

## **DEVELOPMENT PLAN**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

### **Unitary Development Plan - current status**

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

## **STANDARD CONDITIONS**

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION**

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the Office of the Chief Executive in the Civic Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

Janet Johnson  
Deputy Chief Executive

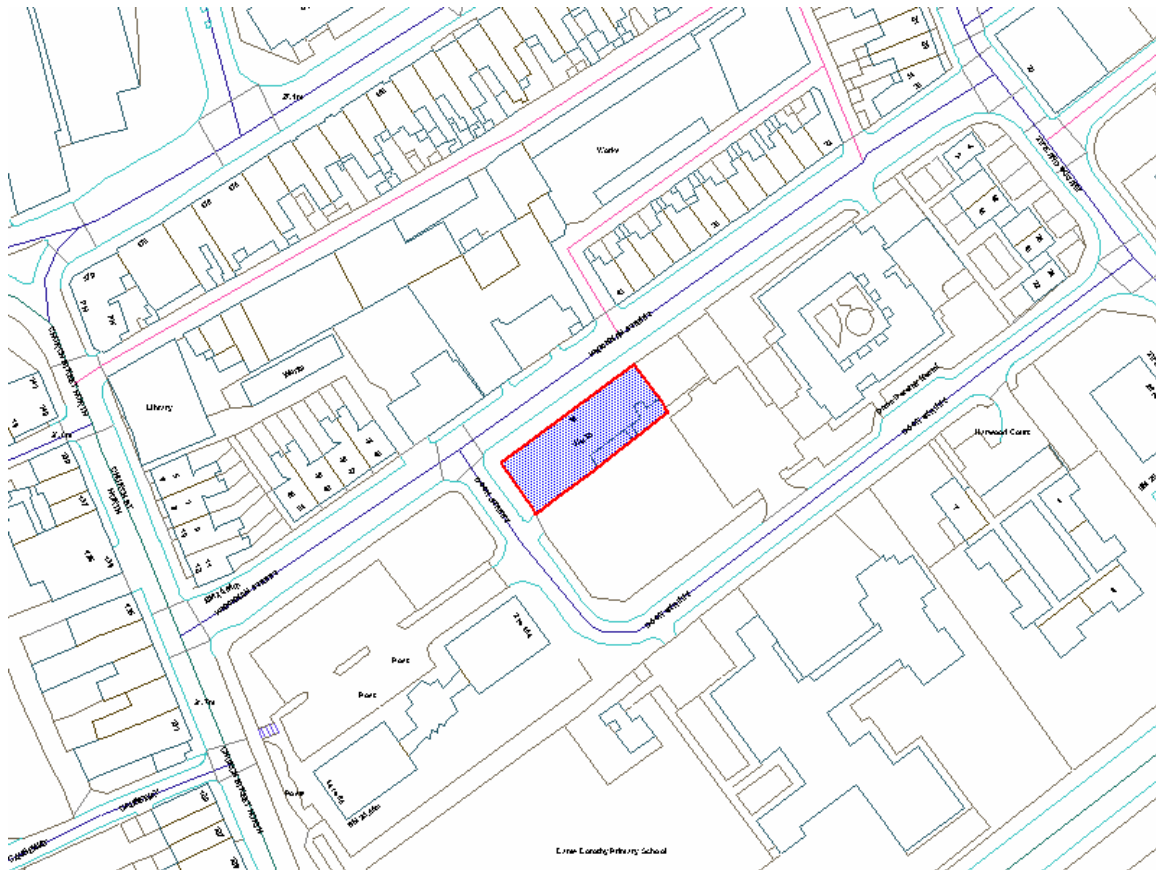
Reference No.: 11/03441/FUL Full Application

Proposal: **Change of use from warehouse to student accommodation to provide 44no. bedsits and associated works.**

Location: 15 Whickham Street Sunderland SR6 0ED

Ward: St Peters  
 Applicant: Mr R Wooler  
 Date Valid: 16 February 2012  
 Target Date: 12 April 2012

### Location Plan



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### PROPOSAL:

#### INTRODUCTION

Planning permission is sought for the change of use of 15 Whickham Street into student accommodation to provide 44 bedsits. The proposal includes associated internal and external conversion works as well as the provision of on site car parking facilities.

The area to which the application relates is characterised by a mix of land uses including, commercial, residential and a school. The site was formerly occupied by Speeding's Sail making Works as a warehouse. It has been vacant for several years and is now derelict. The building is relatively old and is located on the south east side of Whickham Street. It has a rectangular footprint, is two/three storeys high and is characterised by three differently designed building elements along its length. The building has a limited curtilage as it fronts directly onto Whickham Street to the north-west, a public car park to the south east, and Dock Street to the south west. To the north east is a large yard area enclosed by a wooden fence. This has vehicular access via double gates from Whickham Street.

## PROPOSAL

It is proposed to convert the entire premises into 44 no. bedsit units. Currently the majority of the building is on two levels. However, the conversion would create three levels, two of which would have communal areas comprising a kitchen, laundry room and living room. The first and second floors are each shown to have 15 ensuite bedsits, whilst the ground floor would have 14. Externally, the main alterations would be to the window openings of the main (central) and south western wing of the building along the front, side and rear elevations. Here the traditional windows to ground and first floor would be replaced with vertical full height windows, which would provide light and ventilation to all three newly created floors. No design changes would be made to the smaller north eastern wing of the building, which would retain the style and design of existing window and door openings. The proposed conversion would necessitate major structural alterations to the building, including a new roof and fenestration; however, the footprint, scale and shape of the existing building would be maintained.

Externally, the enclosed yard area to the north east of the building would be laid out as a car parking area for up to five cars. The enclosed narrow yard area to the south east of the building would be used as a refuse storage area, with access onto the access road leading to the public car park.

Both a bat risk assessment and a land contamination survey have been submitted with the application, given the age and the previous commercial use of the building.

## POLICY

The site lies within an area identified in the UDP as a site for Economic Development and as such policies NA43, EC4 and B1 are applicable. Policy NA43 is concerned with the revitalisation of the visual and functional environment of the Monkwearmouth Improvement Area.

Policy EC4 expands on the above policy setting out the uses that are deemed to be acceptable within this area. Such uses include offices, general industry and warehouses with possible ancillary uses including shops, offices, food and drink, hotels, community facilities, assembly and leisure and open space. Residential institutions and housing are specifically excluded from the list.

Other policies relevant to the site include B13 and B14, which deal with the historic environment (in particular archaeological importance); B2 (standard of design) and T14 (access and parking), CN23 (ecology) and other relevant legislation and policies, which will be expounded on later in the report.

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted

## **CONSULTEES:**

City Services - Network Management  
Street Scene (Environmental Service)  
Natural England  
County Archaeologist  
City Services - Network Management  
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **05.04.2012**

## **REPRESENTATIONS:**

Neighbours

One letter of objection has been received from a resident in Roker Avenue who, in summary, states that there is no objection to the principle of the building being developed; however, there are concerns over the number of bedsits for the following reasons:

i) Parking appears to be limited for 44 bedsits. This may lead to on street parking within Whickham Street, which is congested with residents, school traffic and match day parking. Whickham Street is used as a through route to Roker Avenue and further parking would make the road dangerous for everyone. Further, parents who drop off and pick up children at the top of Dock Street, adjacent to the premises would find using the junction onto Whickham Street dangerous if more cars were to park alongside the site. There do not appear to be any proposed safe crossing points for pedestrians to cross the road.

ii) The Roker area has changed in character due to the amount of rented properties, particularly in Roker Avenue, and reduction in family accommodation. In Lower Dundas Street a new building has been erected for students and the area is reaching saturation point for this kind of development. There are no guarantees that the development would remain for students and it may attract tenants who are inappropriate due to its proximity to Dame Dorothy Primary School. The adjacent open space referred to by the applicant is in fact part of the school and has no public access. What open space is being provided for the development?

In summary, the proposal appears to be over development.

A petition bearing 249 signatures has been submitted by residents in the area objecting to the planning application on the grounds of potential car parking problems and road safety that this development will create as it is in close proximity to dame Dorothy School and the residential area.

Sunderland University have objected to the proposal, in summary, on the following grounds:

i) The University caters predominantly for students from a local and regional base. 55% of students either live at home or on their own and do not require accommodation. The University has a surplus of stock as the housing supply in Sunderland outstrips demand. This is likely to increase due to the new fee regime. The University cannot run as a business if it does not have an effective provision of residences. Given the importance of the University to the region's economy it is important that its business is not undermined by speculative development. private developers should be expected to work in partnership with the University to determine whether there is a demand for student bed spaces.

ii) It is cited that other planning authorities are beginning to adopt a policy approach in their Core strategies that relate to the need for student accommodation, including Birmingham and Manchester. A policy vacuum exists in Sunderland and the University has addressed this with the policy section. There is no business justification for the current proposal and it is therefore inappropriate and should not be granted planning permission.

Environmental Health

No Objection subject to conditions to restrict the time of on site operations and dust emissions.

Street scene - Network management

No objection, in principle although state that a secure and sheltered cycle store should be provided within the curtilage of the development to promote sustainable transport.

English Nature - comments awaited

Countryside Team (Implementation) - comments awaited

## **COMMENTS:**

The main issues to be considered in this case relate to land use and need, impact on the amenities of the surrounding area, access and parking, ecology, archaeology and land contamination.

Comments are awaited from the County Archaeologist, Policy and Countryside teams and English Nature. In light of this a further Supplement report will be written to address these outstanding matters prior to the Committee meeting.

**RECOMMENDATION: Deputy Chief Executive to Report**

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**Reference No.:** 12/00117/FUL Full Application

**Proposal:** **Construction of temporary car showrooms, associated and ancillary buildings, facilities and operations**

**Location:** Land At Newcastle Road Sunderland SR5 1HY

**Ward:** St Peters

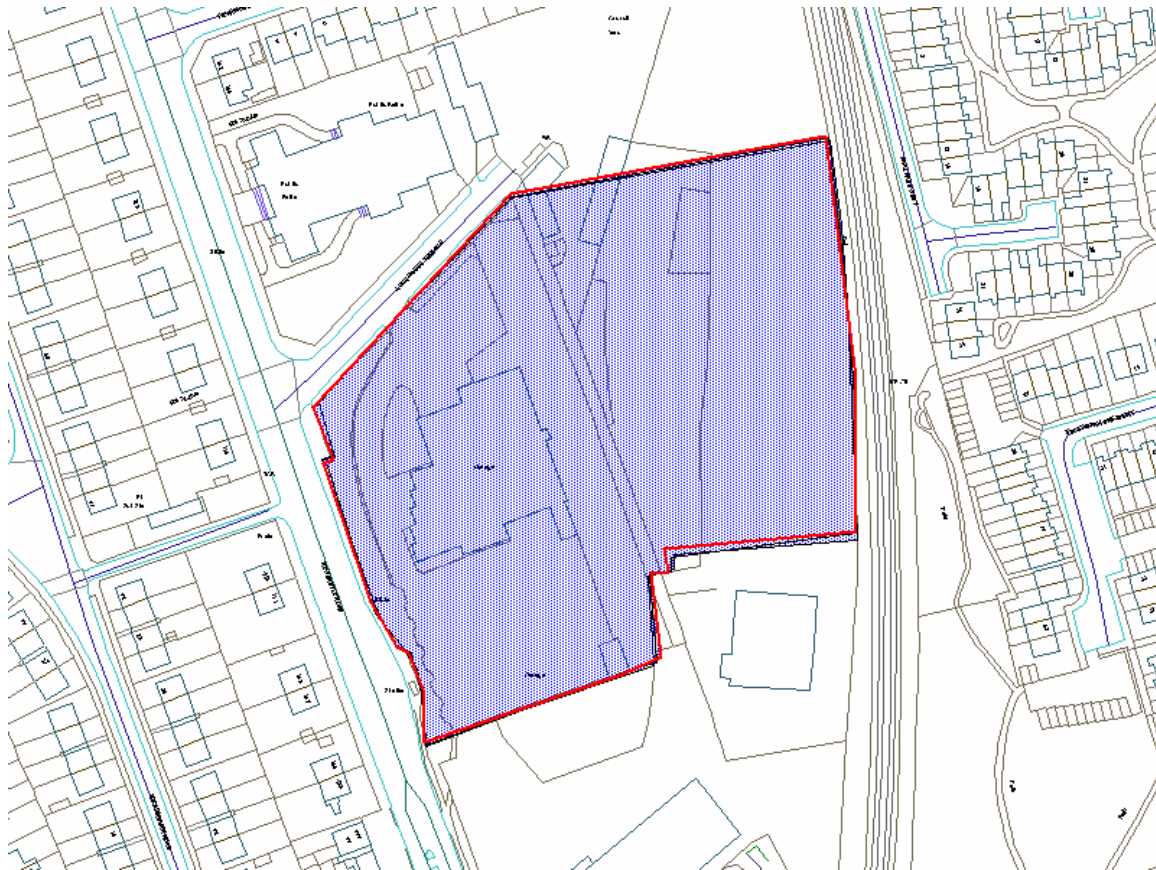
**Applicant:**

**Date Valid:** 24 January 2012

**Target Date:** 20 March 2012

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### Location Plan



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### PROPOSAL:

Proposal relates to the construction of temporary car showrooms, associated ancillary buildings, facilities and operations on land at Newcastle Road, Sunderland.

The application site is bounded to the east by the Metro / Railway line and to the west by the A1018 Newcastle Road, which has residential properties facing opposite. To the north is Lochmaben Terrace, which separates the site from the

former public swimming baths, whilst to the south is the relatively recent Toyota dealership.

The submitted red line location plan is the same as the one submitted in support of the next item on this agenda, Ref. 12/00118/SUB. Members should note that application 12/00118/SUB is a resubmission of a previous two car dealership development proposal (Ref. 10/04046/FUL) approved by Development Control (DC) Committee in March 2011. This resubmission has been necessary ever since the applicant realised that the actual developable site is 6m smaller than originally applied for and as such has effectively meant 'squeezing' the two buildings closer together. The temporary car showroom proposal has therefore been submitted in order to bring the site into active use while the long term dealership development is constructed, should Members be minded to approve.

This development proposal seeks approval for a two phase 'Pop-Up' development operating as a single-franchise dealership. Phase 1 of the Pop-Up has been designed to accommodate 40 cars along with a temporary 15 person relocatable and modular office accommodation, similar in nature to a Portacabin. This temporary sales site will be surrounded by security hoardings and fencing, with additional security bollards provided at the entrance from Newcastle Road. Furthermore, a new temporary site access off Lochmaben Terrace is also proposed. Once a presence has been established on the site and the dealership is operational it is the applicant's intention to commence the construction of the more formal temporary dealership base, i.e. Phase 2. Site levels will be set and retention structures formed, along with the haul road to the rear of the building.

The submitted application form (Section 20) states that the hours of opening for the temporary Pop-Up dealership will be 07:00 to 20:00 Monday to Sunday, inclusive of Bank Holiday Mondays, while the 'Development and Trading Time Line Programme' document submitted in support of the application indicates that Phase 1 will be removed at the end of April and Phase 2 will be dismantled by the end of January 2013, although part of the Phase 2 building will be re-used in the permanent development under consideration via 12/00118/SUB. Members should note that at the time of writing this report Phase 1 is effectively retrospective as trading has commenced on site and the Portacabin element has been erected.

The application has been supported by a Design and Access Statement, Planning and Supporting Statement, Phase 1 Geo-Environmental Assessment, Non-Residential Coal and Brine Report, Development and Trading Time Line Programme schedule and relevant plans and elevations.

#### **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Network Management  
Street Scene (Environmental Service)  
Network Rail

Nexus  
Northumbrian Water  
Environment Agency

Final Date for Receipt of Representations: **15.03.2012**

## **REPRESENTATIONS:**

Neighbours

No letters of representation have been received to date.

Nexus

Nexus has no objections to the proposed development and recognise the site's good transport links. However, additional comments were made regarding the fact that Newcastle Road is a main bus corridor. It has been suggested that if any construction works close to Newcastle Road are likely to cause disruption to the normal flow of traffic Nexus should be notified at the earliest opportunity. Furthermore, in light of the adjacency of the site to the Metro lines Nexus also provided general working requirements which the developer will need to adhere to and as such a suitably worded informative will be incorporated should Members be minded to approve.

Network Rail

Network Rail has no objection in principle to the development. Nevertheless, in view of the operating Metro / Railway line abutting the site any potential impacts arising from the development should be satisfactorily accounted for and managed. To summarise Network Rail have asked for issues covering drainage, construction work methodology, boundary enclosures during construction and post construction and lighting to be conditioned, which would in part be discharged through consultation with Network Rail.

Environment Agency (EA)

The EA have offered no objection to the proposal providing its suggested conditions pertaining to land contamination, surface water drainage and that all surface water drainage from hardstanding parking areas are passed through an oil interceptor are incorporated on any decision notice approving the planning application.

Executive Director of City Services (Environmental Health)

In view of the proximity of the proposed development to residential properties it is recommended that noisy on-site construction operations should not commence before 07:00hrs and cease at or before 19:00hrs Monday to Friday inclusive, and 07:30 and 14:00hrs Saturdays. No noisy construction works should be permitted to take place on Sundays and Bank Holidays at any time. Consideration is also required regarding the selection of machinery and methods of operation in relation to noise generation and regard should be had to minimise noise emissions. It is also considered that issues pertaining to vibration and dust arising from the development should be satisfactorily mitigated. Therefore, if



Members are minded to approve, a condition should be included which limits the hours of construction and requires the agreement of a construction methodology.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

B\_2\_Scale, massing layout and setting of new developments

EN\_14\_Development on unstable or contaminated land or land at risk from landfill/mine gas

EN\_12\_Conflicts between new development and flood risk / water resources

T\_16\_Protect routes of existing & former railways with potential use as communication corridors

NA\_4\_Retention and improvement of existing mixed use sites; appropriate uses within them

EC\_5\_Sites for mixed uses

EN\_1\_Improvement of the environment

## **COMMENTS:**

The main issues to consider in the assessment of the proposal are as follows:

- Principle of use
- Highway considerations
- Design and Residential Amenity considerations

### Principle of use

Unitary Development Plan (UDP) policies NA4 and EC5 earmark the site for a mixture of commercial and industrial uses, involving car showrooms, offices, light industry, storage and distribution. Given this mix of land uses an acceptable form of development will be influenced by existing uses present within the vicinity and opportunities presented by a particular site. In this regard it is noted that a relatively new car showroom, workshop and bodyshop abuts the site to the south, approved by Committee in 2003 (Ref. 03/00570/FUL), whilst to the north and west is the vacant public swimming baths and Metro / Railway line.

Furthermore, as has been explained earlier in this report DC Sub Committee has already approved a two car dealership on the site via planning application 10/04046/FUL. Therefore in accordance with policies NA4 and EC5, the proposed development is considered acceptable in principle. Nevertheless, in view of the residential properties within the vicinity and given the site fronts onto the arterial Newcastle Road it will be important to ensure an acceptable form of development in respect to residential amenity, highway engineering and design considerations. These matters will be addressed in the following sections of this report.

### Highway considerations

UDP policy T14 requires new development to be readily accessible by pedestrians and cyclists, whilst proposals should not cause traffic congestion or

highway safety problems and make appropriate safe provision for access and egress.

The main vehicular access / egress into the site will be from Lochmaben Terrace, which means there is no direct vehicular access onto Newcastle Road. Furthermore, in view of the proximity of the site to well served public transport links and in recognition that City Services (Transportation) has offered no objection to the development from a highway engineering perspective, it is considered that the proposed development is acceptable in principle and in accordance with policy T14.

#### Design and Residential Amenity considerations

In assessing the design merits of the scheme UDP policy B2 requires the scale, massing and layout of new developments to respect and enhance the best qualities of the area. Policy B2 also requires proposals to provide for an acceptable amount of privacy amenity, while it also considers visual and residential amenity.

Regarding the now retrospective Phase 1 element i.e. the proposed Portacabin type structure, this comprises of a single storey U-shape layout located 47m away from the nearest residential property on Newcastle Road. This phase has also introduced a forecourt of cars for sale, while the valet bays have been located in a corner created by temporary hoarding. The hoardings, which shield the development site from public view, have been erected under permitted development rights by virtue of Part 4 Class A of the Town and Country Planning (General Permitted Development) Order 1995. Furthermore, this phase of the Pop-Up garage will only exist in the short term as the information submitted indicates that this will be removed at the end of April.

Turning to Phase 2 of the Pop-Up garage this involves replacing the Portacabin type structure with a more formal dealership and work space via the introduction of a 6.543m high (maximum) dual pitch roof building with a footprint of 50m (length) by 20m (width). This building will be located a minimum of 71m away from the nearest residential property, which is located on Newcastle Road. In view of the fact that this building will appear to be a more conventional car dealership building, complete with a customer trade element front of house the elevation which will be more readily visible from Newcastle Road will be characterised by glazed fenestration and therefore ensures a reasonable degree of visual amenity. Furthermore, this temporary solution is being sought by the applicant in order that there is an on site presence while construction works for the permanent two car dealership scheme is underway i.e. that which is under consideration via the 12/00118/SUB submission.

Regarding the proposed hours of use i.e. 07:00 - 20:00 seven days per week, including bank holidays, the presence of the wide Newcastle Road and Metro / Railway line is considered to satisfactorily mitigate any adverse impact. These existing noise generating transport corridors will help to mitigate impact of both phases of this temporary Pop-Up dealership, whilst the layout of the workshops, service yard and valet zones, help to further limit potential impact due to the spacing from the nearest residential properties.

In conclusion the proposed development is considered to be acceptable from a visual, residential and privacy amenity perspective in accordance with policy B2.

## Conclusion

The proposed erection of a temporary two phase Pop-Up garage and ancillary buildings and operations is considered acceptable in this location, in accordance with relevant UDP policies and satisfactory in respect to visual, residential and highway considerations. Accordingly Members are recommended to approve the application, subject to the conditions as set out below.

**RECOMMENDATION: APPROVE**, subject to conditions set out below

### 1. Temporary 15 months

This permission shall be granted for a limited period of 15 months from the date hereof and the temporary garage hereby approved shall be discontinued and the site reinstated to a condition that has been agreed in writing with the Local Planning Authority at or before the expiry of the period specified in this permission unless the permission is renewed, in order to review the situation in the light of experience and to comply with policy B2 of the UDP.

### 2. Plans

Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Proposed Pop Up Garage Elevations & Sections, Drawing Number 1144-P-09, received 24 January 2012;  
Existing Site Plan, Drawing Number 1144-P-01 received 24 January 2012;  
Proposed Pop Up Garage Ground & Roof Plans, Drawing 1144-P-08 received 24 January 2012;  
Phase 1 Site Plan, Drawing Number 1144-P-10 received 24 January 2012;  
Phase 2 Site Plan, Pop Up Garage, Drawing Number 1144-P-12 received 24 January 2012;  
Site Plan Handover Stage, Drawing Number 1144-P-11 received 24 January 2012;  
Proposed Temporary Portacabin Plans & Elevations, Drawing Number 1144-P-13 received 16 March 2012;  
Section 20 of Planning Application Form entitled 'Hours of Opening'.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

### 3. Land Contamination 1

Prior to the commencement of Phase 2 approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use i.e. car servicing and repair. The environmental setting of the site is sensitive as it lies on the Magnesian limestone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment and that it accords with policy EN14 of the UDP.

#### 4. Land Contamination 2

Prior to commencement of Phase 2 approved by this planning permission, a verification report demonstrating completion of the works set in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use i.e. car servicing and repair. The environmental setting of the site is sensitive as it lies on the Magnesian limestone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment and to accord with policy EN14 of the UDP.

#### 5. Land Contamination 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Unsuspected contamination may exist at the site which may pose a risk to controlled waters and in order to accord with policy EN14 of the UDP.

#### 6. Oil interceptor

Unless otherwise agreed with the Local Planning Authority, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from hardstanding parking areas shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor. To prevent pollution of the water environment and to accord with policy EN12 of the UDP.

#### 7. Construction hours

The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.

#### 8. Scheme of Working

Prior to the commencement of Phase 2 approved by this planning permission a scheme of working shall be submitted to and approved in writing by the Local Planning Authority; such scheme to include details of the safe working practice methodology, which shall also consider the adjacent Network Rail infrastructure, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the railway infrastructure and amenity of adjacent occupiers and to comply with policies T16 and B2 of the UDP.

#### 9. Submit Materials

Notwithstanding any indication of materials which may have been given in the application and prior to the commencement of Phase 2 approved by this planning permission, a schedule and/or samples of the materials and finishes to be used for the external surfaces of the Phase 2 Pop-Up garage, including walls, roofs, doors and windows shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority; in the interests of visual amenity and to comply with policies B2, NA4 and EC5 of the UDP.

#### 10. CCTV Systems

The development hereby approved shall not be brought into use until details of any CCTV systems to be installed at the site have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details to be submitted shall include:

- specifications of the make, model and performance of the cameras to be installed;
- a statement explaining how the CCTV system will respect the privacy of neighbouring residents.

Installation shall then be carried out in complete

accordance with the approved details and the agreed CCTV systems maintained as such for the lifetime of the cameras unless first otherwise agreed in writing with the Local Planning Authority, in order to achieve a satisfactory form of development and comply with policy B2 of the UDP.

#### 11. Lighting details

The development of Phase 2 hereby approved shall not be brought into use until the exact specifications/details and luminescence of the lighting columns to be installed have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless first otherwise agreed in writing with the Local Planning Authority. Such detail shall include the direction and intensity of light emanating from the lighting columns. In the interests of protecting the railway infrastructure and residential amenity and to accord with policies T16 and B2 of the UDP.

#### 12. Excavations/ Earthworks

Prior to commencement of the Phase 2 development hereby approved, full details of any excavations and earthworks to be carried out near the railway undertaker's boundary fence shall be submitted to and approved in writing by the Local Planning Authority in consultation with the railway undertaker. Thereafter the development shall be carried out in accordance with the approved details unless first otherwise agreed in writing with the Local Planning Authority. In the interests of protecting the railway infrastructure and to accord with policy T16 of the UDP.

#### 13 HGV Deliveries

No Heavy Goods Vehicle (HGV) deliveries shall be taken at or despatched from the site, nor shall there be any HGV movements within the site, outside the hours of 07:00 - 20:00 Monday to Sunday, including Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority, in order to protect residential amenity and to accord with policies B2 and EN1 of the UDP.

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Reference No.: 12/00118/SUB Resubmission

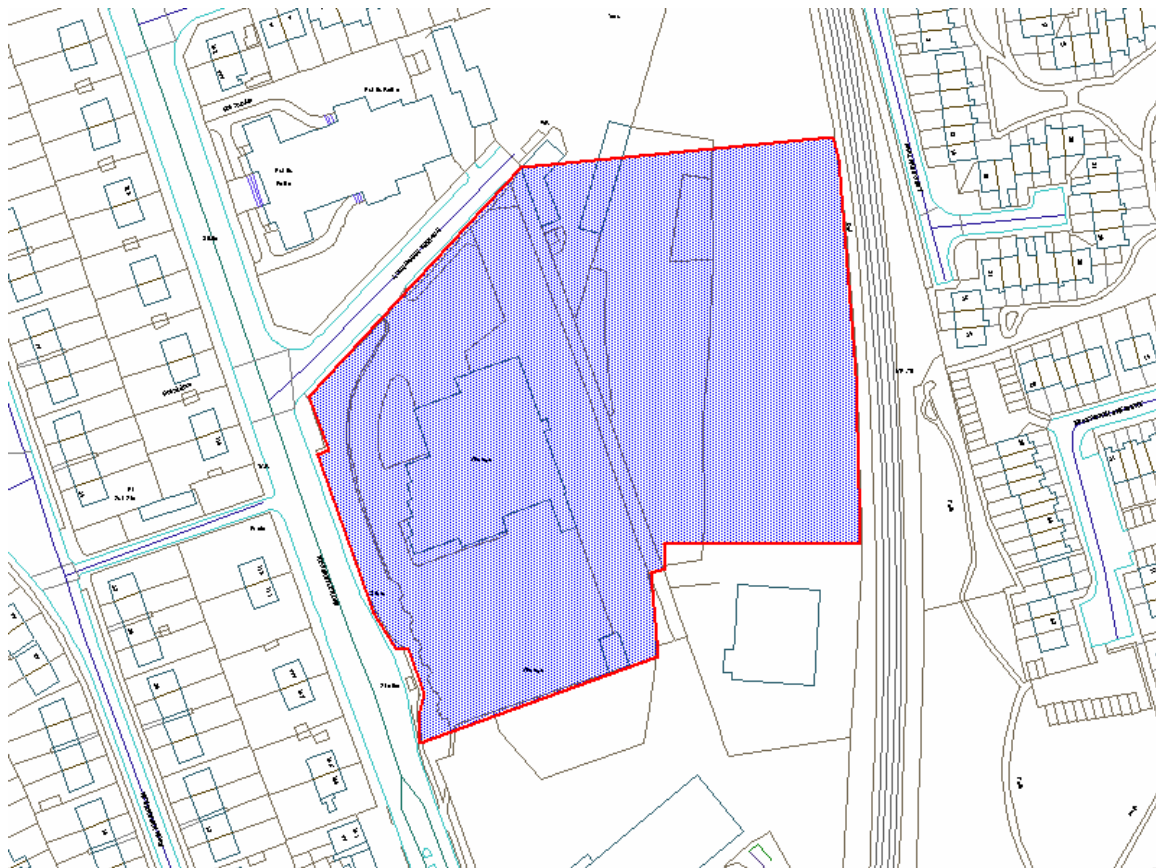
**Proposal:** Development of site to provide two car showrooms with associated facilities and car parking, including stopping up of public highway

**Location:** Land At Newcastle Road Sunderland SR5 1JS

**Ward:** Southwick  
**Applicant:** Addison Motors Ltd  
**Date Valid:** 24 January 2012  
**Target Date:** 24 April 2012

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### Location Plan



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### PROPOSAL:

This resubmitted planning application seeks full planning permission for two car showrooms with associated facilities and car parking on the former Dixon Peugeot site at Newcastle Road and involves the stopping up of the public highway.

The application site is bounded to the east by the Metro / Railway line and to the west by the A1018 Newcastle Road, which has residential properties facing opposite. To the north is Lochmaben Terrace, which separates the site from the former public swimming baths, whilst to the south is the relatively recent Toyota dealership.

Members may recall that the applicant, Addison Motors, was previously granted planning permission by Committee at the 22 March 2011 meeting for a similar two-franchise car dealership, please see reference 10/04046/FUL. The reason for this resubmission is due to the size of the 10/04046/FUL site being larger by approximately 6 metres (along the southern boundary) than the actual developable site, as some of the land is actually within the ownership of the Toyota dealership. As a result the architect has had to re-plot the entire scheme layout in order to get the operational requirement of the original scheme on a smaller parcel of land.

Nevertheless, the resubmitted development proposal has kept as close as possible to the original application and retained key design principles of the previous approved scheme i.e. the boulevard, accessible pedestrian foot paths off Newcastle road and the dominant and subservient building arrangement. Furthermore, due to the fact that a Nissan Dealership, which was initially intended to be housed within the more dominant dealership building i.e. the southern most box, is now to be replaced by a Ford Dealership has necessitated a new showroom and workshop design to suit. However, the footprints of the two dealerships are as previously approved. Members may wish to note that the Ford Dealership is the one from the Jennings site on Wessington Way.

The proposed buildings have been designed to accommodate 12 cars per showroom, with approximately 16 service and MOT bays per workshop. There will also be a standalone wet / dry valet building, an energy pod and associated landscape works. The submitted Design and Access Statement (DAS) has also explained that Addison Motors will be looking to promote the company's policy of delivering environmentally friendly and energy efficient buildings.

The two dealerships will operate new and used vehicle sales, after sales and vehicle related services, whilst the ancillary buildings and external facilities will also enable the site to cater for MOTs, servicing, valet and repairs. The proposed hours of opening are 07:00 - 20:00 seven days per week, including bank holidays.

The application has been supported by a Supporting Statement, DAS, Phase 1 Geo-Environmental Assessment and full detailed plans and elevations.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Network Management



Street Scene (Environmental Service)  
Northumbrian Water  
Network Rail  
Environment Agency  
Nexus

Final Date for Receipt of Representations: **13.03.2012**

## **REPRESENTATIONS:**

Neighbours

No letters of representation have been received to date.

Nexus

No objections to the proposed development and recognise the site's good transport links. However, additional comments were made regarding the fact that Newcastle Road is a main bus corridor. It has been suggested that if any construction works close to Newcastle Road which may cause disruption to the normal flow of traffic should be notified to Nexus at the earliest opportunity. Furthermore, in light of the adjacency of the site to the lines used by the Metro services Nexus also provided general working requirements which the developer will need to adhere to and as such a suitably worded informative will be incorporated on the decision notice should Members be minded to approve.

Network Rail

Network Rail has no objection in principle to the development. Nevertheless, in view of the operating Metro / Railway line abutting the site any potential impacts arising from the development should be satisfactorily accounted for and managed. To summarise Network Rail have asked for issues covering drainage, construction work methodology, boundary enclosures during construction and post construction and lighting to be conditioned, should Members be minded to approve the application, which would in part be discharged through consultation with Network Rail.

Environment Agency (EA)

The EA have offered no objection to the proposal providing its suggested conditions pertaining to land contamination, surface water drainage and that all surface water drainage from hardstanding parking areas are passed through an oil interceptor are incorporated on the decision notice, should Members be minded to approve the planning application.

Environmental Health

In view of the proximity of the proposed development to residential properties it is recommended that noisy on-site operations should not commence before 07:00hrs and cease at or before 19:00hrs Monday to Friday inclusive, and 07:30 and 14:00hrs Saturdays. No noisy construction works should be permitted to take place on Sundays and Bank Holidays at any time. Consideration is also required regarding the selection of machinery and methods of operation in relation to

noise generation and regard should be had to minimise noise emissions. It is also considered that issues pertaining to vibration and dust arising from the development should be satisfactorily mitigated. Therefore, if Members are minded to approve, a condition should be included which limits the hours of construction and requires the agreement of a construction methodology.

## **POLICIES:**

In the Unitary Development Plan the site is subject to the following policies;

NA\_4\_Retention and improvement of existing mixed use sites; appropriate uses within them

EC\_5\_Sites for mixed uses

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

CN\_17\_Tree Preservation Orders and replacement of trees

CN\_22\_Developments affecting protected wildlife species and habitats

R\_1\_Working towards environmentally sustainable development

EN\_12\_Conflicts between new development and flood risk / water resources

EN\_14\_Development on unstable or contaminated land or land at risk from landfill/mine gas

B\_2\_Scale, massing layout and setting of new developments

T\_22\_Parking standards in new developments

EN\_1\_Improvement of the environment

T\_16\_Protect routes of existing & former railways with potential use as communication corridors

## **COMMENTS:**

The main issues to consider in the assessment of the proposal are as follows:

- Principle of use
- Highway considerations
- Design considerations
- Residential amenity considerations
- Ecology and tree / landscaping considerations
- Sustainability

### Principle of use

Unitary Development Plan (UDP) policies NA4 and EC5 earmark the site for a mixture of commercial and industrial uses, involving car showrooms, offices, light industry, storage and distribution. Given this mix of land uses an acceptable form of development will be influenced by existing uses present within the vicinity and opportunities presented by a particular site. In this regard it is noted that a relatively new car showroom, workshop and bodyshop abuts the site to the south, which was approved by Committee in 2003 (Ref. 03/00570/FUL), whilst to the north and west is the vacant public swimming baths and Metro / Railway line. As such and in accordance with policies NA4 and EC5 the proposed development is considered acceptable in principle. Nevertheless, in view of the residential properties within the vicinity and given the site fronts onto the arterial

Newcastle Road it will be important to ensure an acceptable form of development in respect to residential amenity, highway engineering and design considerations. These matters will be addressed in the following sections of this report.

### Highway considerations

UDP policy T14 requires new development to be readily accessible by pedestrians and cyclists, whilst proposals should not cause traffic congestion or highway safety problems and make appropriate safe provision for access and egress.

The main vehicular access / egress into the site is from Lochmaben Terrace, which means that there is no direct vehicular access onto Newcastle Road. It is also noted on the application drawings that a variety of parking spaces is being proposed for customer, sales, demonstration, collection and staff parking. Therefore, in view of the proximity of the site to well served public transport links and in recognition that the City Services Transportation section has offered no objection to the development from a highway engineering perspective, it is considered that the proposed development is acceptable in principle and in accordance with policy T14.

Moreover, it is also noted that an outline travel plan forms part of the Supporting Statement. However, a full travel plan will still need to be agreed prior to the occupation of the buildings and accordingly, should Members be minded to approve, it is considered necessary to incorporate this as a condition.

### Design considerations

In assessing the design merits of the scheme UDP policy B2 requires the scale, massing and layout of new developments to respect and enhance the best qualities of the area.

From a design perspective it is noted that a significant level of work has been undertaken to ensure the design of the development is of a good standard and it is considered that the development will provide a positive first impression for those using this busy gateway into the City Centre.

The proposed site layout can be split into two distinct components; the west of the site consists of customer / staff parking areas and used car forecourts with landscaping fronting onto Newcastle Road, whilst the eastern part of the site comprises of service yards and valet zones. Located within the middle are the two car dealerships with their associated workshops to the rear.

The built elements consist of two buildings of varying heights, the tallest of which is two-storey and 9.7m in height. Taking into consideration the scale of buildings within the immediate vicinity the proposed buildings are acceptable. Furthermore, it is considered that the detail illustrated in the submitted elevations and the specifications of the chosen materials are of a standard which go beyond the usual standard and basic treatment of buildings of this type. The DAS explains that the retail boxes will be constructed from a very simple, yet elegant palette of materials e.g. the public facing element of the dealership buildings will largely comprise of glazing, whilst also incorporating composite rain screening and expressed powder coated steel work.

It has been noted previously that the main vehicular access to the site is from a single entrance / exit point off Lochmaben Terrace, while the primary pedestrian access is to the west directly linking the development with Newcastle Road. Within this context and given the nature of the proposed uses the need to provide large areas of surface car parking is inevitable and the opportunity to increase permeability through the site is therefore limited. However a landscaping scheme has been submitted in support of the development proposal which helps to soften the inevitable impact of the cars parked fronting onto Newcastle Road.

In conclusion the proposed development is considered to be acceptable from a design perspective and in accordance with policy B2.

#### Residential amenity considerations

Policy B2 also requires proposals to provide for an acceptable amount of privacy amenity, whilst also protecting visual and residential amenity.

In this regard it is noted that there are residential properties to the west of the site, on the opposite side of Newcastle Road, whilst to the north, other residential properties are separated by the now demolished former public swimming baths site, while the Metro / Railway line separates the development proposal from the east. The spacing between the development proposal and the residential properties which surround the site is considered to be acceptable. Indeed the nearest residential properties i.e. those on the opposing side of the Newcastle Road, will now benefit from 54m of spacing distance, as opposed to the 43m approved via the 10/04046/FUL application. Nevertheless, it is clear that the spacing between the development proposal and the surrounding residential properties will ensure that visual and privacy amenity will not be materially impacted.

#### - Hours of opening

Regarding the proposed opening hours i.e. 07:00 - 20:00 seven days per week, including bank holidays, the presence of the wide Newcastle Road and Metro / Railway line is considered to satisfactorily mitigate any adverse impact. These existing noise generating transport corridors will help to mitigate impact of the new development, whilst the layout of the workshops, service yard and valet zones, which are located well within the site, help to further limit potential impact due to the increased spacing.

#### - Hours of delivery

However, the Ford dealership requires an earlier window than approved via condition 29 of 10/04046FUL, which permits Heavy Goods Vehicles (HGV) deliveries from 07:00 to 20:00 Monday to Sunday, including Bank Holidays. The reason for this specifically relates to Ford's operations in respect to parts deliveries, which arrive from Yorkshire on a round visiting various Ford dealerships in the North East region. It has been stated by the agent in an email (13 March) that there is a requirement for a daily HGV delivery, Monday to Friday. The agent has also explained that the applicant has agreed with the part suppliers for the HGV to leave its Yorkshire base on a route which, in the majority of cases, will ensure that the Newcastle Road site is one of the last delivery destinations. It is therefore anticipated that many if not most deliveries will be around 08:00 hours.

Nevertheless, should the amount being delivered to other dealerships be significantly less than 'normal' or there be an unusually large delivery of parts to the Newcastle Road site, or other exceptional circumstances, then it is on these occasions that there may be a need for HGV deliveries between 06:00 and 07:00. As a consequence the application submission now seeks permission to have HGV deliveries from 06:00 onwards. In light of the previous condition, which already enables this site to have deliveries from 07:00 onwards, and given the nature of Newcastle Road, which is a main road into the City, and the proximity of the Metro/ Railway line, a variation of hours of delivery to 06:00 on a Monday to Friday basis is considered to be on balance acceptable on this occasion.

In conclusion the proposed development is considered to be acceptable from a residential and privacy amenity perspective in accordance with policy B2.

#### Ecology and tree / landscaping considerations

UDP policy CN17 encourages the retention of trees in all new developments where possible, whilst policy CN22 highlights that development which would adversely affect any animal or plant species afforded special protection will not be permitted.

#### Ecology

Further to section 6 of the submitted Planning Statement, entitled 'Biodiversity Survey and Report', the agent was also requested to provide an additional biodiversity and species risk assessment. As a consequence a Supplementary Biodiversity Statement was submitted which concluded that as the site is not on the register of important brownfield sites and as the topographical characteristics are not conducive to supporting diverse populations of invertebrates or Biodiversity Action Plan species, that its loss is not considered significant.

Comments were received from the Local Planning Authority's Ecologist stating that the Supplementary Biodiversity Statement offers a certain level of appropriate assessment, analysis and recommendations, as regards biodiversity associated with the site, the development and its surroundings. However, as it is considered that there are elements outstanding, it is appropriate that should Members be minded to approve, conditions be included requiring the submission and agreement of full landscape and habitat schedule(s), details of the type and location of bird/ bat boxes/ roost units, a long term management/ maintenance plan and the mitigation and enhancement measures proposed by the applicant.

#### Trees and landscaping

The submitted Arboricultural Survey assessed a total of 17 individual specimens and 1 group of trees. It was concluded that the trees to the boundary with Newcastle Road are a locally important amenity line of trees, although one of these (T4) has been recommended for removal due to significant decay being present. Within the site T8 and T10 have also been assigned a moderate value, whilst the group (G1) of trees was given a low retention value due to their questionable structural stability.

In conclusion and as the submitted Arboricultural Survey indicates that the roadside trees and two internal trees (T8 & T10) can be successfully retained via the implementation of appropriate tree protection measures, which can be

conditioned should Members be minded to approve, the loss of the existing trees, supplemented by the imposition of tree replacement and landscaping conditions, ensures that on balance the proposed development is acceptable and in accordance with policies CN17 and CN22 of the UDP.

## Sustainability

UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage.

The submitted Planning Statement explains that the applicant is committed to a development which meets the requirements of BREEAM and that the development, should it be approved, will likely include the on-site generation of both power and heat through the inclusion of Photovoltaic panels and heat pumps and / or solar per-heat panels. However, the Statement explains that a full credit plan will need be developed as further feasibility testing is undertaken to test the cost and benefits of the proposed measures. Nevertheless, the applicant has expressed that they are willing for a condition to be imposed requiring that a minimum of 10% of the development proposals energy requirements are generated on site.

## Conclusion

The proposed erection of two car showrooms with associated facilities and car parking is considered appropriate and acceptable in this location, in accordance with relevant UDP policies and satisfactory in respect to residential, highway, ecology and sustainability issues. Accordingly Members are recommended to approve the application, subject to the conditions as set out below.

**RECOMMENDATION: APPROVE**, subject to conditions set out below.

### 1. Three Years

The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.

### 2. Plans

Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Blue Box Showroom Existing Site Plan, Drawing Number 1127-P-01 received 24 January 2012;  
Blue & Silver Box Showroom Proposed Joint Site Plan, Drawing Number 1127-1-02 received 13 March 2012;  
Silver Box Showroom Proposed Ground Floor Layout, Drawing Number 1127-P-08 received 24 January 2012;

Silver Box Showroom Proposed Roof Layout, Drawing Number 1127-P-10 received 24 January 2012;  
Silver Box Showroom Proposed Sections, Drawing Number 1127-P-12 received 24 January 2012;  
Silver Box Showroom Proposed First Floor Layout, Drawing Number 1127-P-09 received 24 January 2012;  
Blue Box Showroom Proposed Ground Floor Layout, Drawing Number 1127-P-03 received 24 January 2012;  
Blue Box Showroom Proposed First Floor Layout, Drawing Number 1127-P-04 received 24 January 2012;  
Blue Box Showroom Proposed Sections, Drawing Number 1127-P-07 received 24 January 2012;  
Blue Box Showroom Proposed Roof Layout, Drawing Number 1127-P-05 received 24 January 2012;  
Blue Box Showroom Proposed Elevations, Drawing Number 1127-P-06 received 24 January 2012;  
Silver Box Showroom Proposed Elevations, Drawing Number 1127-P-11 received 24 January 2012;  
Section 20 of Planning Application Form entitled 'Hours of Opening'.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

### 3. Sewer Diversion

Development shall not commence until a detailed scheme for the diversion of the public sewer which runs across the site hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water Ltd. Thereafter the development shall take place in accordance with the details. An existing 450mm and 300mm public sewers cross the proposed development site and are shown built over on the application and in order to accord with UDP policy EN12.

### 4. Disposal of Surface Water

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system and to accord with policy EN12 of the UDP.

### 5. Land Contamination 1

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use i.e. car servicing and repair. The environmental setting of the site is sensitive as it lies on the Magnesian limestone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment and that it accords with policy EN14 of the UDP.

## 6. Land Contamination 2

Prior to commencement of development, a verification report demonstrating completion of the works set in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use i.e. car servicing and repair. The environmental setting of the site is sensitive as it lies on the Magnesian limestone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment and to accord with policy EN14 of the UDP.

## 7. Land Contamination 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority



for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Unsuspected contamination may exist at the site which may pose a risk to controlled waters and in order to accord with policy EN14 of the UDP.

#### 8. Oil interceptor

Unless otherwise agreed with the Local Planning Authority, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from hardstanding parking areas shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor. To prevent pollution of the water environment and to accord with policy EN12 of the UDP.

#### 9. Construction hours

The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.

#### 10. Scheme of Working

No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include details of the safe working practice methodology, which shall also consider the adjacent Network Rail infrastructure, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the railway infrastructure and amenity of adjacent occupiers and to comply with policies T16 and B2 of the UDP.

#### 11. Provision for Bicycle

Before the development hereby approved is commenced, the details of the space and facilities for bicycle parking shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be laid out in accordance with the approved details before any part of the building is occupied, in order to ensure that adequate provision is made for bicycle parking and to comply with policies T14 and T22 of the UDP.

#### 12. Travel Plan

Prior to first occupation of the development, a site-wide Green Travel Plan based on the outline travel plan, (paragraph 18.8 page 54 of the Supporting Statement), shall be submitted to and agreed in writing by the Local Planning Authority. Prior to first occupation of any unit the applicant and/or Management Company shall implement the site-wide Green Travel Plan and thereafter its effectiveness shall be monitored and reviewed for a period of not less than 5 years after completion of the development. The implementation, monitoring and review of the Site-wide

Travel Plan are to ensure that the site is accessible by alternative modes of travel in accordance with Policies T1 and T2 of the UDP.

### 13. Submit Materials

Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority; in the interests of visual amenity and to comply with policies B2, NA4 and EC5 of the UDP.

### 14. Biodiversity

Before the development hereby approved is commenced an ecological management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the plan shall include precise written details of biodiversity mitigation and enhancement measures including details of the type and location of bird and bat boxes/ roost units to be installed; a written timetable for the implementation of the ecological mitigation/enhancement measures and a methodology for the management of those measures on site.

Once approved, the ecological enhancement/mitigation measures shall be installed as approved and in strict accordance with the agreed timetable, and retained as such for the lifetime of the development, unless otherwise first agreed in writing with the Local Planning Authority

In the interests of nature conservation and to accord with policies CN18 and CN22 of the adopted Unitary Development Plan.

### 15. Trees - Construction Method Statement

No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for any proposed works within an area designated as a tree root protection zone has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification/Method Statement. In the interests of visual amenity and to comply with policy CN17 of the approved UDP.

### 16. Trees - Replacement scheme

Before the tree(s) which are the subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.

17. Trees - replace 5 years

If within a period of 5 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.

18. Hard landscaping

Notwithstanding the approved details, prior to development commencing on site, precise details (and samples where necessary) of all hard landscaping materials to be used throughout the development (including details and location/layout of all proposed hard surfacing, bollards and any other street furniture) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. In order to achieve a satisfactory form of development and to comply with policies T14 and B2 of the Unitary Development Plan.

19. Soft Landscaping

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping, which shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme]. Thereafter, the development shall not be carried out other than in accordance with the approved details, in the interests of visual amenity and highway safety and to comply with policies B2, CN18 and CN22 of the UDP.

20. Soft Landscaping - 5 years

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any planting which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.

21. BREEAM submission

Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor and a BRE Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the results of the report should conclude that the development has been constructed to at least the BREEAM 'Good' standard, or equivalent accreditation, unless otherwise agreed in writing

with the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the UDP.

#### 22. Renewable energy measures - 10%

Unless otherwise agreed in writing with the Local Planning Authority, and prior to the completion of development hereby approved, details of the renewable energy measures shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall include a justification for the type of measures chosen and demonstrate that they provide for (minimum) 10% of the development's energy needs. Following the approval of such details, the agreed measures shall be implemented prior to the occupation of the building, in the interests of sustainable development and in order to comply with policy R1 of the UDP.

#### 23. Photo Voltaic / Solar Panel

Before the installation of any Photo Voltaic / Solar Panel equipment on any of the buildings hereby approved, a precise written specification of the Panels proposed for use, and precise written details of the size and positioning of each Panel, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved specification/details unless first otherwise agreed in writing with the Local Planning Authority. In the interests of visual amenity and sustainable development and in order to achieve a satisfactory form of development on site and to comply with the requirements of policies B2 and R1 of the adopted UDP.

#### 24. Ventilation/ Extraction/ Filtration

The development hereby approved shall not be brought into use until the details of the ventilation/extraction/filtration systems, including all external ducting and stacks have been submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be completed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority, in order to protect residential amenity and to comply with policies EN1 and B2 of the UDP.

#### 25. CCTV Systems

The development hereby approved shall not be brought into use until details of any CCTV systems to be installed at the site have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details to be submitted shall include: - specifications of the make, model and performance of the cameras to be installed; - a statement explaining how the CCTV system will respect the privacy of neighbouring residents. Installation shall then be carried out in complete accordance with the approved details and the agreed CCTV systems maintained as such for the lifetime of the cameras unless first otherwise agreed in writing with the Local Planning Authority, in order to achieve a satisfactory form of development and comply with policy B2 of the UDP.

## 26. Lighting details

The development hereby approved shall not be brought into use until the exact specifications/details and luminescence of the lighting columns to be installed have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless first otherwise agreed in writing with the Local Planning Authority. Such detail shall include the direction and intensity of light emanating from the lighting columns. In the interests of protecting the railway infrastructure and residential amenity and to accord with policies T16 and B2 of the UDP.

## 27. Boundary enclosures

Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure, including appropriate safety barriers in view of the adjacent railway infrastructure, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The agreed boundary treatments shall be completed before occupation or in accordance with an agreed timetable, in the interests of protecting the railway infrastructure and visual amenity and to comply with policies T16 and B2 of the UDP.

## 28. Excavations / Earthworks

Prior to commencement of development, full details of any excavations and earthworks to be carried out near the railway undertaker's boundary fence shall be submitted to and approved in writing by the Local Planning Authority in consultation with the railway undertaker. Thereafter the development shall be carried out in accordance with the approved details unless first otherwise agreed in writing with the Local Planning Authority. In the interests of protecting the railway infrastructure and to accord with policy T16 of the UDP.

## 29. HGV deliveries

No Heavy Goods Vehicle (HGV) deliveries shall be taken at or despatched from the site, nor shall there be any HGV movements within the site, outside the hours of 06:00 - 20:00 Monday to Friday (excluding Bank Holidays) and 07:00 - 20:00 Saturday, Sunday and Bank Holiday Mondays, unless otherwise agreed in writing with the Local Planning Authority, in order to protect residential amenity and to accord with policies B2 and EN1 of the UDP.