

DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE

AGENDA

**Meeting to be held in Committee Room No. 2 on
Tuesday, 3rd April, 2007 at 5.00 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Applications made under the Town and Country Planning Acts and Regulations made thereunder Report of the Director of Development and Regeneration (copy herewith).	1
4.	Town and Country Planning Act 1990 – Appeals Report of the Director of Development and Regeneration (copy herewith).	41

R.C. RAYNER,
City Solicitor.

Civic Centre,
SUNDERLAND.

26th March, 2007

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If you require this, please telephone 0191 553 1059.**

Development Control (Hetton, Houghton and Washington) Sub-Committee

3rd April 2007

REPORT ON APPLICATIONS

REPORT BY DIRECTOR OF DEVELOPMENT AND REGENERATION SERVICES

PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Director of Development and Regeneration Services for determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

LIST OF APPLICATIONS

Applications for the following sites are included in this report.

Hetton

Houghton

1. Great Eppleton Farm, Downs Pit Lane
2. Thames And Avon Crescent, Fence Houses
3. The Pavillion, North View Terrace

Washington

4. Holiday Inn, Emerson Road
5. Land Adjacent , Burtree/Cambrian Way
6. Heyrod Construction Limited, Rainhill Road

COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or the Deputy Development Control Manager (ext. 1552) email address dc@sunderland.gov.uk

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 (General Development Procedure) Order 1995.

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 Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett
Director of Development and Regeneration Services.

A) Hetton and Houghton

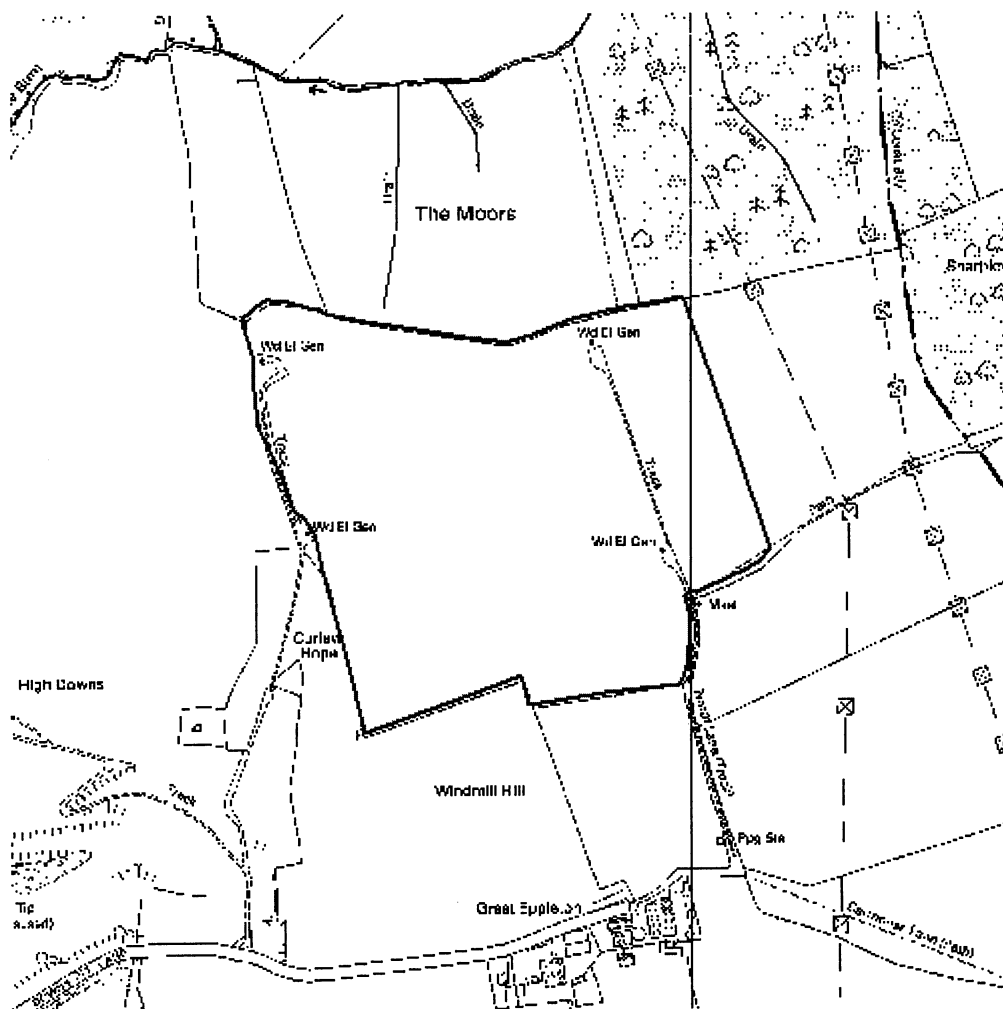
Reference No.: 07/00086/FUL Full Application

Proposal: **Replacement of existing turbines with 4 x 2 to 3 MW turbines with maximum tip height of 115m to include new access tracks.**

Location: Great Eppleton Farm Downs Pit Lane Hetton Le Hole

Ward: Copt Hill
 Applicant: E.ON UK Renewables
 Date Valid: 8 January 2007
 Target Date: 5 March 2007

Location Plan



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PROPOSAL:

This application seeks consent for the replacement of the existing Wind Turbines at Great Eppleton Farm with four 2 and 3 mega Watt turbines with a maximum tip height of 115m. The application also seeks consent for new access tracks into the site.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Easington District Council
Hetton Town Council
English Nature
Northumbrian Water
County Archaeologist
Director Of Community And Cultural Services
Environment Agency
Durham Wildlife Trust
Great North Forest
Northern Electric
The Woodland Trust
NATS Safeguarding Officer
The Highways Agency
Director Of Community And Cultural Services
Durham County Council
One North East

Final Date for Receipt of Representations: **02.03.2007**

REPRESENTATIONS:

2 Representations have been received in connection with this application.

One letter offering no objection and one letter objecting on grounds related to:
Inefficiency of turbines
Turbines being struck by lightening and blades shearing off
Bird Strike
Effect upon the landscape

POLICIES:

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

EN_2_Proposals for the production and distribution of energy
EN_3_Utilisation of renewable energy sources
EN_4_Protection of wind conditions in areas adjacent to wind turbines
R_1_Working towards environmentally sustainable development

COMMENTS:

Consideration of this planning application is on going. There are also several consultation responses outstanding in connection with this planning application. It is anticipated that both the consideration of the application and the consultation responses will be completed prior to the meeting of the Development Control Sub-Committee meeting and a full report made upon the Supplement report accordingly.

RECOMMENDATION: Dir.of Dev. and Regeneration to Report

Reference No.: 07/00131/LEG S106 agreement

Proposal: The construction of 33 new dwellings with the stopping of roads and footpaths on Avon and Thames Crescent

Location: Thames And Avon Crescent Houghton-Le-Spring

Ward: Houghton
Applicant: Sunderland Housing Group
Date Valid: 15 January 2007
Target Date: 12 March 2007

Location Plan



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PROPOSAL:

This application from the Sunderland Housing Group is for the erection of 33 dwellings with the stopping up of roads and footpaths on Avon and Thames Crescent.

Members may recall an application for the construction of 40 new dwellings with stopping up highway and change of use to residential development and re-routing of the existing footpath to the rear of Thames Crescent, which was approved on the 21st of August 2006, Ref: 05/04680/LEG. This application was Phase 1 of this three phase renewal programme within the area, which is aimed at improving current housing stock and providing wider choice for local people.

In addition, an application for 'change of use from open space to temporary site compound' was delegated back to the Director of Development and Regeneration at the March Sub Committee, Ref: 07/00460/FUL. This temporary site compound is required for storage purposes in conjunction with the demolition of the existing dwellings and the erection of new housing at Thames and Avon Crescent.

The proposal includes the provision of detached and semi-detached dwellings in an area of the city allocated previously occupied by housing. The application is consistent with PPG3 objectives making efficient use of land (achieves a density of 30 dwellings per hectare) and providing a mix and range of housing types and sizes.

The application was submitted with a Design and Access Statement, outlining the design principles of the scheme and a Desk Study Report.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services
Director Of Education
Northumbrian Water
Director Of Community And Cultural Services

Final Date for Receipt of Representations: **09.02.2007**

REPRESENTATIONS:

Neighbours

No letters of representation were received.

Consultees

Northumbrian Water
Northumbrian Water objects to the proposed development on the following grounds;

1. A public sewer crosses the site and is shown built over on the application. Northumbrian Water will not permit a building over or close to the sewer and a diversion of the sewer at the applicant's expense is required or redesign of the proposal to avoid building over.
2. A water main crosses the site and is shown built over on the application. Northumbrian Water will not permit a building over or close to the main and a

diversion of the main or redesign of the proposal to avoid building over is required.

The applicant was informed of these concerns and as a consequence have confirmed in writing (12th March 2007) that they have contacted Northumbrian Water and clarified that the new development would involve the provision of new water services and also the diversion of drainage into the public highway as necessary.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
T_22_Parking standards in new developments
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
L_9_Retention of land used for allotments
H_1_Provision for new housing
H_12_Maintenance and improvement of Council housing
H_16_Negotiation for affordable housing in major developments
H_21_Open space requirements in new residential developments (over 40 bed spaces)

COMMENTS:

The main issues which need to be previously considered are:

- The principle of the development.
- The design and layout of the site.
- The acceptability of the proposed access and highway arrangements.
- Residential amenity.
- Section 106: Play Space.

The Principle of the Development.

The application forms a part of Sunderland Housing Group's housing renewal programme. The site is not allocated in the UDP and is therefore subject to Policy EN10. The application is compatible with the principle use of the neighbourhood (housing) and is therefore acceptable in principle.

The application is consistent with PPS3 objectives of making efficient use of land (achieves a density of 30 dwellings per hectare) and provides for a mix and range of house types and sizes.

As the application forms part of the Sunderland Housing Groups Renewal Plan, where new dwelling provision is clearly linked to demolition, it is considered that the proposal will not adversely impact on the housing land supply situation. The new dwellings will in effect constitute replacement dwellings for the properties to

be demolished and therefore is not contrary to the Interim Strategy of Housing Land.

The site is located within 0.5km of a neighbourhood open space, where this is the case under Policy L5 within all new residential developments a minimum of 500 square metres per hectare of amenity open space/casual play space is required. The site is 1.4 hectares in size, using the standards above 650 square metres of amenity open space/casual playspace is required. As it is not possible to accommodate this playspace on site a financial contribution will be payable through a section 106 agreement.

Therefore as the site is within a residential area and is on previously developed land it is considered to comply with UDP policy EN10. Consequently the principle of residential use of the site is considered to be acceptable.

The design and layout of the site.

- **Layout and Public Realm**
The general layout of the development proposal is largely the same as shown in the previous application, Phase 2, and it is considered consistent that this treatment should be carried into Phase 3.
- **Built form and mix**
Sunderland Housing Group has introduced a range of house types including bungalows, two-storey terraced and detached properties and three storey townhouses. The general mix of house types is considered to add to the architectural interest of the development. A variety of building materials including render, buff and red brick are proposed in order to add further interest.
- **Boundary Treatments**
The submitted plans propose a low brick wall and railings to the front and side of plots 65, 66 and 54. Boundary treatment is often largely ignored in new residential development; however enclosures and boundaries provide a very strong link between landscape and building. They are also important in terms of providing privacy and security. Therefore it was suggested that additional boundary treatments, in the form of a low brick wall and railings, should be introduced to the front of plots 33, 34, 35, 38, 49, 50, 51, 52 and 53.

The applicant was asked to consider incorporating this within their scheme. However, reference was made to the Design and Access Statement which stated that defensible space and resident's natural surveillance have played an important part in Sunderland Housing Group's strategy, with open frontages following the design philosophy previously employed on Phase 1 & 2. As a consequence it was considered that a consistent approach with Phase 2 is acceptable in this instance.

The design and layout of the site is considered to be acceptable as it corresponds with the Phase 2 part of the wider development of the area. The general mix of house types and the variety of building materials will add further to the architectural interest of the site.

Access and Highway Arrangements.

The access and highway arrangements for this site are considered to be acceptable generally with sufficient resident and visitor car parking spaces contained within the site.

However, there was concern regarding the pedestrian access to the bungalows at the rear of the grouping (plots 31/32/37/38) in that access appears to be restricted by adjacent footpaths having private gates installed. It is considered that the best way of addressing this problem would be to reduce the shared vehicular access way to these plots to 4.1m and provide an adjacent 1.5m wide footway which would extend for the full length of the access way until it opens out into the parking court area. The agent acting on behalf of the Sunderland Housing Group has agreed to this amendment and it is envisaged that amendments will be forthcoming before the Sub Committee meeting.

It was also noted that the service marginal strip appears to be incomplete around the visitor parking bays adjacent to unit 43 (obstructed by the rear garden of an existing dwelling) and the visitor parking bays adjacent to units 49 and 58. In addition all footways to be adopted should be a minimum of 2.0 metres, whilst visibility splays of 2m x 2m above a height of 0.6m should be provided for hardstandings at the rear of footways. At units 39 – 42 this will be partially obscured by brick pillars.

The agent was informed and subsequently amended the parking bays to plot 43 and created a service strip and also amended the rear units 39-42 and omitted brick piers. However, on noting the comments relating to the visitor's carparking plots 49 and 58 the agent acting on behalf of the Sunderland Housing Group drew the Local Planning Authority's attention to plots 83 and 86 on Phase 2 in which similar proposals have been granted approval, consequently this is considered acceptable in this instance.

Residential Amenity.

The design and layout of the site are generally acceptable; however there are some instances where minimum separation distances, as outlined in Supplementary Planning Guidance have not been achieved. Although, it is worth noting that as this is a new development, where Phase 2 & 3 have not been built, a degree of flexibility is considered reasonable in order to provide for an acceptable level of residential amenity and a well designed scheme.

The distance in-between plots 30 and 33 range from 10.6m to 11.6m. Supplementary Planning Guidance requires the spacing to be 14m. However the affected rooms have at least two windows which help to minimise the situation and it is considered acceptable in this instance.

The spacing involved in the plots situated along the eastern boundary, abutting Phase 2, is less than the 21m advocated in Supplementary Planning Guidance. The spacing range from 17m to 19m. Nevertheless, the oblique relationship between the nearest Phase 2 property and the Phase 3 properties ensure that there will be no primary windows directly facing each other, thereby mitigating the shortfall in spacing.

There was concern regarding the proximity of plot 31 to a Phase 1 property in the south west corner of the application site. It was considered appropriate to increase the depth of plot 31's rear garden by 1.3m to help limit the potential for detrimental impact. Furthermore, these two properties are perpendicular to each other which help to further mitigate overlooking and overbearing impacts.

However, plot 56's 'bedroom 2' window faced towards plot 57's blank gable elevation with only a separation distance of 5.2m. Supplementary Planning Guidance requires the spacing to be 14m. It was suggested that by re-positioning plots 55 & 56 (as they adjoin) south towards plots 52 & 53 then the outlook of the affected bedroom would be greatly improved, although this meant reducing the spacing of 55 & 56 from 14m to 13m, which is considered acceptable.

The amended scheme is now considered acceptable, providing for a satisfactory level of residential amenity for the proposed residents of Phase 3, whilst the impact from and on the properties within Phase 1 & 2 are not considered to create situations prejudicial to residential amenity.

Section 106: Play Space.

It is recommended that the Development Control Area Sub-Committee adopt a dual recommendation approach as the Section 106 is still to be signed. It is worth noting that the signing of the Section 106 is nearly complete as the Heads of Terms is with the Solicitors acting on behalf of Sunderland Housing Group.

Conclusion

The proposed development is considered to be acceptable in terms of design, layout and highway arrangements.

RECOMMENDATION: Delegate to the Director of Development and Regeneration to:

(i) Grant Permission subject to the following conditions and subject to completion of a Section 106 agreement by 13.04.07, or such other date as is agreed by the Director of Development and Regeneration.

(ii) Refuse permission should the legal agreement not be completed by 13.04.07, or such other date as is agreed by the Director of Development and Regeneration.

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, to ensure that the development is carried out within a reasonable period of time.
- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to

ensure that the development as carried out shall not vary from the approved plans.

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or 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; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 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 days and hours of working, 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 amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 5 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 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.
- 6 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 7 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 8 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 9 No part of the development shall be occupied until the off street parking provision has been constructed, surfaced, sealed and made available in accordance with the approved plans. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure

that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policy T14 of the UDP.

- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 11 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 trees or plants 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.

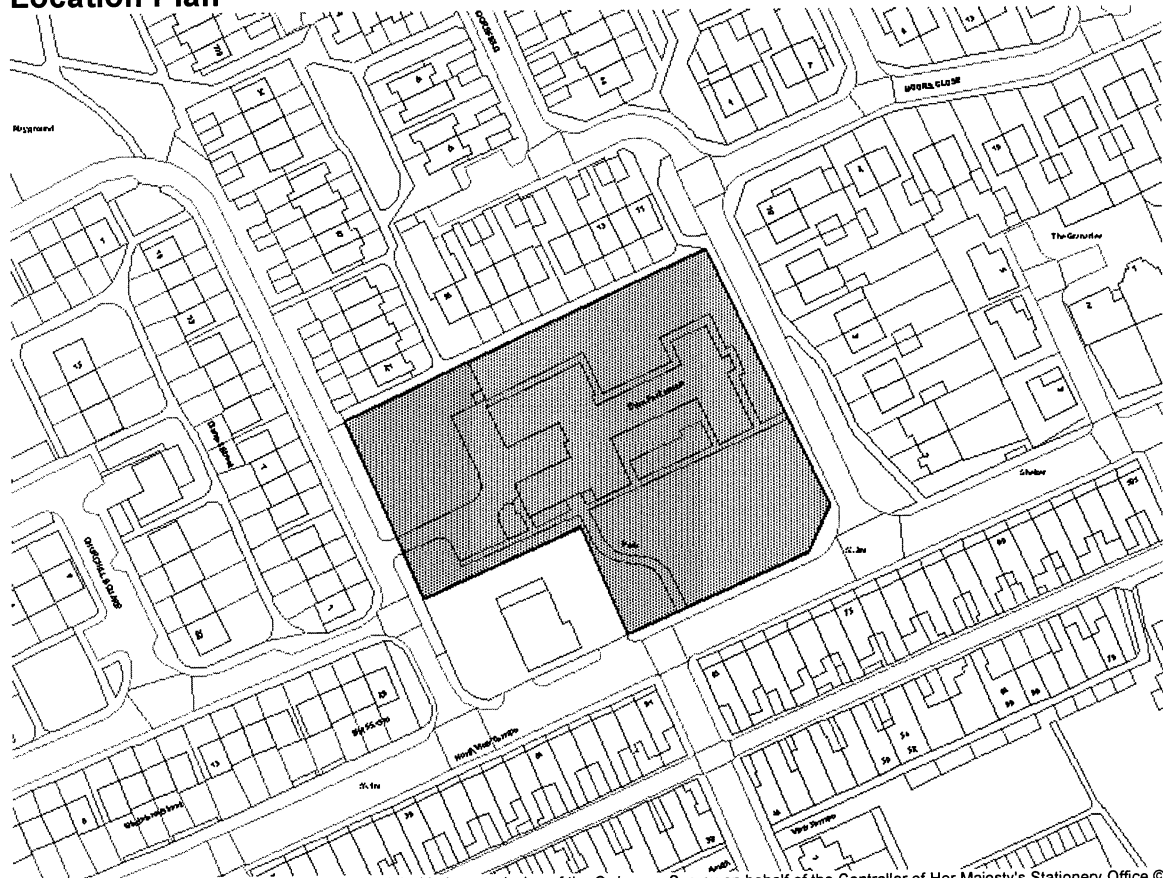
Reference No.: 07/00428/SUB Resubmission

Proposal: **Extension to existing care home to provide 30no. bedrooms with ancillary accomodation and car parking.(AMENDED DESCRIPTION)**

Location: The Pavillion Care Centre North View Terrace Colliery Row Houghton-Le-Spring

Ward: Houghton
 Applicant: Healthcare Properties (Oxford) LTD
 Date Valid: 5 February 2007
 Target Date: 2 April 2007

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a two storey extension to provide 30no. bedrooms with ancillary accommodation and associated car parking at the Pavillion Care Home.

The proposed two storey extension will be built off the existing building wings to the front to create an enclosed secure courtyard, which will provide private and secure external space for residents. All other significant alterations are internal to help the operation of the home.

The existing care home is a 1960's system built construction with a design and aesthetic appearance of its time. The proposed extension will be built to a high quality albeit of a simple and contemporary design. The materials proposed (type, colour, texture etc) will be in keeping with those used on the existing care home with facing brick panels to offer relief and texture. The extension will match the finished floor and ceiling soffit heights within the existing building, the proposed roof consisting of a series of mono-pitch roof sections with the highest point of any part of the extension not exceeding the apex of the existing roof.

The aim of the extension is to create a well defined defensible space around the care home with private enclosed courtyards for the residents.

Members may recall that an application (ref: 06/02119/FUL) was submitted in 2006 for a two storey extension to provide 36no. bedrooms. The application was subsequently withdrawn following adverse officer comment (re: projection and massing).

The application has been advertised accordingly by way of site and press notices.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Social Services

Final Date for Receipt of Representations: **04.04.2007**

REPRESENTATIONS:

No third party representation have been received.

POLICIES:

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

T_22_Parking standards in new developments
B_2_Scale, massing layout and setting of new developments
CF_14_Standards of design in community facility development
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

The final date for the receipt of representation is not until 5th April.

COMMENTS:

The main issues to consider in the assessment of this application are:

- The desing, siting, size and massing of the proposed extension.
- The impact of the extension on residential and visual amenity.
- Highway considerations.

Site and Surrounds

The site extends to approximately 0.57 hectares and is situated to the north of North View Terrace in an area characterised by 2 storey dwelling houses. The surrounding properties are predominantly 2 storey terraces constructed from brick with a tile or slate roof. The application site is adjacent to a Petrol Station. A number of mature trees are present on the site and make a positive contribution to character of the street scene. The site is situated on a major transport route between Fence Houses and Sunderland and is highly accessible by private car, public transport and pedestrians.

Design

UDP policy B2 stipulates that the scale, massing, layout and/or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy. A further policy consideration is CF14 'Community Facilities'. This policy seeks to ensure that all development proposals for community facilities will be expected to conform to a high standard of design reflecting their important role. They should also be well related to to public transport, provide adequate servicing facilities and car parking.

The extension is proposed to be constructed to a high quality using materials that are in keeping with the existing building, which is of limited architectural quality, and that will compliment the surrounding built form (residential dwellings). Whilst the design of the extension is considered to be 'simple' it is considered that siting, scale, height, layout and choice of materials have been carefully chosen so as to be appropriate for the location and functional purpose and not to have a detrimental effect on the surrounding area by reason of loss of residential or visual amenity.

Additional car parking is proposed to the west of the building within the existing parking area. As with the built form it is considered that the increased area of hardsurfacing has been sensitively sited so as not to appear highly visible from the 'main' street (North View Terrace). Notwithstanding the provision of additional car parking the site is highly accessible by public transport.

With regard to the above it is considered that the proposed extension sits comfortably alongside the existing building, is of an appropriate scale in relation to the surrounding built form and will contribute to greater levels of enclosure to North View Terrace. As such the proposal accords with policies B2 and CF14 of the UDP.

Trees

At present to the front of the site there are a number of mature trees. The proposed extension will require the removal of three trees, which are those currently situated closest to the front of the existing building. Whilst it would be desirable to retain all trees on the site it is not considered that the removal of the three smallest trees, which are positioned furthest away from the main vantage point (the highway) would have a detrimental effect on the visual amenity of the area. Furthermore a condition would be included on any grant of consent a requirement for the planting of three new trees to replace those lost as a result of the development. The trees which are to remain will be suitably protected during the construction process by appropriate means of fencing as required by the conditions listed below.

Residential Amenity

Section 3 'Residential Extensions and Alterations' of the the Development Control Supplementary Planning Guidelines sets down minimum spacing standards to be adhered to when considering applications for residential extensions. Whilst it is acknowledged that the current proposal does not directly relate to an extension to an existing dwelling house, given that the development will incorporate rooms for the purpose of living quarters (bedroom, bathroom, lounge), which will and will be overlooked by habitable rooms from the surrounding dwellings weight should be given to the recommended minimum distances required to ensure levels of outlook and privacy are created and retained. In this regard a minimum distance of 21m is required to be maintained between main facing windows (habitable window to habitable window) for two storey extensions. The proposed extension would create a minimum distance of 26.4m between the proposed east elevation and the nearest dwelling on Moorsfield and 27m between the proposed southern elevation and the dwellings along North View Terrace. With reference to the above guidelines it is considered that an acceptable distance is going to be created between the proposed care home extension and existing residential properties, which will ensure that levels of privacy or outlook are not adversely affected.

Highways

The development proposes 26 car parking spaces to the west of the site. However, parking bays 11, 12 and 24 are inaccessible due to their position in relation with bays 10, 13 and the bin store situated in the north-west corner of the car park. Parking bay 23 should also be removed to give greater manoeuvrability and visibility to parking bays 25 and 26.

NOTE: Class C2 guidelines for (Residential Institutions) state that 27 bays would be required for a development of this type. However, as it is unlikely that all 20 members of staff would have access to, or be parking continuously in the car park this is considered to be an unreasonable amount of parking for the proposal. On this occasion the 22 accessible parking bays are therefore deemed adequate for this development.

A condition will be imposed on any grant of consent requiring the submission of a revised parking layout prior to any works commencing on site.

Conclusion

In conclusion it is considered that the proposed two storey extension by reason of its siting, scale and design will positively contribute to the character of the area and provide an essential community facility for the local area. Therefore Members are requested to Delegate the Decision to the Director of Development and Regeneration who is minded to approve the application following the expiry of the consultation period and subject to the conditions listed. However should any representation be received after the meeting then the application will be referred back to the next available Sub Committee meeting.

RECOMMENDATION: DELEGATE to Dir. of Dev and Regeneration

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, to ensure that the development is carried out within a reasonable period of time.
- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to ensure that the development as carried out shall not vary from the approved plans.
- 3 No deliveries shall be taken at or despatched from the site outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 Saturdays, nor at any time on Sundays, Bank or Public Holidays to ensure that nearby properties are not adversely affected by the development and that highway safety is not compromised and to comply with policy EC12, EC13 of the UDP.
- 4 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 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
- 5 Before the development hereby approved is commenced the extension to the care home shall be pegged out on site and its exact location agreed in writing with the Local Planning Authority, in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.
- 6 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or 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; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

- 7 Details of the proposed location of the construction compound(s) shall be submitted to and approved in writing by the local planning authority in order to ensure a satisfactory form of development and to comply with policy B2 of the UDP.
- 8 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 10 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 11 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 12 Notwithstanding the plans hereby approved a revised parking layout should be submitted to and approved in writing by the Local Planning Authority. The parking area should thereafter be implemented in complete accordance with the agreed details, in the interests of highway safety in accordance with policy T14 of the UDP.

B) Washington

Reference No.: 07/00229/SUB Resubmission

Proposal: **Erection of a three storey extension to existing hotel to provide 35 additional bedrooms**

Location: Holiday Inn Emerson Road Emerson Washington

Ward: Washington South
Applicant: Mitchells And Butlers Retail LTD
Date Valid: 19 January 2007
Target Date: 16 March 2007

Location Plan



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PROPOSAL:

This application seeks consent for the erection of a three storey 35 bedroom extension to the east of the existing Holiday Inn, Emerson Road, Washington.

The application follows a previous refusal on the site for a three storey extension to the west of the hotel (application number 06/02410/FUL).

The application site is located adjacent to the Toby Carvery Public House to the south and a large private car park to the west. There are existing residential properties to the north on the opposite side of Emerson Road.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

Final Date for Receipt of Representations: **14.02.2007**

REPRESENTATIONS:

2 letters of objection have been received. The main grounds of concern relate to:

- Loss of privacy as a result of the proposed extension
- Increased noise levels
- Noise and disturbance during building work

POLICIES:

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

EC_5_Sites for mixed uses

EC_9_Locations for Hotels and Conference centres.

S_13_Resisting retail development on land allocated for industry

B_2_Scale, massing layout and setting of new developments

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

T_22_Parking standards in new developments

EC_1_General Support for economic development proposals and initiatives

COMMENTS:

The main issues to consider when assessing this application are:

- The principle of the development
- Design and layout of the proposal
- Impact upon residential amenity
- Highway and Access arrangements

The Principle of the Development

The Holiday Inn is an established Hotel and this application seeks permission to erect an extension to the hotel building.

The application site is allocated on the adopted UDP proposals map for Mixed Use Development subject to policies EC5, EC9 and S13.

The principle of the use of the site as a hotel is established and in accordance with adopted UDP policy. An extension to the hotel is therefore considered to be acceptable in principle.

Design and Layout of the Proposal

The previous application showed the proposed extension positioned on the west side of the existing hotel. This resubmitted application shows the extension repositioned to the eastern side of the hotel. The positioning of the extension on the eastern side is considered to be acceptable as it is unlikely that the proposed extension will result in any loss of residential amenity for near neighbouring properties, similarly, the positioning of the extension on the eastern side of the hotel is considered to be less likely to have implications regarding accessibility and car parking.

The frontage of the proposed extension is 23 metres in length, fronting Emmerson Road, The three storey extension (overall height of 12 metres) is of similar proportion to the existing hotel and in terms of scale and massing is considered to be acceptable.

In terms of design the proposed extension reflects the design of the existing hotel. The materials to be used in the construction of the extension are to match those of the existing building. The design of the proposed extension is considered to be acceptable.

It is considered unlikely that there will be any detrimental impact upon visual amenity within the street scene as a result of the proposed extension.

Impact Upon Residential Amenity

The previous application (06/02410/FUL) indicated the proposed extension to the west of the existing building. The positioning of the extension on this side of the building was considered to be unacceptable due to the potential for overlooking towards existing residential properties and also due to the likely impact that the extension would have upon access and parking arrangements.

The repositioning of the proposed extension to the eastern elevation of the proposed hotel makes it very unlikely that overlooking towards existing residential properties will occur. Similarly the orientation of the proposed extension makes it unlikely that any poor outlook or overbearing effect will occur as a result of the proposed extension.

The objection on grounds of loss of privacy was received from the occupier of 35 Crakeway. This property is positioned to the north west of the hotel on the opposite side of Emmerson Road. It is very unlikely given the location and orientation of the proposed hotel extension (to the east of the existing hotel) that any loss of residential amenity through overlooking or invasion of privacy would occur as a result of the proposed extension.

The two objections on the grounds of increased noise levels appear to relate to the type of clientele that utilize the hotel i.e. "hen and stag nights and travelling sports fans". It is acknowledged that there may be some level of noise created by guests returning to the hotel late at night, however, it is not considered that the erection of the proposed extension would directly exacerbate this problem. The behaviour of guests visiting the hotel is a matter for the hotel management and cannot be realistically controlled through the planning system.

An objection was received on the grounds of increased noise and disturbance during the construction phase of the proposed building. Any form of built development will inevitably create some noise during construction. However, such disturbance is temporary in nature and should Members be minded to approve the application a condition restricting the hours of construction on site may be attached to any approval granted.

Highway and Access Arrangements

The proposed hotel extension is to be positioned on an area of carparking immediately adjacent to the main hotel building. This will result in a loss of 15 existing car parking spaces. However, the Hotel and Toby Carvery adjacent is served by an existing car park of 133 spaces. In addition to this the applicant has indicated that an additional 24 car parking spaces would be provided in the southern most extent of the site to be utilized by both the hotel and the carvery, there is therefore a net gain of 9 car parking spaces across the site.

The council's car parking guidelines indicate that there is an under provision of 8 spaces across the site which may lead to indiscriminate parking across the site. However, it is considered that given the minor nature of the hotel extension (35 additional bedrooms), such a minor shortfall in parking provision on such a large site is unlikely to create an unacceptable form of development. In addition to this it is considered unlikely that the Local Planning Authority would be successful in sustaining a refusal based on these grounds should they be challenged at appeal. Consequently, on balance it is considered that the car parking arrangements proposed are adequate.

Two letters of objection on grounds of highway safety were received. However these appear to object to the nature of the vehicles using the car park, i.e. HGVs. One objection also states that indiscriminate parking occurs around the hotel, however, there is ample car parking available on the site and the matter of appropriate car parking should be addressed by the hotel. Should Members be minded to approve this application a condition may be attached to any consent granted requiring details of how the hotel control parking arrangements for their guests to be submitted and approved in writing by the planning authority.

Conclusion

The proposed 35 bedroom extension to the Express by Holiday Inn considered to be acceptable. It is therefore recommended that the application be approved.

RECOMMENDATION: Approve

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, to ensure that the development is carried out within a reasonable period of time.
- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to ensure that the development as carried out shall not vary from the approved plans.
- 3 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 4 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 5 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 days and hours of working, 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 amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 6 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 7 No part of the development shall be commenced until the off street parking provision has been constructed, surfaced, sealed and made available in accordance with the approved plans. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policy T22 of the UDP.
- 8 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs,

doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

- 9 Before the development hereby approved is commenced precise details of the parking control to be implemented and details of how this control is to be enforced shall be submitted in writing and approved by the Local Planning Authority, in the interest of highway safety and to comply with the requirements of policy T22 of the Adopted UDP.

5.

Washington

Reference No.: 07/00768/VAR Variation of Condition

Proposal: **Variation of condition 9 of planning application 06/03905/FUL by way of a legal agreement.**

Location: Land Adjacent Burtree/Cambrian Way Lambton Washington NE38 0RA

Ward: Washington Central

Applicant: Grainger Homes

Date Valid: 26 February 2007

Target Date: 23 April 2007

Location Plan



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PROPOSAL:

This application seeks consent to vary condition 9 of planning application 06/03905/FUL Residential development of 14 apartments and 14 townhouses at Burtree, Washington, by way of a legal agreement. Condition 9 of the permission required play facilities to be provided within the application site. The applicant has indicated that they would prefer to locate the play facilities off site and are

prepared to enter into a section 106 agreement with the Council in order to facilitate this.

A section 106 agreement for the sum of £18480 is currently being prepared.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Legal Services

Final Date for Receipt of Representations: **22.03.2007**

REPRESENTATIONS:

No representation received.

POLICIES:

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

H_21_Open space requirements in new residential developments (over 40 bed spaces)

COMMENTS:

The proposal to vary condition 9 of planning application 06/03905/FUL by way of a legal agreement is considered to be acceptable subject to the signing of a section 106 agreement.

RECOMMENDATION: Approve subject signing Section 106

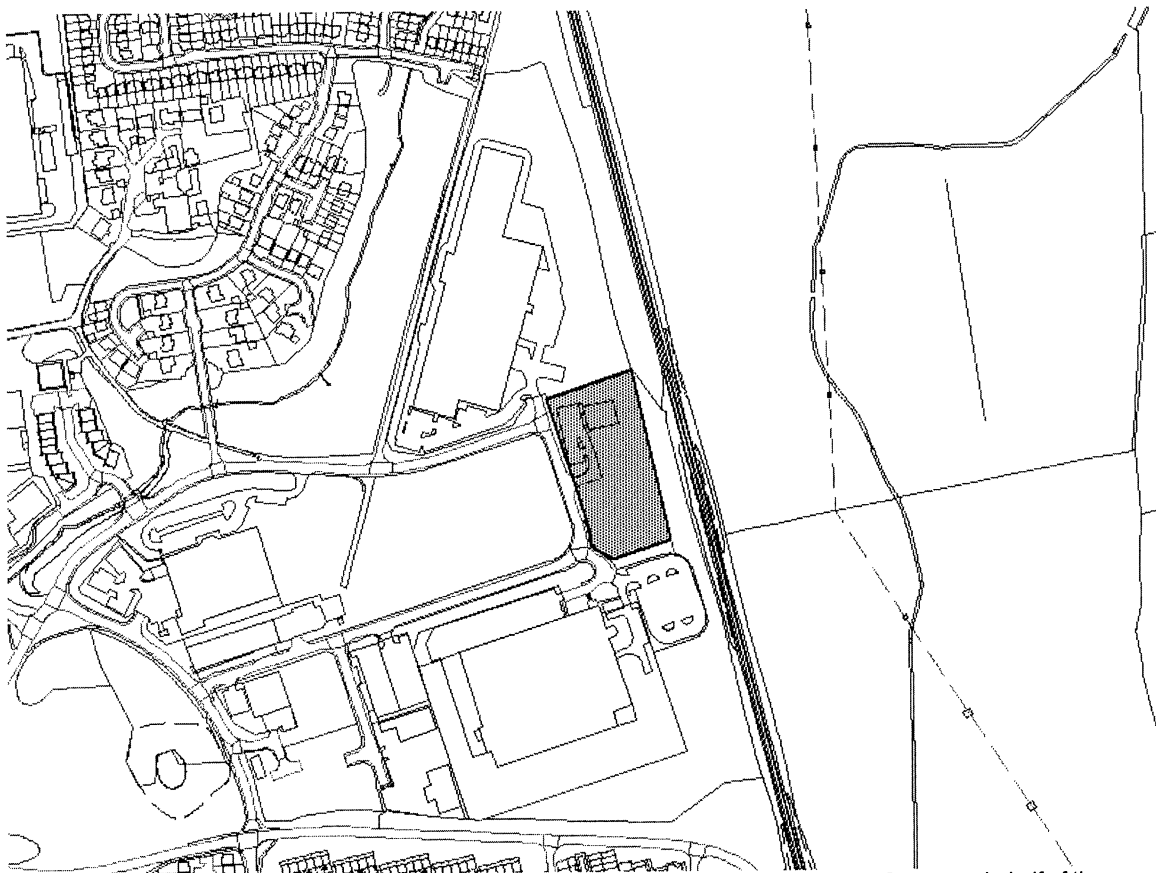
Reference No.: 07/01064/FUL Full Application

Proposal: **Erection of garage/storage extension to existing factory. (AMENDED DESCRIPTION)**

Location: Heyrod Construction Rainhill Road Washington

Ward: Washington North
Applicant: Heyrod Construction
Date Valid: 13 March 2007
Target Date: 8 May 2007

Location Plan



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PROPOSAL:

The application is for the erection of a 807 sq m extension to the existing factory unit on the Stephenson Industrial Estate. As submitted there is no provision for additional parking though this issue has been raised with the agent and details are awaited.

The proposed extension is a metal clad steel framed construction which matches the design and form of the existing factory. The proposal would extend in a north south direction from the existing building parallel to the adjacent Leamside line.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services
Environment Agency

Final Date for Receipt of Representations: **11.04.2007**

REPRESENTATIONS:

No representations have been received to date.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
CN_5_Safeguarding the visual amenity of the Green Belt
CN_16_Retention and enhancement of existing woodlands, tree belts and hedgerows
CN_17_Tree Preservation Orders and replacement of trees
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments
WA_1_Retention and improvement of established industrial / business area
WA_17_Provisions for maintaining the environmental identity of Washington New Town
WA_26_Identification of Strategic multi-user routes and their protection from development

COMMENTS:

The key issues to consider in determining this application are:-

- The principle of the use,
- Highways/parking,
- Scale, massing, layout and setting.

The principle of the use

The site lies within the Stephenson Industrial Estate and as such is on land which is allocated for industrial purposes in the UDP. As such, an extension to an existing industrial unit is considered as being acceptable in principle and appropriate in this location.

Highways/parking

The highways arrangements are as per the existing on site arrangements. The applicant has been requested to consider the provision of further parking pro rata to the size of the extension in line with the standards laid down in the Supplementary Planning Guidance, these details are awaited.

Scale, massing layout and setting.

The proposal as submitted is in keeping with the design of the host building and is considered acceptable and sits well at the rear of this large industrial site.

Members may recall a previous application to extend this unit was submitted in 2006 (06/02020/FUL refers). However that proposal extended into the extensive tree belt to the east of the site and would have resulted in the loss of a significant portion of a maturing planted area. The applicant was informed that this was not acceptable and withdrew the application. After further consideration the current proposal has been submitted.

Conclusion.

At the time of writing this report the consultation period has not yet expired. Due to the timing of the Committee cycle it will not be possible to determine this application within the statutory eight week period if the application is left for the May Committee.

As the proposal is considered acceptable and no adverse comments were received to the previous application Members are requested to delegate the matter to the Director of Development and Regeneration for approval subject to appropriate conditions. If any major issues are raised as a result of the consultations the matter will be returned to the next available Committee for determination.

RECOMMENDATION: DELEGATE to Dir. of Dev and Regeneration

SUPPLEMENT REPORT ON APPLICATIONS

REPORT BY DIRECTOR OF DEVELOPMENT AND REGENERATION

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

Hetton &
Houghton
S1

Great Eppleton Farm, Downs Pit Lane

Washington
S5

Land adjacent Burtree/Cambrian Way.

Sunderland City Council

Hetton, Houghton & Washington
Sub-Committee

SUPPLEMENT

A/ HETTON & HOUGHTON

Number: S1

Application Number: **07/00086/FUL**

Proposal: Replacement of existing turbines with 4 x 2 to 3 Mega Watt turbines with maximum tip height of 115m to include new access tracks.

Location: Great Eppleton Farm, Downs Pit Lane

Further to the main report to Committee consideration of this application is on-going. In addition there are consultation responses outstanding in relation to this application.

It is therefore recommended that members defer this application pending further consideration. It is anticipated that a recommendation in connection with this application will be made to Members at the May meeting of the DC Sub-Committee.

Recommendation: DEFER pending further consideration.

Hetton, Houghton & Washington
Sub-Committee

SUPPLEMENT

B) WASHINGTON

Number: S5

Application Number: **07/00768/VAR**

Proposal: Variation of condition 9 of planning application 06/03905/FUL by way of legal agreement.

Location: Land adjacent Burtree/Cambrian Way.

The recommendation in relation to this item should be amended, because of the potential signing of a legal agreement under s106 and the need to determine the application within the statutory 8 week period, as set out below:

RECOMMENDATION: Delegate to the Director of Development and Regeneration to:

- (i) Grant Permission subject to the following conditions and subject to completion of a Section 106 agreement by 23.04.07, or such other date as is agreed by the Director of Development and Regeneration.
- (ii) Refuse permission should the legal agreement not be completed by 23.04.07, or such other date as is agreed by the Director of Development and Regeneration.

**Items Delegated to the
Director of Development and
Regeneration**

**Items Delegated to the Director of Development and Regeneration
Development Control (Houghton and Hetton) Sub Committee**

1. **Construction of industrial unit with associated car parking and loading facilities for the purposes of recycling and waste transfer station.**

07/00603/SUB Land North Of Blackthorn Way Sedgeleth Industrial Estate Houghton-Le-Spring

08/02/07 R Hawthorn

Decision: Approved

Date of Decision: 15 Mar 2007

Items Delegated to the Director of Development and Regeneration

Development Control (Washington) Sub Committee

1. Development of land to provide 25no. residential units with associated landscaping, engineering and external works

06/04971/FUL Land At Well Bank School Well Bank Road Washington

11/12/06 George Wimpey North East

Decision: Approved

Date of Decision: 28 Feb 2007

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

	APPLICATION NUMBER AND WARD	ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
1	06/02030/FUL Houghton	YMCA, Lambton Lane, Houghton-le- Spring	McInerney Homes Demolition of existing buildings and erection of 68 dwellings and associated landscaping, car parking and access.	31.10.06	N/A	Pending Further Consideration
2	06/03735/FUL Washington East	Low Barmston Farm Mandarin Way Pattinson Washington	Kensington Associates Demolition and rebuilding of existing hay barn and construction of a further hay barn.	28.11.06	N/A	Pending Further Consideration

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

3	06/04468/OUT Hetton	Land adjacent to McEwans Centres, Mercantile Road, Rainton Bridge Industrial Estate, Houghton-le-Spring.	Mr M Roseberry Outline application for the erection of 80 bedroom hotel comprising 3 storeys, access and associated parking.	N/A	N/A	Pending Further Consideration
4	07/00348/FUL Washington	Land Adjacent To Parkway, Roche Court, And Newstead Court Glebe Washington	Sunderland Housing Group Housing regeneration scheme including construction of 71 new dwellings, provision of access roads, associated landscaping, and demolition of existing pedestrian foot bridge, including stopping up of public highway.	N/A	N/A	Pending further consideration



ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

5	07/00520/FUL Houghton	Land Adjacent Redburn House Redburn Row Houghton-Le- Spring DH4 6PX	Mr Thomas Robson Erection of a three bedroom dwelling house with garage and new access onto classified road (As Amended 19.03.07).	N/A	N/A	Pending Further Consideration
6	07/01019/FUL Hetton	Land Adjac Hawthorn Street South Row Sedgeleth Houghton-Le- Spring	Houghton And Hetton Housing Company LTD Substitution of house types to previous planning approval 06/00206/LEG. 14 bungalows - plots 35 to 48 to be type B3 in lieu of type B1 and B2.	N/A	N/A	Pending Further Consideration
7	07/01159/SUB Hetton	Hellens Depot, Colliery Lane, Hetton le Hole, Houghton-le- Spring	Barratt Newcastle Re-siting of plots 21-32 of previously approved application 06/03029/REM.	N/A	N/A	Pending Further Consideration

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

8	07/00537/REM Washington East	Former Cape Insulation Barmston Road Washington NE38 8JL	Hellens Development Ltd Erection of 5000 sq m of employment space including associated infrastructure pursuant to Outline approval re 06/02303/OUT	N/A	N/A	Pending Further Consideration
9	07/00768/VAR Washington	Land Adjacent Burtree/Cambrian Way Lambton Washington NE38 0RA	Grainger Homes Variation of condition 9 of planning application 06/03905/FUL by way of a legal agreement.	N/A	N/A	Pending Further Consideration
10	07/00901/FUL Washington Central	Halls Exhaust And Garage Carlton Works Derwent Terrace Columbia Washington NE38 7AT	Wilcomm Homes Demolition of existing building and erection of 16 no. apartments with associated parking.	N/A	N/A	Pending Further Consideration

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

11	07/00890/LAP Hetton	Hetton le Hole Nursery Victoria Street Hetton le Hole Houghton-Le-Spring DH5 9DG	Sunderland City Council Extension to nursery to form baby changing area.	06.03.07	N/A	Pending Further Consideration
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Appeals Received Hetton Houghton and Washington

Between 01/02/2007 and 28/02/2007

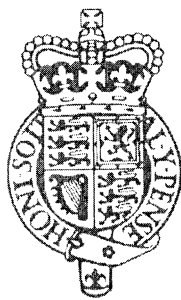
Team	Ref No	Address	Description	Date Appeal Lodged
HE	07/00009/REF	Land At Dean Croft Warden Law Houghton-Le- Spring DH5 8LX	Erection of a domestic wind turbine on a 9m tower (overall height 12.5m).	05/02/2007
HO	07/00010/REF	44 Brentwood Road Shiney Row Houghton-Le- Spring DH4 7LZ	Erection of two storey extension to side and conservatory to rear (RESUBMISSION).	09/02/2007
W	07/00012/REF	23 Ashdale Houghton-le- Spring DH4 7SL	Erection of a first floor side extension with balcony to rear, over existing garage and kitchen, to provide bedroom, ensuite and dressing area. (Amended Plans Received 27.9.06)	14/02/2007

Appeals Determined Hetton Houghton and Washington

Between 01/02/2007 and 28/02/2007

Team	Ref No	Address	Description	Appeal Decision	Date of Decision
HE					
	06/00086/REF	43 Eskdale Street□Hetton le Hole□Houghton-Le-Spring□DH5 0BL□	Retrospective conservatory to front (Resubmission).	DISMIS	22/02/2007
	06/00088/REF	11 Doxford Avenue□Hetton le Hole□Houghton-Le-Spring□DH5 9PX□	Erection of dormer windows to front	DISMIS	15/02/2007
HO					
	06/00058/REF	Taylors Farm□Stoneygate□Houghton-Le-Spring□DH4 4NN□	Erection of a conservatory to the left of the garage and erection of a tiled canopy to side of property	APPC	28/02/2007
	06/00068/REF	15 Cricklewood Drive□Penshaw□Houghton-Le-Spring□DH4 7EA□	Erection of single storey extension to front, two storey to side and single storey extension to rear.	DISMIS	28/02/2007

26 March 2007



Appeal Decision

Site visit made on 13 February 2007

by **Wenda Fabian** BA Dip Arch RIBA

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date: 22 February 2007

Appeal Ref: APP/J4525/A/06/2030448

43 Eskdale Street, Hetton-le-Hole, Tyne and Wear DH5 0BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr A & Mrs M J Lumley against the decision of Sunderland City Council.
- The application Ref 06/01405/SUB, dated 12 April 2006, was refused by notice dated 8 May 2006.
- The development proposed is the erection of a conservatory.

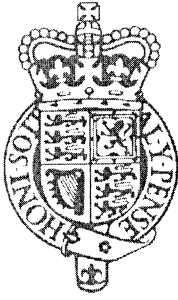
Decision

1. I dismiss the appeal.

Reasons

2. The conservatory to which this appeal relates has already been erected. The appeal dwelling is at the end of a block of four linked houses, in a row of similar blocks. The appellants believe that the conservatory has been built onto the rear of the dwelling. However, like other properties in the development, there is a road at both front and rear. There is pedestrian access and a formal front door alongside the conservatory and vehicular access at the other side, off an open yard. Many dwellings have a detached garage at this other side and there are garden sheds as well as the other domestic clutter more usually associated with the rear of properties. It seems clear to me that the conservatory has been built at the front. This impression is strengthened by the front porches that have been built on some dwellings at this side, emphasising the more formal appearance along this road.
3. Policy B2 of the *City of Sunderland Unitary Development Plan*, 1998, requires that extensions should respect and enhance the best qualities of the locality. The conservatory is square in plan and occupies around half of the width of the property. It substantially exceeds the projection limit of 1.2m for front extensions, set out in the Council's Supplementary Planning Guidance, adopted in June 2000. In my opinion, it is a prominent and eye-catching disturbance in the generally uniform building line of the row.
4. I have seen that there is one other conservatory at this side of the row; this is smaller than the appeal one and less obtrusive. In any event I am unaware of its full planning circumstances and have reached my decision in this case on its individual merits. The appellants have undertaken the care of some of their grandchildren and use the conservatory as additional living and play space. However, even if it were not possible to achieve this aim by any other means, the appellants' personal needs do not outweigh the harm that, in my opinion, has resulted from the proposal, because personal circumstance may change, but the development would remain long afterwards.

Wenda Fabian Inspector



Appeal Decision

Site visit made on 13 February 2007

by **Wenda Fabian** BA Dip Arch RIBA

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 15 February 2007

Appeal Ref: APP/J4525/A/06/2030868

11 Doxford Avenue, Hetton-le-Hole DH5 9PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs J Charlton against the decision of Sunderland City Council.
- The application Ref 06/02189/FUL, dated 31 May 2006, was refused by notice dated 26 July 2006.
- The development proposed is the erection of dormer windows to front.

Decision

1. I dismiss the appeal.

Reasons

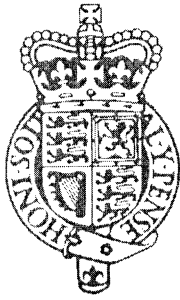
2. The original proposal was for one continuous dormer at the front of a modest terraced single storey cottage-style dwelling. The dormer would occupy the majority of the front roof pitch; with a flat roof adjoining it just below the ridge, the front face built a little above the eaves and the side dormer cheeks inset slightly at each side. The appellant has submitted a revised proposal, with a narrow break in the line of the proposed dormer, to divide it into two separate ones. I have considered the appeal on this basis.
3. Policy B2 of the *City of Sunderland Unitary Development Plan*, 1998, requires that extensions should respect and enhance the best qualities of the locality. Further guidance set out in the Council's Supplementary Planning Guidance (SPG), adopted in June 2000, explains that many older areas of the city have been affected by badly designed roof extensions and it precludes front dormers on traditional Sunderland cottages. The SPG gives little definition of the type of property this description applies to, other than that these are terraced cottage properties unique to the area. The appellants contend that their property is not one of the long terraces built in the 19th century and the Council has acknowledged this. However, whilst the appeal dwelling is not part of a long terrace, it is at the end of a block of four, in a row of similar blocks set close together, with mainly similar properties in the surrounding streets. The ridges are decorative and the design of the dwellings is modest. I share the Council's view that they have the appearance of the type of cottages, traditional in the area, where the SPG resists front dormers, unless more than 50% of properties already have them.
4. In this case there are few front dormers on the row, or in the immediate surroundings. The proposed dormers would meet the minimum requirements, set out in the SPG, in terms of their distance from the edge of the roof, the party boundary and the eaves. However, I consider that the existing dormers, close to the appeal property, demonstrate the harmful effect that would result from the proposal even as amended. (The pair of dormers would be

set so close together that it would appear as one overall dormer.) These existing dormers substantially alter the appearance of the properties and give them the appearance of two storey dwellings, with flat roofs. This is particularly significant as the street is located prominently on a steep hillside and there are many views of the front of the dwellings from the surrounding area. The appeal proposal would dominate the block in the same way that I have seen the existing dormers do and, were the majority of dwellings in the row to be similarly altered; this would transform the current pleasant character of the street and be out of scale with the surrounding streets. This is the effect that the SPG seeks to resist.

5. I appreciate that the appellants require additional space to accommodate elderly parents. They suggest that rear dormers, as I have seen added to similar properties nearby, would necessitate a different staircase layout and be more expensive to construct. However, even were the proposal the only feasible solution, the appellants' personal needs do not outweigh the harm that, in my opinion, would result from it, because personal circumstance may change, but the development would remain long afterwards.
6. I conclude that the proposal would harm the character and appearance of the property and the surrounding area, contrary to development plan policy.

Wenda Fabian

Inspector



Appeal Decision

Site visits made on 4 January and 15 February 2007

by **Dennis Johnson BA DipTP MRTPI**

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 28 February 2007

Appeal Ref: APP/J4525/A/06/2024956

Taylor's Farm, Parkside, Stoneygate, Houghton-le-Spring, Tyne and Wear DH4 4NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Jim Clark against the decision of the City of Sunderland.
- The application (Ref 05/04659/FUL), dated 13 December 2005, was refused by notice dated 27 March 2006.
- The development proposed is an orangery and a loggia extension.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Planning Policy

1. The appeal site lies within the Tyne and Wear Green Belt as defined in the City of Sunderland Unitary Development Plan (1998) (the UDP). Policy CN3 is modelled on national advice in paragraphs 3.4 and 3.6 of Planning Policy Guidance 2: *Green Belts*. The policy states that the construction of new buildings inside the Green Belt is inappropriate unless it is for a number of specified purposes, including the limited extension of existing dwellings. The reasoned justification adds that the extension of dwellings is acceptable in the Green Belt, provided that it does not result in disproportionate additions over and above the size of the original building. Paragraph 3.2 of PPG2 states that inappropriate development is, by definition, harmful to the Green Belt.
2. Paragraph 1.4 of PPG2 states that the most important attribute of Green Belts is their openness. UDP Policy CN5 seeks to ensure that the visual amenity of the Green Belt will not be injured by proposals for development within it.

Main Issue

3. I consider that the main issue in this appeal is whether the proposed development would represent disproportionate additions over and above the size of the original dwelling, thereby amounting to inappropriate development in the Green Belt and, if so, whether the harm by definition would be compounded by any harm to its openness and visual amenity.

Reasons

Disproportionate Additions/Inappropriate Development

4. The appeal property is a particularly large modern detached dwelling. It comprises two buildings set at right angles to each other in an L formation. The larger of the two provides living accommodation on two floors; the other is a one-and-a-half storey building that provides garaging for three cars with storage space above. The proposed orangery, a single-storey glazed structure with a brick plinth and lantern roof, would be added to the outward-

facing gable wall of the garage. The proposed loggia, an open-sided single-storey canopy constructed of timber with a hipped tiled roof, would be added to the outward-facing gable wall of the house.

5. In order to apply UDP Policy CN3 to the proposed development, it is first necessary to establish the extent of the original building. The Council's case appears to rest on the premise that this is as permitted on 24 September 1993 under application ref 93/1007. The amended plans on which this permission was based were specifically referred to in condition 3 and in a footnote. Condition 13 removed permitted development rights for subsequent extensions.
6. The Council maintains that three previous extensions not shown on the approved plans are relevant to this appeal. They comprise an external chimney breast and single-storey inglenook fireplace enclosure on the west gable wall of the house; a large central conservatory attached to the rear wall of the house and linking two permitted conservatories at each rear corner; and a single-storey utility room extension projecting from the rear corner of the east gable wall.
7. However, the appellant's assertion that these three 'extensions' were built at the same time as the rest of the house has gone unchallenged, and the Council accepts that they came to its attention after they had been erected for more than four years and hence could no longer be subject to enforcement action. In the circumstances I must conclude, on the balance of probabilities, that the original building comprises the house and garage as permitted, together with these three unauthorised 'extensions'. During my second site visit a small single-storey extension of which the Council had previously been unaware came to light. As the appellant does not now claim that this was built during the original construction process, I shall take it into account as a previous extension in considering this appeal.
8. The proposed loggia would continue the line of the existing inglenook fireplace enclosure and its roof ridge would be slightly lower. It would project approximately 3.3m further out. The proposed orangery would be set in from the corners of the garage gable wall, with a footprint of 5m square, and only the apex of its lantern roof would project above eaves level of the existing building. The appellant claims that the proposed extensions would add 18% to the footprint of the original dwelling. I consider that the size of a building can be more accurately assessed in terms of its volume than of its footprint. Neither party has provided any volume calculations. From the information supplied and measurements agreed on site, I estimate that the proposed extensions together with the existing single-storey extension would add somewhere in the region of 10% to the volume of the original dwelling.
9. For the above reasons I conclude that the proposed extensions, taken together with the existing single-storey extension, would not cumulatively result in disproportionate additions over and above the size of the original dwelling. It follows that the proposed development would not represent inappropriate development in the Green Belt and would thereby accord with UDP Policy CN3.

Openness

10. In terms of their impact on the openness of the Green Belt, both of the proposed extensions would add to the existing built envelope, but to a limited extent. Moreover, the loggia would be an open-sided structure, and the orangery would be a partly transparent structure seen against the background of the gable wall of the garage and as a minor feature in the context of the extensive complex of highly visible buildings comprising Taylor's Farm. For

these reasons, I consider that the proposed extensions would not significantly reduce the openness of the Green Belt and that they would thereby accord with national policy as expressed in PPG2.

Visual Amenity

11. The proposed loggia would not be visible from public vantage points. The orangery would be visible from the A690 principal road, which passes some 120m to the north of the site, but I do not consider that it would appear conspicuous in its context. Moreover, it would be partly screened by trees and other vegetation to the north of the site and by the high security fence along the northern site boundary. In any event, both extensions have been sympathetically designed to complement and appear subordinate to the host buildings.
12. I attach little weight to the fact that the orangery would occupy part of an area shown as a landscaped area on the site/location plan approved under ref 93/1007, as no landscaping has been carried out and the Council is no longer in a position to enforce compliance with conditions 9 and 10 of that permission. These conditions required the prior submission and approval of a landscaping scheme and its implementation within a defined timescale.
13. I conclude that the proposed development would not materially harm the visual amenity of the Green Belt, and that it would thereby accord with UDP Policy CN5.

Other Matters

14. I note the appellant's request that I should use my powers to determine that the proposed development is permitted development within the tolerances of Class A of Part 1 of Schedule 2 to the General Permitted Development Order. However, no such powers are available to an Inspector when deciding an appeal under Section 78 of the Act. The Council has referred to a detached timber gazebo for which it granted retrospective permission under ref 02/01366/FUL. For the avoidance of doubt, I consider that the gazebo is too far from the dwelling to be classed as an extension.

Conclusions

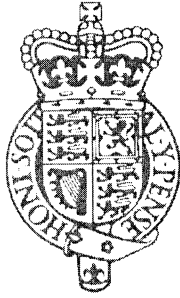
15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed. Neither party has suggested any conditions. As the application provides full details of the proposed development, the only condition that I consider necessary is the standard time limit for the commencement of development.

Formal Decision

16. I allow the appeal and grant planning permission for an orangery and a loggia extension at Taylor's Farm, Parkside, Stoneygate, Houghton-le-Spring, Tyne and Wear DH4 4NN in accordance with the terms of the application Ref 05/04659/FUL, dated 13 December 2005, and the plans submitted therewith, subject to the following condition:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

D C Johnson

INSPECTOR



Appeal Decision

Site visit made on 30 January 2007

By **Michael R Lowe BSc (Hons)**

An Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 28 February 2007

Appeal Ref: APP/J4525/A/06/2027230

15 Cricklewood Drive, Penshaw, Houghton-le-Spring DH4 7EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Stephen Coombs against the decision of Sunderland City Council.
- The application Ref 06/02772/FUL, dated 7 July 2006, was refused by notice dated 22 August 2006.
- The development proposed is a two storey side extension.

Decision

1. I dismiss the appeal.

Main Issue

I consider the main issue to be the effect of the proposed extension on the living conditions of the residents of 17 Cricklewood Drive.

Reasons

2. The appeal property is modern two storey semi-detached house with a garage, set back, to the side of the dwelling. To the south west of the appeal site the adjacent dwelling is a bungalow, 17 Cricklewood Drive. This property is at a lower level than No 15 and is set so that the rear elevation of the property faces the side elevation of No 15. The general locality of the site is characterised by semi-detached houses, the majority being two storey.
3. Policy B2 of the City of Sunderland Unitary Development Plan (UDP) adopted in 1998 indicates that the scale, massing, layout or setting of extensions should respect and enhance the best qualities of nearby properties and the locality, and retain acceptable levels of privacy. Supplementary Planning Guidance (SPG) to the UDP was adopted in 2000 after public consultation during the process of the adoption of the UDP, and I therefore attach weight to this document. The SPG indicates that an important consideration in the design of an extension or alteration is the protection of space around dwellings to ensure satisfactory living conditions in terms of outlook, privacy and daylight. In particular minimum spacing standards are set out within the guidance; in this case, where the rear elevation of No 17 containing main windows faces the side elevation of the proposed extension, a spacing of at least 14 metres is required.
4. In my view the bulk and mass of the proposed two storey side extension would significantly adversely affect the living conditions of the residents of No 17 in terms of the loss of outlook, and would conflict with the policies of the UDP. The existing distance between the two properties is about 13.8 metres and the proposed extension would reduce this distance to about 10.8 metres, well below the indicative separation distance in the SPG.

Although the Council's guidelines should not be applied uncritically, I believe that the proposed extension would be overbearing when viewed from No 17. I therefore conclude that the appeal should be dismissed. I note that the Council have indicated that they consider that the front and rear single storey elements of the proposed extensions are acceptable, but I do not consider that these elements can be separated from the application as a whole.

Michael R Lowe

INSPECTOR