

## **Cabinet**

**17 November 2021**

**Sniperley Park Masterplan**

**Ordinary Decision**



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### **Report of Corporate Management Team**

**Amy Harhoff, Corporate Director of Regeneration, Economy and Growth**

**Councillor Elizabeth Scott, Cabinet Portfolio Holder for Economy and Partnerships**

**Councillor James Rowlandson, Cabinet Portfolio Holder for Resources, Investment and Assets**

#### **Electoral division(s) affected:**

Framwellgate and Newton Hall, Nevilles Cross and Esh and Witton Gilbert

#### **Purpose of the Report**

- 1 The purpose of this report is to agree the draft Sniperley masterplan for public consultation. The masterplan will guide approximately 1,700 new homes and associated infrastructure across the site on the edge of Durham City. Alongside the masterplan, a Healthy Active Travel Connectivity Plan has been prepared to illustrate the significant opportunities for active travel both within and surrounding the site.

#### **Executive summary**

- 2 The County Durham Plan allocates land at Sniperley Park, as a sustainable urban extension to deliver 1,700 new homes along with associated services and facilities to create a vibrant and self-sustaining mixed community. The Plan also requires that the site is comprehensively masterplanned to ensure that all of the policy requirements can be met regardless of land ownership.
- 3 The masterplan is a means to guide the future planning, design and development of the site as it moves towards delivery.
- 4 Owing to the strategic nature of the site, it is important that the proposed masterplan for Sniperley Park is clearly articulated with key stakeholders, residents, neighbouring communities and businesses within the area. It is therefore proposed that a public consultation is

undertaken in order to seek views from interested parties from 29 November 2021 to 14 January 2022. All comments and suggestions raised as part of the consultation will be considered and where relevant, amendments will be made to the masterplan.

## **Recommendation**

5 Cabinet is recommended to:

- (a) agree the Sniperley masterplan (Appendix 2) for consultation from 29 November 2021 to 14 January 2022;
- (b) agree the Sniperley Healthy Active Travel Connectivity Plan (Appendix 3) for consultation from 29 November 2021 to 14 January 2022; and
- (c) agree to delegate to the Corporate Director of Regeneration, Economy and Growth in consultation with the Portfolio Holders for Economic Regeneration and Partnerships and Resources, Investment and Assets the power to make modifications and adopt the documents following consultation.

## **Background**

- 6 The County Durham Plan sets out a Vision for housing, jobs and the environment until 2035, as well as the infrastructure such as transport, schools and healthcare to support it.
- 7 The County Durham Plan was subject to three rounds of public consultation prior to an Examination in Public. A Planning Inspector, William Fieldhouse, was then appointed by the Secretary of State to examine the Plan. Public hearings took place between 22 October and 5 December 2019 with one additional hearing to discuss housing matters on 6 February 2020.
- 8 On 20 February 2020 the Inspector wrote to the Council to state that following the hearings he had concluded that the Plan was likely to be capable of being found sound subject to a number of Main Modifications being made. A public consultation on all of the proposed modifications took place between 26 May 2020 and the 21 July 2020 with additional measures in place to ensure the consultation could proceed during the Covid19 pandemic.
- 9 Following consideration of the full responses to this consultation the Inspector published his final report on the local plan examination on 21 September 2020. The Inspector concluded that the County Durham Plan was sound subject to Main Modifications being made to the Plan prior to adoption. Full Council resolved to adopt the County Durham Plan on 21 October 2020.
- 10 Policy 5 of the adopted County Durham Plan allocates land, known as Sniperley Park, as a sustainable urban extension. Policy 5 requires Sniperley Park to be comprehensively masterplanned to ensure that all of the policy requirements can be met regardless of land ownership.

## **Sniperley Park**

- 11 Sniperley Park is predominantly agricultural land, although there are also a number of existing playing pitches and a small local wildlife designation within the site. It is situated immediately to the east of Framwellgate Moor and Pity Me and to the south of Sacriston. The site's eastern boundary follows the A167 Durham Road and the northern boundary is along Potterhouse Lane and Trout's Lane. New College, Durham is sited adjacent to the southern end of the site with residential development extending northwards. Sniperley Hall historic park of local interest with its walled gardens and parkland and Lanchester Road Hospital are located along the western boundary. Sniperley Park and Ride and the Fire and Rescue Centre is immediately to the south of the site at the junction of the A167 and the A691.

- 12 The site rises gradually northwards to a ridge at the northern extent providing a strong visual boundary from higher ground. Views outwards from the site are semi-rural in character to the north and west but become increasingly urban closer to the A167 in views towards the settlement edge. The site does not form part of the setting to the World Heritage Site (WHS) and views of Durham City and the WHS from the site are very limited owing to the historic core being generally screened from view by intervening topography and buildings.
- 13 The development of Sniperley Park will deliver approximately 1,700 new homes along with associated retail, services and facilities contributing to meeting housing needs and creating a viable, vibrant and self-sustaining mixed community. It will also promote innovative approaches to sustainable design which reflect current best practice in order to deliver a sustainable development supported by appropriate supporting utilities and infrastructure.

### **Sniperley Masterplan**

- 14 In order to ensure that all of the policy requirements set out in Policy 5 can be accommodated across the entire allocation, a comprehensive masterplan has been developed which will guide future planning applications. In addition, the production of this masterplan is intended to enable a 'joined-up' approach across multiple land holdings to bring forward proposals that have a coherent approach to placemaking, access, movement, green infrastructure and drainage. The principles set out in the masterplan are there to ensure that new development meets national and local planning policy objectives for sustainable development, good design and placemaking as well as meeting housing needs including affordable and older persons housing.
- 15 Policy 5 requires the masterplan to deliver the following key components:
  - Delivery of approximately 1,700 homes (which meet the requirements for affordable and older persons housing);
  - An extension to the Sniperley Park and Ride;
  - Provide a centrally located local centre which will act as the focus for community activity;
  - Identify a suitable site for a readily accessible primary school and the replacement (or retention) of playing fields;
  - Provide structural landscaping and sustainable urban drainage;

- Have appropriate regard for Sniperley Hall and Farm and retention of the woodlands;
  - Give special regard to the significance of any visual associations with the World Heritage Site;
  - Provide linear park of approximately 25ha within the site;
  - Provide compensatory Green Belt improvements;
  - Explore opportunities for a district heating system; and
  - Ensure strong connections beyond the A167 via suitable, convenient, safe and attractive cycleways and footpaths.
- 16 The masterplan is a means to guide the future planning, design and development of the site as it moves towards and beyond delivery. This Masterplan marks the culmination of over 10 years work on the allocation, analysis and strategic planning of this strategically important development opportunity for the city and the wider region.
- 17 This Masterplan outlines an understanding of the existing site and its context, our vision for the development of the site and defines a clear framework for its delivery.
- 18 Ultimately, it sets out expectations for the site, against which future planning applications will be assessed. All other relevant plan policies will also be applicable in determining future planning applications (including developer contributions, broadband and sustainable design).
- 19 The final part of the Masterplan sets out anticipated next steps; with high level phasing suggested together with an outline of the planning approach. It is important to note that this report has been shaped using existing data and surveys undertaken prior to the commencement of this work. Further studies related to transport, movement and ground investigation will be needed as part of the planning application process.

### **Sniperley Healthy Active Travel Connectivity Plan**

- 20 A Health Impact Assessment (HIA) was undertaken for the County Durham Plan which identified a number of recommendations including the promotion and prioritisation of sustainable modes of transport. The HIA also highlighted the need to ensure sufficient access to amenities and facilities to improve mental health and increase mobility and participation, especially amongst older adults. The Sniperley Healthy Active Travel Connectivity Plan (Appendix 3) fulfils the recommendation from the HIA in regards to the Sniperley Park site. It identifies several

active travel routes from the Sniperley Development site to key destinations, such as shops, schools, employment and greenspace.

- 21 The Healthy Active Travel Connectivity Plan illustrates the significant opportunities for active travel within and surrounding the Sniperley Development site, including existing routes and where appropriate, these have been incorporated into the Masterplan where appropriate.

### **Next Steps**

- 22 Owing to the strategic nature of the site, it is important that the proposed masterplan for Sniperley Park is clearly articulated with key stakeholders, residents, neighbouring communities and businesses within the area.
- 23 It is therefore proposed that a public consultation is undertaken in order to seek views from interested parties from 29 November 2021 to 14 January 2022 on the Masterplan and the Healthy Active Travel Connectivity Plan. All comments and suggestions raised as part of the consultation will be considered and, where relevant, amendments will be made.
- 24 Whilst the Council is unable to prevent planning applications being submitted by landowners or developers in advance of the Council's masterplan being finalised, it is intended that the masterplan will provide a comprehensive approach across the site and any planning application's conformity with the masterplan will be a material consideration.

### **Background papers**

- County Durham Plan
- Health Impact Assessment for the County Durham Plan

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## **Appendix 1: Implications**

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### **Legal Implications**

Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). The County Durham Plan has been found to be sound and has subsequently been adopted. Policy 5 requires the site to be comprehensively masterplanned. Legal advice will be sought where appropriate. Planning applications should be determined in accordance with the development unless material considerations indicate otherwise.

### **Finance**

The Council owns approximately 14% of the Sniperley Park allocation. The masterplan has been undertaken to guide the comprehensive development of the site regardless of land ownership. However, at the appropriate time, the Council will need to consider its options as part of its duty for 'Best Value'. In addition, the Council needs to ensure that there is sufficient land acquired to facilities the extension to the Park and Ride which is being funded via Transforming Cities.

There will be a need for Section 106 monies to be collected across the site. As part of the determination of planning applications, it needs to be understood how the phasing of development across the site will have regard to the provision and timing of the infrastructure and services necessary to support the new housing.

### **Consultation**

It is proposed that a public consultation is undertaken in order to seek views from interested parties from 29 November 2021 to 14 January 2022. All comments and suggestions raised as part of the consultation will be considered and where relevant amendments will be made to the masterplan. The programme of consultation was agreed with the Council's Corporate Communications Team and the Council's Consultation Officers Group and was undertaken in accordance with the Statement of Community Involvement.

### **Equality and Diversity / Public Sector Equality Duty**

The Council acknowledges that, in exercising its functions, it has a legal duty under the Equality Act 2010 to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations. This duty applies to all people defined as having protected characteristics under that legislation.

The Council has carefully considered the likely impacts of the Plan on persons with a protected characteristic at each stage of the process. An Equality Impact Assessment has been prepared in partnership with the community engagement team at each stage of the preparation of the Plan which included Policy 5 (Durham City's Sustainable Urban Extensions).

## **Climate Change**

Included within the masterplan is a key principle regarding climate change and low carbon development. This has been embedded into the masterplan including through opportunities identified for walking and cycling as part of the Sniperley Health Active Connectivity Travel Plan.

## **Human Rights**

Protocol 1 Article 1: Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including their property. The Plan allocates land for development which will affect landowners' rights to develop their land. It is noted, however, that rights afforded under this Article are not absolute but qualified. Therefore, any interference with landowner's rights must be balanced against the wider public interest in having an up to date development plan. It is lawful for a local planning authority to take action if that action is clearly necessary and proportionate. In this instance, such measures are necessary and proportionate in the public interest to ensure that a local plan is in place to guide development across the county to 2035.

## **Crime and Disorder**

As well as Policy 5, future planning applications will also need to be determined against all other relevant policies of the County Durham Plan. This includes the Sustainable Design policy includes a criterion which seeks to reduce vulnerability, increase resilience and ensure public safety and security.

## **Staffing**

None identified.

## **Accommodation**

None identified.

## **Risk**

Planning applications can be submitted by or on the behalf of the landowners at any time. Policy 5 requires the site to be comprehensively masterplanned but it does not stipulate who needs to undertake the masterplan. If planning applications are submitted then these need to be determined against the development plan. Bellway has already submitted a planning application (DM/21/02360/FPA) for its land which is under pending consideration. The

applicants have a right to appeal against non-determination should a decision await the closure of the consultation date.

## **Procurement**

None identified.