

# COMMITTEE REPORT

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## APPLICATION DETAILS

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APPLICATION NO:	3/2012/0134
FULL APPLICATION DESCRIPTION:	Erection of Health Centre with Pharmacy and associated parking and landscaping
NAME OF APPLICANT:	Durham & Tees Community Ventures Primary Care Ltd
ADDRESS:	Former Fire Station, Watling Road, Bishop Auckland
ELECTORAL DIVISION:	Woodhouse Close
CASE OFFICER:	Mark O'Sullivan, Planning Officer 03000 261056, <a href="mailto:mark.o'sullivan@durham.gov.uk">mark.o'sullivan@durham.gov.uk</a>

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## DESCRIPTION OF THE SITE AND PROPOSALS

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### The Site

1. The application site comprises 0.35ha of vacant brownfield land that was formerly occupied by the Watling Road Fire Station, on the western side of Watling Road in Bishop Auckland. The site is bordered by residential development to the south and east (beyond Watling Road), to the west lies an Ambulance Station with the Bishop Auckland Police Station and Magistrates Court beyond. Bishop Auckland School of Chiropody and Woodhouse Close Leisure Complex are located to the north.

### The Proposals

2. Planning permission is sought for the erection of a part two storey, part single storey building of some 1550sqm for use as a Health Centre and ancillary Pharmacy, together with associated office accommodation (relating to the operation of the Health Centre). The building would be flat roofed and would be constructed from a mix of both brickwork and render with aluminium fenestration. Nineteen parking spaces specifically for staff would be provided at the rear of the building, whilst 32 parking spaces would be provided to the south of the building for use by patients. The site would feature a number of areas of soft landscaping, including retained landscaping along the southern boundary, and shrub planting along the site frontage.
3. The proposals involve the relocation of Auckland Medical Group's existing practice on Cockton Hill Road, which is considered no longer adequate for the provision of modern health services and to the needs of staff. The relocation would facilitate an increase in staff numbers from 21 to 28.
4. The application has been referred to Planning Committee as the proposal comprises major development, being in excess of 1000sqm.

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## **PLANNING HISTORY**

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5. In 2005, planning permission (3/2005/0171) was granted in outline for the redevelopment of the site for residential purposes.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

6. The National Planning Policy Framework (NPPF) is based on the policy of sustainable development and establishes a presumption in favour of sustainable development. Three main dimensions to sustainable development are described; economic, social and environmental factors. The presumption is detailed as being a golden thread running through both the plan-making and decision-taking process.
7. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
8. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development: economic, social and environmental. The economic role is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
9. Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. Paragraph 17 contains the 12 core land-use principles that planning should underpin decision-taking. These include:
  - be genuinely plan-led, empowering local people to shape their surroundings;
  - proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs;
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
  - take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
  - encouraging the effective use of land by reusing land that has been previously developed, provided it is not of high environmental value;
  - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
  - conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
  - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and,
  - take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

10. The NPPF outlines in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system.

*The above represents a summary of the NPPF considered most relevant the full text may be accessed at:  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>*

#### **LOCAL PLAN POLICY:**

11. The following policies of the Wear Valley District Local Plan are considered relevant:
12. *Policy GD1 (General Development Criteria)* requires all new development to be designed and built to a high standard, contributing to the quality and built environment of the surrounding area, showing regard to impact on the landscape and environment, and highway safety.
13. *Policy H20 (Alternative uses within residential areas)* identifies acceptable non-residential uses within residential areas including doctors surgeries and health centres, subject to a range of criteria.
14. *Policy C2 (Health Centres)* seeks to support proposals for new health centres subject to a range of criteria.
15. *Policy T1 (General policy)* sets a range of criteria which must be satisfied in relation to developments which generate additional traffic and where the Highway Authority would require additional highway works to be carried out.

*The full text, criteria, and justifications of each policy may be accessed at  
<http://www.cartoplus.co.uk/durham/text/00cont.htm>.*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

16. *Highway Authority* raises no objections to this proposal subject to conditions imposed in the interests of highway safety.
17. *Northumbrian Water Limited* raises no objection, subject to adhering to discharge rates and points previously agreed with the applicant.
18. *Police Architectural Liaison Officer* has raised no objection.

#### **INTERNAL CONSULTEE RESPONSES:**

19. *Ecology Section* has raised no objections to the proposals.
20. *Design and Historic Environment Section* has raised no objections subject to control over materials and finishes and the submission of a landscaping scheme.
21. *Pollution Control Section* raises no objections to this proposal.
22. *Spatial Policy Section* raises no objections to this proposal.
23. *Archaeology Section* has raised no objections to this proposal.
24. *Arboriculture Officer* has raised no objections to this proposal.

25. *Environmental Health Section* has raised no objections subject to control over site working hours and sensitive working practices.

#### **PUBLIC RESPONSES:**

26. The application has been publicised by way of press and site notices and individual neighbour notification letters. To date, five letters of objection and one letter expressing concerns have been received. In particular, matters raised include: doubts over highway safety/traffic management; site parking; the design/visual impact of the development, in particular its scale and flat roof appearance; opening hours and management of the gated access to the site, which could in turn influence anti-social behaviour; and, the loss of existing boundary vegetation/proposed boundary treatments. Concerns are also raised over proposed signage which could be illuminated and the overprovision of similar uses in the surrounding area.

27. Three letters of support have also been received noting that the proposed development would improve the look of the currently derelict site, delivering an opportunity for upgraded facilities and improved patient care within a modern building, whilst seeing an improvement in parking provision compared to the existing Cockton Hill site. The use of the site as a health centre is also favoured over potential residential development at the site.

#### **APPLICANTS STATEMENT:**

28. It has been identified that the current service delivery and administrative base for Auckland Medical Group is inadequate for the provision of modern health services and to the needs of staff. The building has insufficient space, limited clinical facilities, privacy, access and space issues. This application proposes a new facility to develop a good quality clinical service base for the patients and staff of the practice whilst positively contouring to the local context through good quality appropriate design.

29. The proposed development would:

- Provide a new community facility to Watling Road, adding to the civic and public buildings in the immediate vicinity;
- Provide modern and enhanced health facilities for the local community;
- Provide modern and contemporary designed buildings;
- Deliver a high quality design approach and layout which would integrate and link with surrounding uses;
- Enhance what is currently a derelict Brownfield site on a prominent corner of Watling Road.

30. The proposed development is designed to:

- Provide a sustainable health and pharmacy development to serve the local community and surrounding areas;
- Take account of neighbouring residential areas in the immediate vicinity;
- Ensure good linkage by pedestrians/cyclists to surrounding uses including the town centre, Watling Road and residential areas to the south and beyond;
- Limit the impact of the development within the existing setting especially on the residential properties to the south;
- Create active frontages along Watling Road, anchoring the development with the main street frontage;
- Create strong, accessible cycle and pedestrian links to Watling Road by locating the main entrance centrally along the Watling Road elevation;

- Incorporate sustainable design features;
- Provide a two storey scale in the prominent corner to the north of the site, reducing down to single storey to the south to reduce the impact on neighbouring residential properties.

31. The location of the site would ensure good access on foot as well as by car. Existing bus stops are located a short distance from the site enabling people to use the health facility and pharmacy to arrive at the site by a variety of modes of transport.

*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file.*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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32. 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 key issues are the principle of the development, impacts upon the character of the area and residential amenity, highway safety, impact on heritage assets, ecology, land contamination and arboricultural implications.

### The principle of the development

33. Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development in sustainable and accessible locations, and Local Plan Policy H20 sets out that Doctors Surgeries and Health Centres are likely to be acceptable uses within existing residential areas, subject to safeguarding the amenities and general living environment of existing neighbouring residents, controlling the scale and character of the proposed use and ensuring highway safety.

34. Meanwhile, Local Plan Policy C2 supports proposals for new health centres where they are located in, or close to, a residential area, are accessible to public and private transport means, are located on level sites for pedestrian access and fulfil the general development criteria as set out within Local Plan Policy GD1.

35. The proposed development would be located on a Brownfield site in a central, sustainable and accessible location, adjacent to residential properties to the east, south and west, and as such, the principle of the proposed development would satisfy the overarching principles of the NPPF and Local Plan Policies H20 and C2.

### Impact on the character of the area

36. Local Plan Policies GD1 and H20, and section 7 of the NPPF all seek to encourage a good standard of design in all new developments, which contributes to the quality of the built environment and the surrounding area.

37. In terms of scale, the proposed building would occupy a footprint not dissimilar to the fire station which formerly occupied the site, whilst being of a relatively low density in relation to the extent of the site. The building itself would comprise a mix of single storey and two storey heights with the proposed two storey element to be located on the northern part of the site, where it would be adjacent to the School of Chiropody building, reducing to single storey where adjacent to neighbouring residential property to the south. The development would remain physically separated from the residential uses to the south by the proposed car parking and retained landscaping.

38. As such, the layout and design of the proposed building relates well to surrounding developments in terms of scale and massing without resulting in over-dominance. In addition, the siting of the building is such that the development would front Watling Road to the east, forming a visual frontage alongside adjacent developments to the north and south.
39. Although some concerns have been raised over the appearance of this modern building in relation to its context, and in particular, its flat roof design, it is considered that such design, whilst being contemporary, would not appear unduly incongruous, particularly, noting the number of flat roof buildings nearby, including the Magistrates Court and Woodhouse Close Leisure Complex. The use of a more traditional pitched roof would only increase the bulk and visual massing of the building to an unnecessary level.
40. Visually, the proposed development would be finished externally in brick and render incorporating large glazed areas with a flat parapet roof. Precise details of materials and finishes can, it is considered, be adequately controlled by way of condition.
41. The proposed development would therefore see the redevelopment of a presently vacant site, bringing it back into beneficial use in a form of development appropriate in scale and design to the character of the area, and in compliance with Policies GD1 and H20 and design guidance set out in the NPPF.

#### Residential amenity

42. Local Plan Policies GD1 and H20 seek to support applications of this nature where they would not disturb or conflict with existing adjoining uses, in particular, having no adverse impact upon the amenities and general living environment of existing residents.
43. In determining this application it should be noted that the site was previously occupied by a Fire Station which coexisted with neighbouring residential properties for many years, with the regular coming and going of emergency vehicles at all times of the day being commonplace prior to its closure. As such, the proposed development would be unlikely to result in such disturbance to residents, particularly during the night. Concerns have been raised by local residents regarding the proposed management of the site in terms of opening hours and control over the car parking area. The applicants have advised that the opening hours of the facility as a whole would be open from 7.30am until 8.00pm on weekdays and between 7.30am and 2.30pm on Saturdays, and that access to the car parking area would be directly linked to these opening hours, with the gates being locked. This would, it is considered, prevent access to the parking area and thus deter antisocial behaviour from occurring, as feared by some residents.
44. The main development footprint would be focused towards the northern part of the site, away from the nearest residential properties to the south, and separated by the proposed car parking area. This would create an accumulation of civic or public buildings to the north, with a clear divide from residential uses to the south. A separation distance of approximately 21m would be achieved from any windows which would face neighbouring residential plots in this direction, with this separation considered to be more than satisfactory to ensure that nearby residents privacy would not be adversely affected. In addition, in order to soften the appearance of this development from neighbouring uses, existing soft landscaping and enclosures along the southern boundary, would be retained, and in addition, the applicant will be submitting a detailed soft landscaping scheme, controlled by way of condition.

45. Whilst concerns have been raised over the likelihood of graffiti appearing on light coloured surfaces of the health centre, it is considered, that such matters are beyond the control of the planning system and would be insufficient to justify refusal of the application.
46. Finally, it is noted that concerns were also expressed over signage which if illuminated could affect neighbouring amenity. Illuminated advertisements would require advertisement consent, and the applicant has confirmed that such an application will be submitted at a later date, and any such application would be considered on its own merits at that time.
47. Given the scale and siting of the proposed development, its nature and the previous use of the site, it is considered that the proposed development would not significantly adversely affect the amenity of surrounding occupiers and would therefore accord with Local Plan Policies H20 and GD1.

#### Highway safety

48. Local Plan Policy T1 seeks to ensure that new developments which generate additional traffic would be required to provide for a satisfactory means of access to the development whilst not exceeding the capacity of the local road network and be located in a location accessible to public transport. The Highway Authority considers that the sight visibility at the junction with Watling Road is acceptable, and that parking provision is in full accordance with Council guidelines. In addition, they note that the site is close to bus stops served by regular bus services and is therefore in an accessible location.
49. Watling Road is a mixed use area serving residential, commercial, retail, and public service related activities. In relative terms, the likely vehicle movements associated with the proposed use are considered to not be significant and can be adequately served by Watling Road and the surrounding highway network.
50. The Highway Authority has raised concerns regarding the Pharmacy element of the development which could result in traffic parked on Watling Road outside of the pharmacy entrance. In order to overcome this, there would be a requirement for the installation of waiting restrictions in order to prevent parked vehicles impeding sight visibility for side road traffic joining Watling Road, and interrupting traffic flow on the approach to the nearby B6282/C130 traffic signals.
51. Subject to the imposition of conditions relating to ensuring highway safety on the surrounding highway network, the proposals are considered to accord with Local Plan Policies GD1 and T1.

#### Impact on heritage assets

52. Section 12 of the NPPF requires Local Planning Authority's to show regard to heritage assets with the level of detail provided in support of an application to be proportionate to an assets importance. The applicants entered into pre-application discussions with the Archaeology Section and have undertaken pre-determination evaluation works of the site to ascertain the potential for unrecorded archaeological remains related to the Roman Road of Dere Street which forms the eastern boundary of the site. An archaeological evaluation report was provided prior to the submission of the application, detailing that no significant archaeological heritage assets were recorded. Accordingly, the Archaeology Section has raised no objection the application and therefore, the proposals would not cause harm to the significance of heritage assets in compliance with guidance set out in the NPPF.

## Ecology

53. Section 11 of the NPPF requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. As explained, this development would occupy a previously developed, but now vacant site, and as such, the site of low ecological value and the Ecology Section has raised no objection to the scheme, and as such, the proposals would comply with the guidance set out in the NPPF.

## Land contamination

54. Section 11 of the NPPF seeks to prevent unacceptable risks from pollution in new developments. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. A ground investigation report was submitted alongside the application. The Pollution Control Section have advised that given there are no former industrial uses on the site, there would be no significant risk to the end user, and accordingly, the scheme is compliant with NPPF guidance in this respect.

## Arboriculture

55. Submitted plans originally showed the proposed development and ancillary parking area to involve the removal of some boundary landscaping to the south of the site which generated concern from local residents. Although none of this vegetation is protected, the applicant has worked with the Local Planning Authority in seeking to address such concerns by revising the site layout to retain existing landscaping and boundary treatments along the southern boundary.

56. The Arboriculture Officer has raised no objections, subject to a soft landscaping scheme. Such details can be controlled by way of condition, requiring the submission and approval of a detailed landscaping scheme prior to commencing site works.

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## CONCLUSION

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57. The principle of developing this Brownfield, vacant site as a health centre and pharmacy, within the Bishop Auckland settlement is considered acceptable given its previous use and sustainable, central location. In arriving at this recommendation, particular consideration has been given to the scale and design of the proposed development, its impact upon neighbouring residential properties, highway safety, archaeology, ecology, land contamination and arboricultural implications.

58. The proposed development is considered to accord with the NPPF and Local Plan Policies GD1, H20, C2 and T1, and is therefore recommended for approval, subject to the imposition of appropriate planning conditions.

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## RECOMMENDATION

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That the application be **APPROVED** 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 permitted shall be carried out in accordance with the following approved plans:

(00)300 rev K (Proposed ground floor layout), received 12 April 2013  
(00)301 rev C (Proposed first floor layout), received 12 April 2013  
(00)302 rev B (Proposed roof layout), received 12 April 2013  
(00)310 rev F (Proposed site plan), received 23 May 2013  
(00)400 rev B (Proposed sections), received 12 April 2013  
(00)500 rev C (Proposed elevations), received 12 April 2013

*Reason: For the avoidance of doubt and in the interests of proper planning.*

3. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

*Reason: In the interests of the appearance of the area and to comply with Policy GD1 (General Development Criteria) of the Wear Valley Local Plan.*

4. No development shall commence until a detailed landscaping scheme has been 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, and means of enclosure.

*Reason: In the interests of the visual amenity of the area and to comply with policy GD1 (General Development Criteria) of the Wear Valley Local Plan.*

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development (or occupation of buildings or commencement of use) and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: In the interests of the visual amenity of the area and to comply with policy GD1 (General Development Criteria) of the Wear Valley Local Plan.*

6. No development shall commence until full details of the following highway works have been submitted to and agreed in writing by the Local Planning Authority: the yellow box marking on Watling Road, opposite the former Fire Tender egress position, shall be removed; a scheme to restrict traffic from waiting on Watling Road abutting the site; and, the section of redundant vehicular access crossing on Watling Road shall be constructed as footway to an adoptable standard including kerbed upstands. The agreed highway works shall be carried out prior to the development hereby permitted being brought into use.

*Reason: In the interests of highway safety in accordance with policy T1 (General policy) of the Wear Valley Local Plan.*

7. No development shall commence until details of tree protection measures for retained trees to the southern boundary of the site have been submitted to and agreed in writing by the Local Planning Authority. The tree protection measures as agreed shall be erected prior to any site works commencing and shall remain in place for the duration of construction works.

*Reason: In the interests of the visual amenity of the area and to comply with policy GD1 (General Development Criteria) of the Wear Valley Local Plan.*

8. No construction activities, including the use of plant, equipment and deliveries shall take place before 0800 hours and continue after 1800 hours Monday to Friday, or commence before 0800 hours and continue after 1300 hours on Saturdays. No work shall be carried out on a Sunday or Bank Holiday.

*Reason: In order to safeguard the amenity of neighbouring residents and to comply with policy GD1 (General Development Criteria) of the Wear Valley Local Plan.*

9. The building hereby approved shall not be open outside of the hours of 7.30am to 8.00pm Monday to Friday, and between 7.30am and 2.30pm on Saturdays. The premises shall not be use on Sundays and Bank Holidays.

*Reason: In order to safeguard the amenity of neighbouring residents and to comply with policy GD1 (General Development Criteria) of the Wear Valley Local Plan.*

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## **REASONS FOR THE RECOMMENDATION**

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1. The proposal is considered acceptable in relation to Policies GD1, H20, C20 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and guidance contained within the National Planning Policy Framework.
2. In particular, the proposed development is appropriate to the scale and character of the surrounding area, makes adequate provision for car parking and access, and would not cause significant harm to the living conditions of nearby residents.
3. In arriving at this recommendation, the public consultation responses received have been considered, however, on balance, the issues raised are not considered sufficient to warrant refusal, and matters can be considered further through the submission of reserved matters and through the imposition of planning conditions.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority has worked with the applicant in a positive and proactive manner in an attempt to resolve problems which arose during the determination of this application. In particular clarification was requested over a number of the concerns expressed by local residents with a compromise sought where possible, particularly with regard to site landscaping and boundary screening.

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## **BACKGROUND PAPERS**

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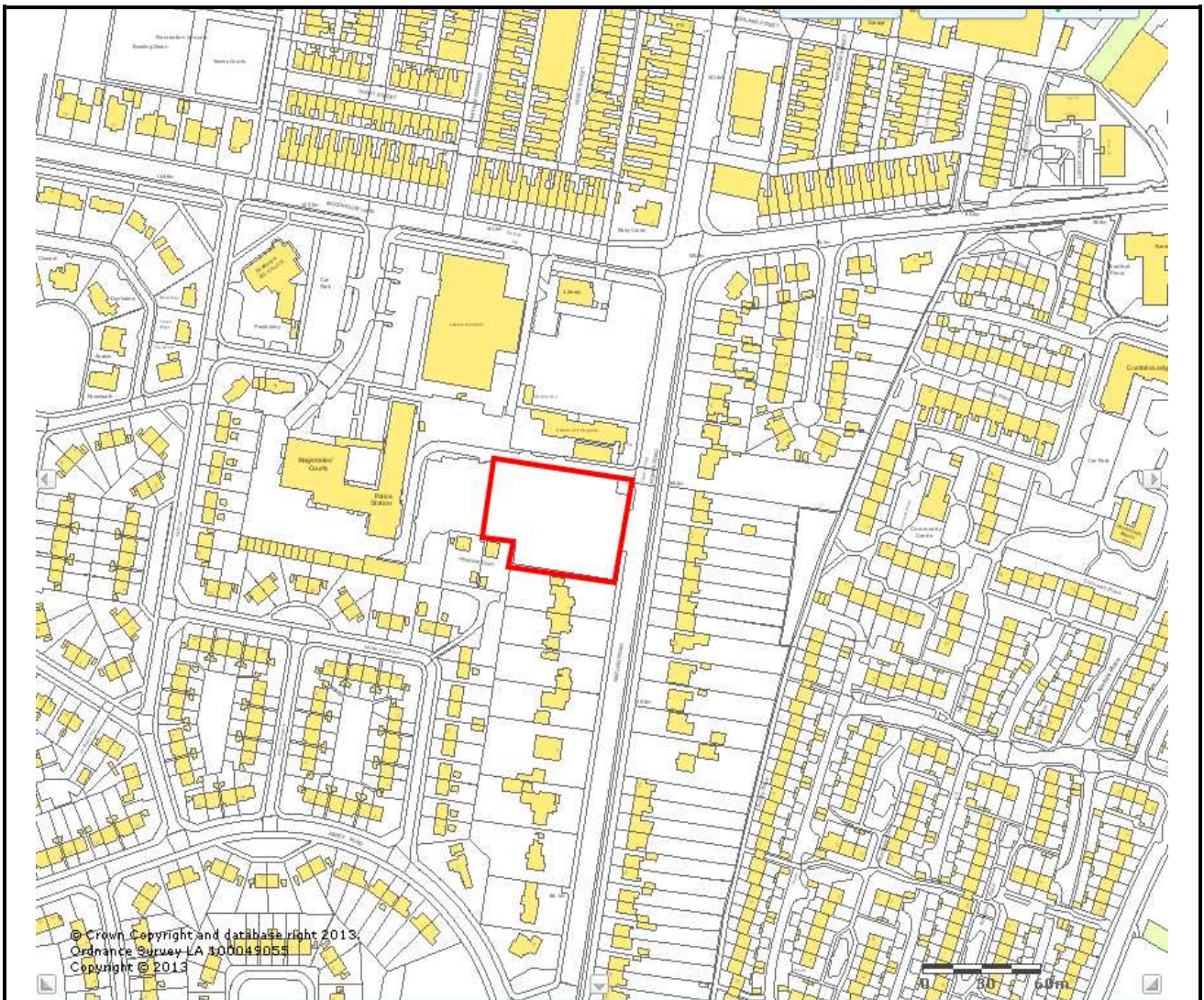
Submitted Application Forms and Plans

National Planning Policy Framework (NPPF)

Wear Valley District Local Plan (March 1997)

Consultation response from Northumbrian Water, Highway Authority and Police  
Architectural Liaison Officer

Internal responses from the Ecology, Design and Historic Environment, Pollution Control,  
Environmental Health, Spatial Policy, Archaeology and Arboriculture Section's.



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Erection of Health Centre with Pharmacy and associated parking and landscaping at Former Fire Station, Watling Road, Bishop Auckland (3/2012/0134)

**Comments**

**Date** 20 June 2013

**Scale** 1:2500