

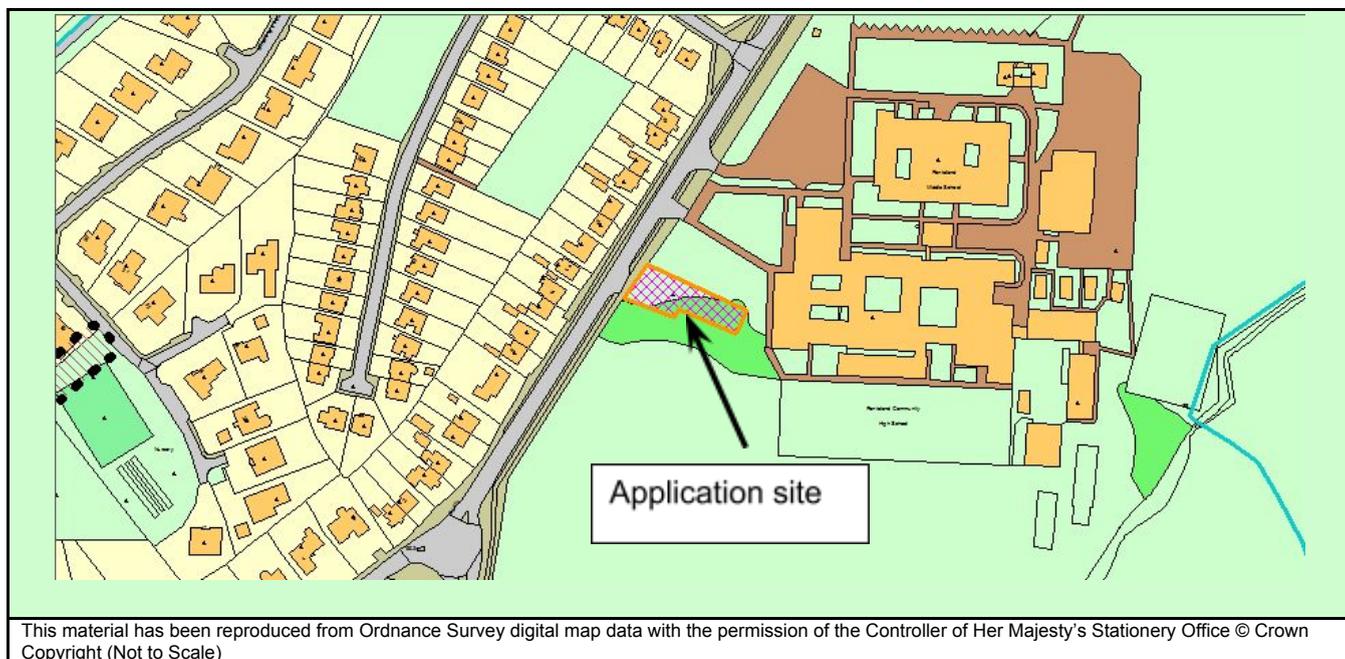


Northumberland County Council

Strategic Planning Committee - 5th March 2019

Application No:	18/04202/CCD		
Proposal:	Erection of a new single storey fire station and training tower with associated training yard, hard standing and the provision of 13 no. parking bays.		
Site Address	Land West Of Ponteland High School, Callerton Lane, Ponteland, Northumberland		
Applicant:	Northumberland County Council And Kier Construction C/O 7 Merchant Court , Koppers Way , Monkton Business Park South , Hebburn , NE31 2EX	Agent:	Ms Laura McDermott Unit 3 Hexham Enterprise Park, Burn Lane, Hexham, NE46 3HY
Ward	Ponteland East And Stannington	Parish	Ponteland
Valid Date:	29 November 2018	Expiry Date:	24 January 2019
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



1. Introduction

- 1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being reported to the Strategic Planning Committee as it would involve a County Council development on Council-owned land.

2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of a single storey fire station on land west of Ponteland High School, Callerton Lane, Ponteland.
- 2.2 The proposed site is located approximately 340 metres south of the existing fire station which is to be demolished, thus allowing the release of land required by the school and leisure development which has commenced in the area. The proposed fire station would have an overall footprint of 273m² with an overall height of 6.8 metres. A training tower to the rear of the eastern façade would extend to a maximum height of 13.8 metres.
- 2.3 Materials used upon the proposed building would consist of horizontal red and grey cladding to the walls with a standing seam roof. In regards to fenestration, windows would be aluminium framed with polyester powder coated external doors. The proposed fire station has been designed with a contemporary ethos, considered to complement the larger, neighbouring high school and leisure centre development which is being constructed under a similar palette of materials.
- 2.4 In terms of landscaping, a number of trees are to be removed to facilitate the proposal consisting of non-mature and many non-native to the County, including sycamore and plane. These trees are not protected under a tree preservation order nor is the site located within a conservation area. Hardstanding would be formed of concrete with parking bays comprising of grasscrete. Existing hedgerows and trees that bound the site shall be retained.
- 2.5 Access to the proposed fire station site would be sought via the exiting B6323 public highway. The site will provide x13 parking bays with x4 placed directly left at the entrance of the site, an additional x6 along the length of the southern perimeter with 3no adjacent to the immediate west elevation.
- 2.6 The application site is located within green belt land.

3. Planning History

N/A

4. Consultee Responses

Highways	No objection subject to recommended conditions and informatives.
Ponteland Town Council	No comment
County Ecologist	No objection subject to recommended conditions and informatives.
Northumbrian Water Ltd	No objection subject to recommended condition.
Public Protection	No objection subject to recommended conditions and informatives.
West Tree And Woodland Officer	No objection.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	16
Number of Objections	5
Number of Support	0
Number of General Comments	0

Notices

General site notice, 13th December 2018 and 8th February 2019

Morpeth Herald, 13th December 2018 and 8th February 2019

Summary of Responses:

5no objections were received against the application (2no from same property). A summary of these objections is detailed below:

- Loss of trees and hedgerow;
- Highways safety;
- General design and appearance;
- Landscape corridors and impact upon green approach.

These material planning considerations have been given weight within the below appraisal.

The above is a summary of the comments. The full written text is available on our website at

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PIWPS8QSKKB00>

6. Planning Policy

6.1 Development Plan Policy

Ponteland Neighbourhood Plan Submission Draft (2017)

Policy PNP 1: Sustainable development principles

Policy PNP 2: High Quality and Inclusive Design

Policy PNP 10: Green infrastructure

Policy PNP 11: Landscape

Policy PNP12: Green approaches

Policy PNP 13: Biodiversity

Policy PNP 26: Flood Alleviation

Policy PNP 27: Flood Risk

Policy PNP 28: Sustainable Drainage Systems

Castle Morpeth District Local Plan 2003 (saved policies 2007)

Policy RE5: Surface water run-off and flood defences

Policy C1: Settlement boundaries

Policy C11: Protected species

Policy C16 and C17: Green belt

Policy PC1: Ponteland settlement boundary

Policy PC3: Landscape corridors

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2018)

NPPG - National Planning Practice Guidance (2018)

6.3 Other documents/strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19)

Policy STP 1 - Spatial strategy

Policy STP 2 - Presumption in favour of sustainable development

Policy STP 3 - Sustainable development

Policy STP 6 – Green infrastructure

Policy STP 7 - Strategic approach to the green belt

Policy STP 8 - Development in the green belt

Policy QOP 1 - Design principles

Policy QOP 2 - Good design and amenity

Policy QOP 4 - Landscaping and trees

Policy QOP 6 - Delivering well designed places

Policy TRA 2 - Effects on transport network

Policy TRA 4 - Parking provision in new development

Policy ENV 2 - Biodiversity and geodiversity

Policy ENV 3 - Landscape

Policy WAT 3 - Flooding

Policy WAT 4 - Sustainable drainage systems

7. Appraisal

7.1 In assessing the acceptability of any proposal, regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that the starting point for determining applications remains with the development plan, which in this case contains policies from the Ponteland Neighbourhood Plan (made version 2017) and Castle Morpeth District Local Plan (2003, saved policies 2007). The main considerations in the assessment of this application are:

- Principle of Development;
- Green belt;
- Design and visual character;
- Residential amenity;
- Highways safety;
- Drainage;
- Ecology.

In accordance with paragraph 48 of the NPPF, local planning authorities (LPA's) may also give weight to relevant policies within emerging plans depending on the stage of preparation, extent of unresolved objections and the degree of consistency with the NPPF. Policies contained within the

Northumberland Local Plan Publication Draft Plan (regulation 19) can therefore be given some weight in the assessment of this application.

Principle of development

- 7.2 Paragraph 12 of the NPPF outlines that development plans form the starting point for decision making by local planning authorities. Taking this into consideration, policies from the Ponteland Neighbourhood Plan (PNP) are given weight in so far that they accord with provisions outlined within the NPPF. Weight is also given to the Castle Morpeth District Local Plan (CMDLP), which retains saved policies from 2007.
- 7.3 The Northumberland Local Plan Publication Draft (Regulation 19) (NLPPD) is currently at the final consultation stage prior to being submitted for independent examination. Therefore, some weight can now also be given to any relevant policies within this plan.
- 7.4 The Ponteland Neighbourhood Plan, in respect of this application site, does not make reference to settlement boundaries, however, Policy PNP1 seeks to take a positive and proactive approach to new development whilst identifying the key criteria that should be considered when determining a planning application, as detailed below:

Unless specifically addressed by other policies within the Development Plan, a presumption in favour of sustainable development will be exercised in the determination of all development proposals. In seeking to ensure development is sustainable it will be necessary to demonstrate how the development would:

- a. Minimise the impact and mitigate the likely effects of climate change particularly by using opportunities offered by that development to reduce the causes and impacts of flooding;*
- b. Minimise its impact on amenity for new and existing residents, businesses and other land uses in the vicinity of the development;*
- c. Make efficient use of land taking into account land instability;*
- d. Have regard to protecting or enhancing the significance of heritage assets and their setting;*
- e. Support the health, social and cultural well-being of the current and future community;*
- f. Minimise its impact on biodiversity and geodiversity and provide net gains in biodiversity where possible; and*
- g. Ensure that all infrastructure necessary to make the development acceptable in planning terms is either in place or can be provided prior to the development being brought into use.*

- 7.5 The Castle Morpeth Local Plan, in respect of the application site, is clear insofar as the proposed development would be located outside of the Ponteland settlement boundary as defined by saved Local Plan Policies C1 and PC1 and therefore, by implication, would be located in the open countryside. Local Plan Policies C1 and PC1 seek to resist development in the open countryside unless it is essential to the needs of agriculture or forestry, or is expressly permitted under other Local Plan policies. When taken as a whole, the proposed development would not accord with Local

Plan Policies C1 and PC1. However, the weight that attaches to these policies in the determination of this application requires further exploration given the date of the Local Plan (2003) and their alignment, or otherwise, with guidance contained in the NPPF.

- 7.6 Policy STP1 of the NLPPD can be given some weight in the assessment of this planning application with the NLPPD recognising Ponteland as one of the 'main towns' within Northumberland. As such, policy STP 1 recognises Ponteland as one of the main focus areas for employment and services. this policy goes on to note 'sustainable development will be supported within the constraints of the Green Belt and settlement boundaries defined on the Local Plan policies map. Despite all this, the main focus of the policy is that open countryside development should be restricted unless it can be demonstrated that it accords with one of the exceptions listed.
- 7.7 The intention of such policies recognises and therefore seeks to protect the character of the countryside across the former district area with this clearly aligning with the provisions of the NPPF which recognises the importance of the countryside at paragraph 170 detailing planning decisions should contribute to and enhance the natural and local environment.
- 7.8 On the basis of the above, there is clearly an 'in principle' objection to the granting of any planning permission for development upon this site. Despite this, for such local policies to be considered compliant with the NPPF, there is a need to ensure that sufficient sites are available within the settlement in order to meet future development requirements. In this context, it would therefore be considered that policies C1 and PC1 of the CMDLP could now be considered as being out of date with there appearing to be very little scope for such development to be accommodated within the settlement of Ponteland. It is recognised that prior to the submission of this current application, investigations were undertaken by the applicant and relevant parties as to whether such development could be located elsewhere within Ponteland. This forms part of the next section of the appraisal in which it is recognised that no alternative locations were considered suitable in terms of maintaining the fastest possible response times and meeting National targets.

Green Belt

- 7.9 The application site is located within the North Tyneside Green Belt, as was originally designated in 1963. Local Plan Policy C17 seeks to resist the development of new buildings in the Green Belt other than for the purposes expressly allowed by the policy which does not include new emergency services facilities. Policy C17 is broadly consistent with the NPPF in terms of its treatment of built development in the Green Belt, notwithstanding the aforementioned "in principle" objection. However, it is important to note that there are variations in the language used in the wording of Local Plan Policy C17 when compared to current Green Belt guidance set out in the NPPF.
- 7.10 Importantly, and fundamentally, Local Plan Policy C17 makes no provision for assessing whether there are very special circumstances that would

outweigh potential harm to the Green Belt by reason of inappropriateness, and any other harm identified (NPPF paragraphs 143 and 144). In this regard, the NPPF is considered to provide the most up-to-date Green Belt policy position whereby in cases where very special circumstances can be demonstrated by an applicant to outweigh harm to the Green Belt and any other identified harm, development which may otherwise be considered to be inappropriate may be permissible.

- 7.11 On this basis, less than substantial weight is attached to Local Plan Policy C17 in the determination of the application. Instead, the proposal falls squarely to be considered in the context of NPPF Part 13 'Protecting Green Belt Land'. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; recognising the essential characteristics of Green Belts are their openness and their permanence.
- 7.12 The openness of the Green Belt is characterised, and often defined, as the state of being free from built development, the absence of buildings. A number of factors need to be taken into account when considering whether development would impact upon openness of the Green Belt. Prominent among these will be factors relevant to, as set out above, how built up the Green Belt at and in the vicinity of the application site is now, and would be if the development occurs. The question of visual impact is, as set out in *Turner vs Secretary of State* [2016] EWCA Civ 466, implicitly part of the concept of openness of the Green Belt as a matter of the natural meaning of the language used in Paragraph 89 of the NPPF. There is an important visual dimension to checking the unrestricted sprawl of large built up areas, as indeed the name Green Belt itself implies, as much as there is a need to consider any dimensional or volumetric factors more akin with the construction of new or replacement buildings in Green Belt.
- 7.13 Understanding the importance of Green Belts and recognising their essential characteristics as their openness and their permanence is necessary in order to consider and assess the merits of any application within the Green Belt.
- 7.14 Paragraph 134 of the NPPF states that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.15 Paragraph 143 of the NPPF notes 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.
- 7.16 Paragraph 144 goes on to state 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not

exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'. Importantly, case law sets out that any other harm is not limited to harm specifically to the Green Belt by reason of inappropriateness or any other impact it may impose upon its openness and permanence, but extends to a wider context of harm in reaching any planning balance.

- 7.17 NPPF paragraphs 145 and 146 outline a range of uses considered as not being inappropriate in the Green Belt. Paragraph 145 details that 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'.
- 7.18 It is clear that the development proposal does not comply with any of these exceptions as detailed within paragraph 145 of the NPPF. The onus is therefore upon the applicant to ensure that very special circumstances (VSC's) can be demonstrated that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.19 The presence of very special circumstances will depend on the weight of each of the factors put forward and the degree of weight to be afforded to each, both individually and in combination. The first part of that process is to determine whether any individual factor, taken independently, would outweigh the overall harm to the Green Belt. The second part is to determine whether some or all of the factors, in combination, would outweigh the harm. There is no formula or categoric process for deciding whether any particular factor in its own right, or any combination of factors,

would amount to the very special circumstances necessary to justify allowing inappropriate development in the Green Belt. The case must therefore be decided in terms of the overall planning balance, qualitatively rather than quantitatively, and also in line with the economic, social and environmental dimensions of sustainable development based on the merits of the application.

7.20 The proposal is required to demonstrate an outweighing benefit to the harm to the Green Belt by reason of inappropriateness, and any other harm, to enable this to be justified and acceptable in planning terms. The applicant's Planning Statement clearly sets out the very special circumstances that can be applied to this proposal. A summary of these follows:

- Call out times and national targets;
- Location of current retained fire personnel;
- Alternative locations;
- Risk modelling.

7.21 The importance of such an emergency service facility is recognised by the local planning authority with it essential that the fire station is appropriately sited to reduce journey times down to a minimum. Evidence has been provided as part of the submitted application documents setting out the location and travel times to the existing fire station by current retained Ponteland fire personnel. This information demonstrates that the majority of staff members are able to reach the location of the existing fire station in under 5 minutes. Given that there are numerous studies available evidencing that there is a clear relationship between response times and survivability, with survivability increasing with faster response times, it is considered that this demonstrates a VSC when taking into consideration the risk of life involved in such circumstances. The proposed location of a new fire station within this application would enable fast response times being maintained due to the close proximity to the existing fire station facility.

7.22 The existing Ponteland fire station is staffed using a retained duty system (RDS) which employs staff on a part time basis, utilising the time they have available when not working with their primary employer. Staff must be available to attend the station within five minutes of being alerted, using a pager system controlled from the main Fire Service HQ. Such timescales are vital to achieving the Incident Response Standards which sets the Government's fire target of the application reaching a house or building fire within 8 minutes of the service receiving the call.

7.23 The proposed new fire stations location is essential to maintain the existing high standards of response times and provides an additional very special circumstance. The site is located on a primary route with accessibility to the north to Ponteland Village, as well as quick and easy accessibility to surrounding 'A' roads including Darras Hall.

7.24 Prior to the submission of any planning application to the LPA, alternatives have been considered within the surrounding areas with each potential

location considered, assessed and discounted for reason including failure to meet operational requirements and to ensure quick emergency access to major roads. Such alternative sites have been detailed within the supporting planning statement with locations in Meadowfield Industrial Estate and the industrial estate located next to Newcastle International Airport both considered as unsuitable in terms of reaching targets. Overall, the proposed location for the new fire station would represent a 'no-worse' situation in terms of risk-modelling based upon the location of retained staff and the location of past incidents which are key to maintaining the fastest possible response times to incidents within the coverage area of the station.

- 7.25 Giving weight to the above, it has clearly been demonstrated by the applicant that maintaining the fastest possible response times and meeting National targets in this respect is pivotal to responding to emergency incidents in terms of rates of survivability and the location of retained fire personnel facilitates this. It is therefore considered that 'VSC' comprise these combined factors in the context of risk modelling which fundamentally results in no greater risk to incident response times.
- 7.26 In terms of the footprint of the new fire station, this would not be materially larger than the footprint of the existing fire station, which is also currently situated within green belt land. Regarding the positioning of the site and its close relationship with the existing Ponteland high and middle schools, as well as residential dwellings on the adjacent side of the public highway, it is not considered that the proposal would result in a significant detrimental impact upon the openness of the green belt due to neighbouring structures in the immediate area.
- 7.27 Given the built up nature of the immediate surrounding area, coupled with the modest size and footprint of the proposed new fire station, it would be considered that harm in this case would be considered limited and is strongly outweighed by the very special circumstances that have been presented as part of the supporting planning statement. These very special circumstances clearly show that the development would not result in the proposal being inappropriate development within the green belt, thus ensuring the development is in accordance with the NPPF as well as policy STP 8 of the NLPPD.

Design and visual character

- 7.28 Policy PNP2 of the Ponteland Neighbourhood Plan notes that development proposals will be supported where they demonstrate high quality and inclusive design. Proposals should respect the character of the site and its surroundings in terms of location, layout, proportion, form, massing, density, height, size, scale, materials and detailed design features. This policy is mirrored within the provisions of the NPPF which at paragraph 124 recognises good design as a key aspect of sustainable development. Paragraph 127 details developments should be visually attractive whilst being sympathetic to local character.
- 7.29 In terms of the NLPPD, policy QOP 1 outlines that any development should contribute to a positive relationship between built and natural features whilst

incorporating high quality aesthetics, materials and detailing. It is therefore clear that at both local and national level, planning policies and provisions seek to achieve a high standard of design within any proposed development.

- 7.30 The proposed structure would be of simple design which in turn, will bode well with the appearance of the new high school and leisure facilities that are currently under construction to the north east of the application site. Both opposing east and west facades are symmetrical in form sharing the same band of openings whilst also being recessed from the outer external cladding, thus forming a sheltered overhang at the front and rear of the building. The use of a similar material palette to those used in the construction of the larger development to the north east would ensure that the prevailing character of the surrounding area would not be detrimentally impacted upon with the overall scale and massing of the building considered appropriate so that it does not appear as an incongruous addition upon the surrounding landscape.
- 7.31 Policy PNP 12 of the Ponteland Neighbourhood Plan can also be given weight in the appearance assessment as this relates to the green approaches within Northumberland. The proposals map which accompanies the Neighbourhood Plan recognises that development proposals which impact upon these green approaches will not be supported. In regards to the landscaping at the site, the hardstanding area would be formed of concrete to absorb the daily movement of heavy duty vehicles and equipment to and from the site. Parking bays would be formed of a grasscrete material thus lessening the use of hardstanding at the site whilst also helping to preserve the surrounding trees in proximity to the site. Whilst the siting of the fire station would require the removal of several trees from the site and a small portion of hedgerow to the entrance, trees and hedging upon the immediate boundaries of the site would be retained with a grass perimeter and further planting outside of the site curtilage providing further partial screening to the proposed structure. As part of any approval, a condition shall be attached that a landscape planting plan must be submitted to and approved in writing by the LPA and therefore implemented in full during the first planting season following the commencement of development. Overall, the works would not be considered to detrimentally impact the recognised green approach however, through the inclusion of a relevant landscaping condition, this can be controlled by the LPA under a future discharge of conditions application.
- 7.32 Taking into consideration the above, it is therefore officer opinion that design principles have been given great weight prior to the submission of this application, thus resulting in a well designed scheme that would accord with the relevant local and national planning policies as outlined above.

Residential amenity

- 7.33 Whilst policy PNP 2 of the Ponteland Neighbourhood Plan primarily focuses upon the design of new developments, it is recognised that within part e) of this policy it states that proposals must not have 'an unacceptable adverse impact on the amenities of occupiers of nearby properties'. Paragraph 127,

part f) of the NPPF appears to mirror this point where it states that 'a high standard of amenity for existing and future users' should be achieved through planning decisions.

- 7.34 Policy QOP 2 of the NLPPD details the above whilst also adding further requirements in that any new development should 'preserve the amenity of those living in, working in and visiting the local area. It seeks to ensure that the 'physical presence' of development does not appear visually obtrusive or overbearing on neighbouring uses whilst recognising that trees, other green infrastructure and soft landscaping are of amenity value and should be retained or introduced where they would enhance the amenity of the development.
- 7.35 It was recognised by the officer when visiting the site, and through an inspection of the plans, that the application site is located in a highly residential area with a number of residential properties located on the opposite side of the B6323 public highway. As such, the siting of a fire station within such a residential area could potentially impact upon the amenity of these residents.
- 7.36 Information provided by Northumberland Fire and Rescue Service as part of the submitted details confirmed the number of call-outs Ponteland Fire Station had attended in the past 5 years. This averages at around 78 call-outs per year, translating to around 1.5 call-outs per week. At this frequency, it is not considered that the operational requirements of the fire station would detrimentally impact upon the residential amenity of neighbouring properties with regards to light and noise. Whilst it is noted there are training sessions for retained personnel on a Monday evening, these would not be of the nature that could potentially impact upon the amenity of neighbouring residents with the majority of this training located to the rear of the site where the external tower is to be located.
- 7.37 In regards to the proposed structure itself, as detailed earlier in the appraisal, it is considered that the overall scale and massing of the building is appropriate and as such, would not result in any overbearing impacts to neighbouring dwellings. A separation distance of approximately 40 metres would be retained between the front elevation of the fire station and the frontage of the neighbouring dwellings with a public highway, and boundary treatments situated between.
- 7.38 Taking the above into consideration, it is therefore considered that the level of operation required from the proposed site would not adversely impact upon the amenity of neighbouring residential properties and as such, is considered to accord with relevant local and national planning policies which seek to protect residential amenity.

Highways safety

- 7.39 Consultation was carried out with the local authority's Highways DM team who have assessed the proposal and any potential impacts upon highways safety that may arise as part of the build process, and, once the proposed fire station was in use, if approved. Correspondence was held between the

applicant, agent and highways DM team throughout the application process to ensure an appropriate scheme can be achieved at the site in regards to potential highways impacts.

- 7.40 Access to the site would be sought off the existing B6323 public highway via an existing abandoned access, with improvements required to ensure there would be adequate ingress and egress to and from the application site. Such works would usually be secured under a S184 and S278 agreement however, as the applicant is Northumberland County Council, such agreements cannot be sought. Nevertheless, the creation of this access would need to be carried out to NCC standards with the development also required to provide appropriate road marking and pedestrian crossing facilities to Callerton Lane.
- 7.41 As part of the submitted documents, a transport assessment was prepared including data from the Tyne and Wear Accident and Traffic Data Unit (TADU). The conclusions drawn from Highways DM following the submission of this document are considered acceptable in that there would be no significant traffic increase or road safety concerns if the development were to be approved on the immediate or wider highways network.
- 7.42 Parking provision within the site is considered appropriate for a development of this scale, thus ensuring that the development would not encourage on street parking within the immediate surrounding area. Whilst no details have been provided in terms of refuse storage at the application site, this can be conditioned by the LPA with the footprint of the overall site clearly able to accommodate refuse storage in an appropriate location.
- 7.43 Following detailed correspondence between highways DM and the applicant/agent, a construction method statement and supporting plan was submitted for the LPA to assess which covers any highways impacts during development at the site. This has been thoroughly assessed by highways DM who confirmed within their reconsultation response the acceptability of the details included within this report and relating plan. As such, a construction method statement is to be attached upon any approval recognising that this shall be adhered to throughout the construction period of the development.
- 7.44 It is therefore viewed that following the submission of further information as requested by the local authority's highways teams, the proposal has now satisfied any original concerns into highways safety. A number of conditions and informatives have been recommended by highways DM upon any approval of the application to ensure minor technical matters can be addressed prior to the fire station being brought into use.

Drainage

- 7.45 Policy PNP 28 of the Ponteland Neighbourhood Plan outlines that all development proposals must incorporate sustainable drainage systems (SuDS) in order to minimise and control surface water runoff. This provision is mirrored within paragraph 163, part c) of the NPPF which requires sustainable drainage systems to be used so that flood risk is not

increased elsewhere. Policy RE6 of the CMDLP more generally states the LPA must consider the implications of granting planning permission of new development that could affect land drainage, water supply and sewerage.

- 7.46 In terms of the NLPPD, policy WAT 4 recognises that SuDS should be incorporated in development wherever necessary in order to separate, minimise and control surface water run-off. The submitted details within the application indicate that surface water will be disposed of by SuDS with any foul sewage at the site to be disposed of by existing main sewers.
- 7.47 As the application site is not located within a floodzone 2 or 3 area, the risk of flooding at the site is minimal and as such, general SuDS at the site is considered as an appropriate option for surface water drainage. The local authority's highways team have requested that a condition be attached to any approval that prior to the development being brought into use, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. Following this, the approved scheme would therefore be implemented and retained at the site in accordance with the approved details.
- 7.48 In regards to foul sewage at the site being connected to the existing mains, consultation was carried out with Northumbrian Water who requested prior to the submission of the application to the applicant that a drainage scheme be drawn up for the site. As such scheme has not yet been drawn up, Northumbrian Water have requested that a condition be added to any approval that such a scheme must be submitted to and approved in writing by the LPA before construction above ground floor level at the site.
- 7.49 Taking into consideration the above, and attaching of appropriate conditions upon any approval, the scheme is therefore considered to accord with relevant local and national planning policies in regards to drainage at the site.

Ecology

- 7.50 Policy PNP 13 of the Ponteland Neighbourhood Plan states that 'all development proposals 'should conserve the biodiversity value of land, species, buildings and habitats, and maximise opportunities for creation, restoration, enhancement and management of biodiversity'. Paragraph 170 of the NPPF links to this policy noting that planning decisions should minimise impacts on biodiversity whilst providing net gains in this respect.
- 7.51 Policy C10 of the Castle Morpeth District Local Plan also closely links with ecology impacts noting that the council will not permit development which would adversely affect protected species or their habitats unless it can be demonstrated that the reasons for the proposed development outweigh any adverse effect on the species or their habitat. Policy ENV 2 of the NLPPD states that developments should avoid significant harm to biodiversity through location and/or design whilst securing net biodiversity gains or ecological enhancements through new development.

- 7.52 Consultation was carried out with the local authority's ecologist in regards to the proposal who assessed the submitted details to ensure that there would be no detrimental impacts upon the biodiversity of the application site and immediate surrounding area. It was recognised that Darras Hall Grassland SSSI and Prestwick Carr SSSI, LWS and Northumberland Wildlife Trust Reserve are present within 3km of the site, however, due to the nature and scale of the proposal and the distance to those site there is negligible risk of them being impacted by the proposed development.
- 7.53 There are records of several protected species within the local area, including barn owl, great crested newt, kingfisher, bat, red squirrel, otter and badger. An ecological appraisal submitted as part of the application recognises that bats and mammals such as hedgehogs are likely to forage over the site with a population of great crested newts several hundred metres to the north. The application site is considered to be of low value to this population given the habitat and as such the development could proceed inline with the submitted method statement to avoid harm to amphibians.
- 7.54 The application site is recognised as an improved grassland used for amenity purposes, with a number of scattered semi mature trees. A species rich hedgerow is present at the western limit of the site, which can be considered to be a priority habitat. Both a number of trees and part of the hedgerow is to be lost to the development. In addition part of the grassland is to be lost. Whilst several trees are to be felled these trees are non-mature and many are non-native to the County, including sycamore and plane. Accordingly the ecological significance of these trees is low with the local authority's trees and woodlands officer providing comments that the condition of the trees range from fair to poor and that the loss of these trees would not cause significant loss of amenity to the area. A tree protection plan has been provided to ensure the trees upon the immediate boundaries that are to be retained would not be impacted upon during works at the site.
- 7.55 The loss of the trees, hedgerow and grassland to development will evidently result in a loss of biodiversity, though not significant, however given the aims of the NPPF some compensatory measures are necessary and as such, it has been recommended by the ecologist that replacement native hedgerow planting be carried out around the perimeter of the site. Accordingly, a landscaping condition is attached in this respect.
- 7.56 Given weight to all of the above, it is therefore considered that the proposal, through attachment of relevant conditions upon any approval, would accord with local and national planning policies and provisions in regards to biodiversity impacts.

Equality Duty

- 7.57 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the

responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.58 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.59 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.60 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.61 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above whilst having regard to the appropriate local plan policies as well as the Northumberland Local Plan Reg 19 (NLPPD) which is currently at Publication Draft Stage. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

- 8.2 Following the submission of further information to address technical matters on site, the proposal is now considered acceptable and is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Location plan drawing no. 100:01 (received 30th November 2018)
2. Proposed site plan drawing no. 200:01 Rev. 6 (received 7th February 2019)
3. Proposed roof plan drawing no. 210:02 (received 30th November 2018)
4. Proposed south elevation drawing no. 240:04 (received 30th November 2018)
5. Proposed east elevation drawing no. 240:02 (received 30th November 2018)
6. Proposed west elevation drawing no. 240:01 (received 30th November 2018)
7. Proposed north elevation drawing no. 240:03 (received 30th November 2018)
8. Proposed ground floor plan drawing no. 210:01 (received 30th November 2018)
9. External building materials schedule (received 30th November 2018)
10. Lighting plan drawing no. 6006-E-001 Rev. B (received 30th November 2018)
11. Ventilation plan drawing no. 6006-M-002 Rev. 0 (received 30th November 2018)
12. Car parking lighting drawing no. 6006-E-004 Rev. B (received 30th November 2018)
13. Amphibian method statement E3 Ecology (received 24th January 2019)
14. Construction method statement Rev. 2 (received 13th February 2019)
15. Fire station site plan (for CMS) (received 13th February 2019)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

03. The development shall not be brought into occupation until the car parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

04. Within three months of the date of this permission details of the proposed highway works, including reconstruction of site access, pedestrian dropped kerbs, pedestrian link to the site and traffic management measures, and all other associated infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

05. Prior to the development being brought into occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is brought into occupation and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

06. Prior to the development being brought into occupation, details of gates, or other form of enclosure of the vehicular and pedestrian site entrance shall be submitted to and approved in writing by the Local Planning Authority. The approved gates, or other form of enclosure, shall be implemented in accordance with the approved details before the development is brought into occupation and thereafter maintained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

07. The development shall not be brought into occupation until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into occupation. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of waste in accordance with the National Planning Policy Framework.

08. The approved Construction Method Statement and plan shall be adhered to throughout the construction period of the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

09. All roadside drainage gulley pots shall utilise amphibian friendly type gulley pots to prevent entrapment of amphibians.

Reason: to prevent harm to protected and priority species.

10. The development shall be undertaken in strict accordance with the document, "Great crested newt reasoned risk assessment and method statement, January 2019", by E3 Ecology including:

1. All works on site will be completed following a tool box talk given by the project ecologist.
2. All contractors on site will read and sign to confirm that they understand and will comply with a detailed method statement (found in the appendices of the above document).
3. The project ecologist will walkover the site prior to the commencement of works to confirm that there are no suitable habitats for resting newts within the site.
4. If habitats suitable for use as hibernacula or refugia are present these areas will be searched by hand prior to removal by a licenced ecologist.
5. Where any excavations in the ground are left overnight, these will be battered at one end to provide a 45 degree slope to allow animals to escape. They will also be covered where possible to further minimise the risk of capture.
6. Prior to works recommencing if excavations are left overnight, these excavations will be searched by contractors prior to the commencement of works to ensure that newts are absent.
7. Materials will be stored on hard standing or pallets, as far from the breeding pond as possible to minimise the risk of use by amphibians. Prior to removal of materials, contractors will be aware that great crested newts could potentially be present.

Reason: to reduce the risk of harm to a protected species throughout the course of the development works.

11. Prior to the commencement of development above foundation level a plan for the landscape planting of the site shall be submitted for the written approval of the LPA. The plan shall detail the species and number of trees, hedgerows, shrubs and use only Northumberland native species. Once approved the plan shall be implemented in full during the first planting

season (November – March inclusive) following the commencement of development’.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

12. Notwithstanding the lighting scheme, “Ponteland Firestation, Rev A, dated 18/10/2018 and the plan, “Car Park Lighting”, reference 60006-E-004 Rev B that prior to the first use of the building a detail scheme for external lighting of the site shall be submitted to and agreed in writing with the LPA. The lighting scheme shall show predicted light spill levels outside of the boundary of the site and shall be designed so that lighting levels are minimised in accordance with the document Bats and Lighting in the UK’, Institute of Lighting Engineers and BCT, 2018. The approved scheme shall be implemented in full prior to the building being brought into use.

Reason: to prevent the risk of harm to protected species from the outset of the development.

13. Deliveries to and collections during the construction phase of the development shall only be permitted between the hours: Monday to Friday - 08:00 to 18:00 Saturday - 08:00 to 13:00 With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

14. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300. Monday to Friday - 08:00 to 18:00 Saturday - 08:00 to 13:00

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

15. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been Page 2 of 3 2017/02/24 GV1/PL2 carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

16. Prior to construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved

has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

Informatives

- 1) You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.
- 2) You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk in respect of the Traffic Regulation Order/s required as part of the highway access works.
- 3) Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
- 4) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- 5) The risk of encountering nesting birds or other protected species in connection with the execution of this planning consent is low, but there is a small risk that individual animals may be encountered during works. Wild birds and their nests are strictly protected under the Wildlife and Countryside Act 1981 (as amended). All wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Accordingly any vegetation removal or soil stripping undertaken between 1 March – 31 August carried out as part of the proposal should be preceded by checks to confirm that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works. In the unlikely event of protected species such as nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice by telephoning Natural England's advice line on 0845 600 3078. Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

- 6) Any fixed, external lighting installed as part of this development should have regard for the ILP Guidance on the Reduction of Obtrusive Light, 2012: <https://www.theilp.org.uk/documents/obtrusive-light/> The applicant should ensure that lighting does not cause an annoyance to any nearby receptors. Experience of lighting installations has shown that complaints about floodlighting normally arise from poorly designed or installed lighting schemes. It is recommended that the applicant ensures the lighting contractor installs the proposed lighting scheme in line with submitted proposals and that the ILP guidance is adhered to minimise the impact of lighting as part of this development.

- 7) The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

Date of Report: 14th February 2019

Background Papers: Planning application file(s) 18/04202/CCD