosen is the most suitable available location for the Fire and Rescue Service's very particular needs, and its conclusions have been accepted.
- 102 Apart from being a Green Belt incursion, this proposal is considered to be consistent with all other relevant national and local planning policies regarding sustainability, amenity, design, ecology, archaeology, traffic generation and highway safety.
- 103 Concerns expressed regarding this proposal have been taken fully into account, and carefully balanced against the scheme's wider community benefits. However, they are not considered to raise issues that justify planning permission being withheld.

- 104 Nevertheless, should planning permission be granted, it would be necessary for that the application is referred to the Secretary of State as a departure from Local Plan policy due to this being Green Belt development.

RECOMMENDATION

That members be **MINDED** to **APPROVE** the application subject to referral to the Secretary of State through the National Planning Casework Unit and 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 only in accordance with the approved plans and specifications contained within following documents:

- Location Plan AD (0)10
- Proposed Block Plan AD (0) 02
- Ground Floor Plan AD (0) 20
- First Floor plan AD (0) 21
- Roof Plan AD (0) 22
- Sections AD (0) 30
- Sections/Elevations AD (0)31
- Elevations AD (0)32
- Elevations AD (0)33
- Fire House and Garages Floor Plans AD (0) 40
- Fire House & Garages Elevations/Sections AD (0)41
- Proposed Site Finishes AD (0) 04

Reason: To meet the objectives of Policies E16, Q1, Q2, Q5, Q7, and T10 of the City of Durham Local Plan 2004.

3. Notwithstanding the information shown on the submitted application, details of all materials to be used externally, and the standard of their finish, shall be submitted to and approved by the Local Planning Authority in writing before built development is commenced, and thereafter implemented in accordance with the approved scheme.

Reason: To meet the objectives of Policies E16, Q1, Q2, and Q7 of the City of Durham Local Plan 2004.

4. No built development shall commence until a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. Thereafter implementation shall take place in accordance with the agreed scheme.

Reason: To meet the objectives of Policy Q5 of the City of Durham Local Plan 2004

5. No development shall commence until a programme of archaeological work, in accordance with a written scheme of investigation and to a timetable, be submitted to and agreed in writing by the Local Planning Authority. The work shall thereafter be carried out in full accordance with the agreed details.

Reason: To comply with Policy E24 of the Local Plan and paragraphs 135 and 141 of the NPPF.

6. Prior to the development's occupation and operation a scheme for traffic light controlled response vehicle access onto the A691 shall be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall thereafter be implemented in full accordance with that agreement.

Reason: In the interests of highway safety, and in accordance with Policy T1 of the City of Durham Local Plan 2004.

7. No development shall take place unless in accordance with the Recommendations contained within the submitted Flood Risk Assessment (Fairhurst January 2013) and Foul Water and Utilities Assessment (Fairhurst January 2013).

Reason: In the interests of sustainable development and flood prevention, and in accordance with Policy U8A of the City Durham Local Plan 2004.

8. Prior to first occupation of any part of the approved development, a working practices statement, to include hours of operation of all the community fire station's activities, particularly outside training, shall be submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, the terms of the approved working practices will be adhered to in full.

Reason: In the interests of residential amenity and in accordance with Policy E14 of the City of Durham Local Plan 20014

9. Prior to any occupation of the approved development an external and internal lighting strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter implementation shall take place in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with Policy E14 of the City of Durham Local Plan 20014

REASONS FOR THE RECOMMENDATION

- 1 The proposed community fire station has been demonstrated to constitute the very special circumstances that can justify development within a Green Belt, with benefits to the wider community being considered to outweigh the implicit harm Green Belt incursions are deemed to have. Accordingly, the provisions of NPPF paragraph 88 have been complied with.
- 2 Full account has been taken of the site's position within countryside designated as Green Belt and of High Landscape Value, and of impact upon neighbouring residential amenity, vehicular access and egress, parking levels and traffic generation, flood risk, archaeology, and ecology. It has been concluded that this

proposal complies with the objectives of Policies E1, E10, E16, E24, Q1, Q2, Q5, Q7, T1, T10, T20, U8a, U14 and U15 of the City of Durham Local Plan 2004.

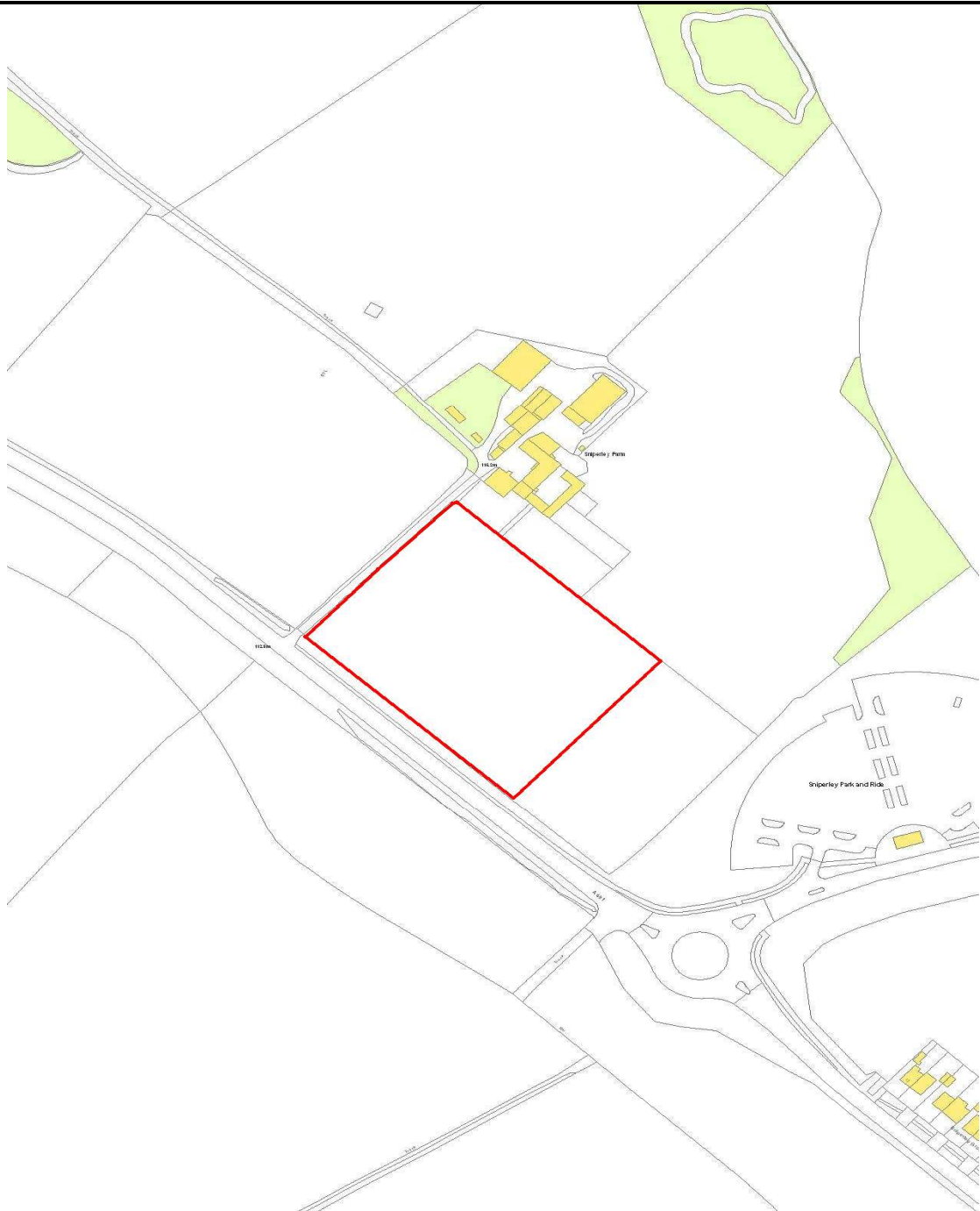
- 3 Concerns regarding Green Belt development, landscape, neighbour amenity, access and parking, landscape, and ecology impact have been taken fully into account, but none are such as to justify planning permission being withheld.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this 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 31(1) (CC) of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.*)

BACKGROUND PAPERS

- Submitted application form, plans, supporting documents and subsequent information submitted by the applicant.
- National Planning Policy Framework (2012)
- City of Durham Local Plan 2004
- Town and Country Planning (Consultation) (England) Direction 2009
- Statutory, internal and public consultation responses.



CMA/4/99



Planning Services

Erection of Community Fire Station at Land at
Sniperley Farm, Sniperley park, Lanchester Road,
Durham

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Comments

Date June 2013

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