

## **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

1.

Washington

Reference No.: 12/02218/FUL Full Application

**Proposal:** Change of use of existing material recycling facility to a metal recycling facility, to include siting of two single storey portacabins, boundary treatment to a maximum height of 5 metres and associated works (amended description).

**Location:** Land at Monument Park Washington

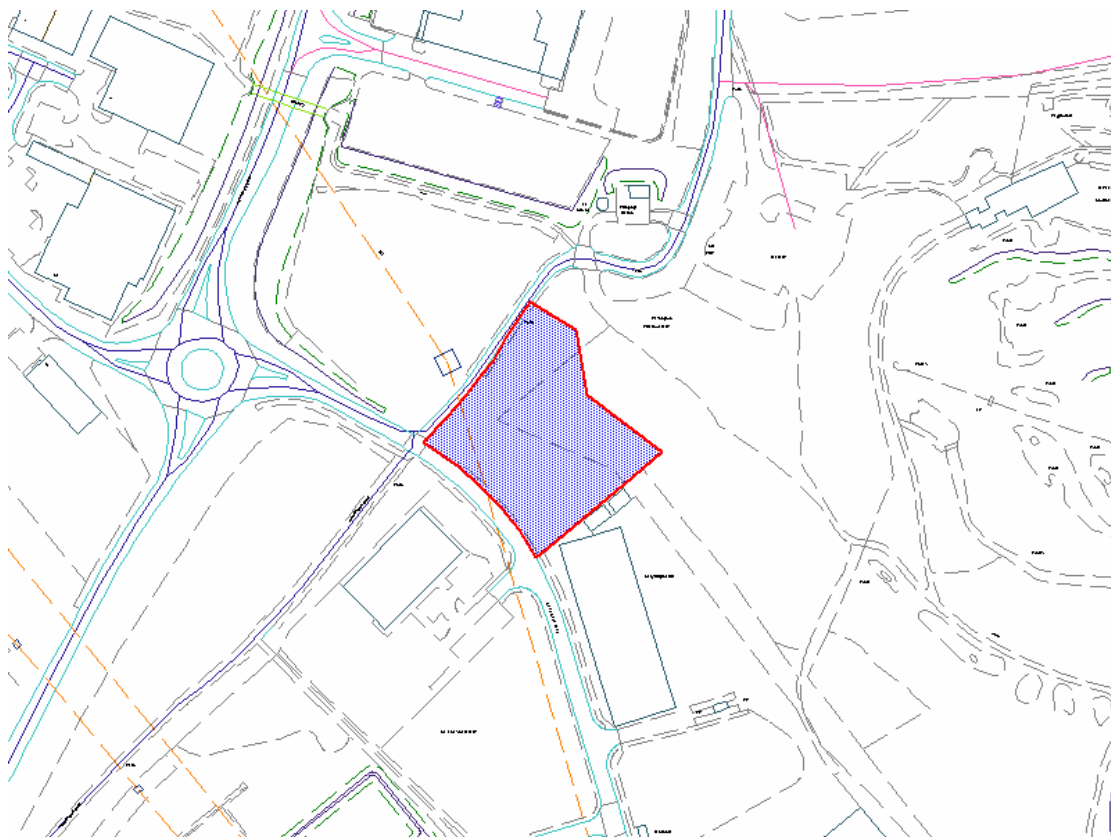
**Ward:** Washington East

**Applicant:** Van Dalen Metal Recycling and Training

**Date Valid:** 26 July 2012

**Target Date:** 20 September 2012

### Location Plan



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### PROPOSAL:

Planning permission is sought to change the use of the existing material recycling facility to a metal recycling facility, to include siting of two single storey portacabins, boundary treatment to a maximum height of 5 metres and associated works at Monument Park, Washington. The proposal represents the relocation of an existing facility located within South Shields in order to increase operations which cannot be accommodated at the current site.

## **The Application Site**

The application site is located within Monument Park Industrial Estate which accommodates other commercial and industrial uses and is located to the eastern edge of Washington. The site currently comprises of 0.6 hectares of land which previously accommodated a material recycling facility.

The site accommodates a large building of 836 square metres and office accommodation of 42 square metres. The remainder of the site is laid to hardstanding, within which is a pit mounted weighbridge. The site boundary is marked by a 2.4 metre welded mesh fence and associated double leaf gates, both of which are finished in dark green.

The site is bounded by mature and semi mature tree planting to the north, east and west. The site is therefore afforded a significant level of screening apart from the front elevation (south) which is the access route into the site.

The Washington Wetland Centre is located to the north east of the application site, Northumbrian Water Treatment Works are located to the south and Pattinson Industrial Estate to the west. Further a field to the south west is the residential estate of Teal Farm. The closest properties are located on Lydcott, beyond Pattinson Road, which are approximately 255 metres away from the site boundary. In addition, residential accommodation is being constructed at Teal Park Farm and Teal Park Village, in excess of 500 metres away.

There are electricity overhead cables running across part of the site. Vehicular access is provided to the application site via a junction off Pattinson Road. Pattinson Road links the site to the A1231 Sunderland Highway.

A public consultation exercise was undertaken which included a mail drop to residents and businesses and an exhibition held on the 9th May 2012 at Washington Library and Customer Service Centre.

## **Site History**

The application site was granted consent in February 2011 for the erection of a materials recycling facility with associated service yard, storage building, portakabin and weighbridge, parking and landscaping. Subsequent applications relate to the discharge of associated conditions including desk top study, remediation statement, noise assessment, materials, scheme of working, wheel wash, landscaping, exterior lighting, and footway link. In December 2011 an application was approved for a variation to the application to allow the storage of inert materials on areas outside the building and in January 2012 an application was approved to allow skips to be stacked to a height of 5 metres.

## **The Proposed Development**

The proposal seeks to change the use of the site from a material recycling facility to a metal recycling facility. It is proposed that the facility operates between the hours of 07:00 and 18:00 Monday to Friday and 07:00 and 13:00 on Saturdays. It is not expected that the facility will operate on either Sundays and/ or Bank Holidays. However, maintenance works may be necessary outside of the proposed operational hours.

The proposed hours of operation are comparable to that of the previous approval for the materials recycling facility however, it is proposed to cease operation one hour earlier on weekdays than that previously allowed.

In addition to the above the application seeks to regularise a number of discrepancies between the approved plans (February 2010) and the built form of development.

The Applicant, Van Dalen, operate 13 sites, with 6 located within England. The application site is to operate as one of Van Dalen's network of local facilities. The facility is to provide a collection point for metallic waste and end-of-life-vehicles (ELVs) arising from the local area.

The metallic waste will be sorted, processed and bulked into larger quantities before being transported away from the site.

It is anticipated that the site would manage 30,000 tonnes per annum of ferrous and non-ferrous metallic waste comprising ELVs and demolition scrap from the local area. It is proposed that 25 ELVs would be processed on a daily basis and 10 full time members of staff would be employed at the site.

The inaccuracies between the approved plans and the built development relate to the location of the re-cycling building which has been constructed closer to the eastern boundary than approved, an extent of the hardstanding which has encroached into the Green Belt, hardstanding to the southern corner of the site and the site access arrangements.

### **Hardstanding**

As part of the application, the applicant proposes to amend the location of the northern boundary to regularise the original consent. As constructed, part of the hardstanding, has encroached upon the Green Belt without the benefit of planning permission. Once the hardstanding is removed, it is the applicant's intention to landscape this area as detailed on the submitted landscaping plan (Drawing No. 1267-01-09, received 18.10.2012).

### **Office/ Welfare Facilities**

The existing single storey office/ welfare portacabins located adjacent to the entrance to the site are to be removed. As a replacement, two single storey office/ welfare cabins are proposed to be located to the east and west of the existing entrance. The proposed cabins are to be coloured green with yellow access doors. The existing weighbridge is to be retained.

The office/ welfare cabins are to be identical and measure 12 metres in length and have a width of 3.6 metres. The cabins are to have a flat roof with a maximum height above ground level of 3.5 metres.

### **Storage Tanks**

To the western elevation of the existing recycling building it is proposed to site a series of tanks for the collection of liquids extracted from vehicles. It is noted that the tanks are to comply with the specifications required by the Environment Agency.

The storage tanks are to comprise of 2 no. 500 gallon and 3 no. 980 litre fuel tanks. The tank provision has been chosen in order to be appropriate for the level of ELV processing that will be undertaken at the site.

### **Boundary Treatment**

The existing fencing at the site is to be retained while additional fencing is proposed inside the existing fence. The proposed fencing is to have a maximum height of 5 metres constructed from solid steel. The fencing is to be lower to the south of the site with a maximum height of 4 metres due to being located beneath overhead power lines. The external facing elevation of the fencing is to be clad with corrugated/ plate sheets. The existing access gates are to be increased to 4 metres high and are to be constructed from solid steel plate. It is proposed to colour the fencing green.

The proposed fencing has been deemed necessary due to the site dealing with metals and to prevent thefts given the current market values for the product.

In addition to the proposed fencing, a series of 5 metre high bays would be erected to the revised northern boundary. The bays would be constructed from solid steel and used for the storage of metals.

### **Landscaping**

As part of the proposal it was identified that the northern boundary of the site has encroached upon the Green Belt. As part of the revisions to the unauthorised development, the importance of landscaping was identified.

The proposed landscaping has been designed to increase soft landscaping between the revised hardstanding and the northern boundary of the site. In addition, enhancement is proposed to the existing landscaping on the western and southern site boundaries.

A comprehensive landscaping plan has been submitted (Drawing No. 1267-01-09, received 18.10.2012) however, for clarity, a summary of the proposals are as follows:

- Gapping up of the north western boundary hedge
- Additional native woodland screen planting along bund on the north eastern boundary set into wildflower- seeded area
- Planting of Hawthorn trees along Monument Park boundary, set into low-maintenance amenity shrub planting backed by 4 metre high solid metal fence with mixed evergreen/ deciduous climbers. Hawthorns have been selected in order to maintain low planting underneath the overhead high voltage line.

### **Lighting and CCTV**

Contemporary flood lighting is to be installed to each corner of the revised hardstanding while CCTV cameras are to be installed on either end of the existing main building and on the office/ welfare building.

The lighting is to be used during hours where natural light falls below safe working levels. The proposed lighting is to be modern flat glass high pressure lanterns which achieve full cut off in that all light is directed down with minimal upwards or sideways spill. The lighting is to be operational during working hours.

It is stated that the lighting has been designed to accord with the guidance within The Bat Conservation Trust and Institute of Lighting Engineers: "Bats and Lighting in the UK" (2008). This is to avoid conflict with bats or other wildlife present within the adjacent Wildfowl Park.

### **Access and Parking**

The site is accessed via a purpose built junction off Pattinson Road. The access includes a pedestrian footpath with dropped kerbs. Within the site there are 12 car parking spaces.

### **Operation Practices**

The ELVs would be lifted by a forklift truck from the hardstanding area into the recycling building where it would be attached to a purpose built rig. Once the vehicle is attached to the rig any fluids and components are drained and removed. The process is known as "de-pollution". In this respect the process operates in a similar manor to a vehicular garage when vehicles are serviced.

The fluids are collected within the base of the rig and then pumped into a number of self banded tanks, located immediately next to the southern elevation of the building. The tanks would store the fluids until they are collected and transported to an appropriately licensed processor of waste hydro carbons.

Once de-pollution is complete the vehicles are removed from the rig and then compressed and stored at the site prior to transhipment.

The remainder of the existing recycling building will be used for the storage and processing of non-ferrous metals.

### **Plant, Mobile Equipment and Skip Storage**

A sheer is proposed to be located adjacent to the external storage bays. The sheer comprises of hydraulic rams which envelope the loaded material and then slowly apply pressure. A log of material is formed which is passed through the sheer to create specifically sized bails.

Within the existing building weigh scales, a non-ferrous bailer, non-ferrous cutting sheer and a cable stripper will be located.

The mobile plant includes a forklift truck and a 360 degree excavator with grab attachment to move waste.

Skips are to be stored within the site and would not exceed the height of the solid steel fencing.

The application is accompanied by the following documents:

- Design and Access Statement
- Access and Accessibility Statement
- Supporting Statement
- Statement of Community Involvement
- End-of-Life-Vehicle Process Description
- Transport Statement
- Noise Impact Assessment
- Indicative Surface Water and Foul Drainage Strategy
- Landscape and Visual Assessment Methodology

- Phase One Environmental Study and Walkover Study
- Phase Two - Ground Investigation and Laboratory Testing
- Ecology Survey
- Planning Application Drawings

**TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

County Archaeologist  
City Services - Network Management  
Northumbrian Water  
Environment Agency  
Street Scene (Environmental Service)  
National Grid Transco  
Health & Safety Executive  
National Grid Transco

Final Date for Receipt of Representations: **13.11.2012**

**REPRESENTATIONS:**

A number of objections have been received which comprise of a petition signed by 246 people stating they oppose the application. Petition sheets have been submitted by the Acting Secretary of Teal Farm Residents' Committee on behalf of 58 residents. In addition, individual objections have been submitted by 9 interested parties, including a local Councillor, The Centre Manager of the Wetland Centre and 3 businesses. The concerns raised within the objections are summarised below:

- The proposed use falls outside of categories B1, B2 and B8
- Detrimental visual impact
- Noise and hours of operation
- Smell
- Increased litter
- Parking and traffic
- Contaminants emitting and draining into the surrounding land and roads
- Detrimental to wildlife
- Potential impact to visitors to the Wetland Centre
- The risk of fire and smoke
- That the proposed use would include a cash sales desk
- The proposal would make the area less desirable
- Conflict with overhead power lines

The objections identified above will be considered within the main report.

**Consultee Responses**

**Planning Policy**

The principle of development is considered appropriate and in accordance with the relevant UDP policies.

## **Countryside**

It is noted that the footprint of the proposal is within the boundary of the current recycling plant and as such will have a negligible impact from a nature conservation perspective. The reinstatement of woodland habitat within the Green Belt is seen as a positive addition.

It is stated that the impact of the proposal when operational, on biodiversity and public access, adjacent to the site, should be given full consideration. This includes noise, runoff and airborne particles.

In addition it is stated that the non-ornamental 'native' and 'species rich' planting and seeding should reflect locally indigenous species and remain subject to a management plan, including thinning/ coppicing and grassland cut and rake regimes.

## **Transportation**

Network Management noted that there was a discrepancy with regard to the number of proposed parking spaces. The agent submitted an amended application form which confirms that there will be 12 vehicle parking spaces provided on site.

It is noted that there is a high demand for on street parking and it was stated that double yellow line parking restrictions were to be implemented. Following an additional site visit 23.10.12 it is noted that this has since been implemented.

In order to mitigate against potential on street parking issues it was suggested that a condition be placed on the decision notice, should Members be minded to approve the application. The condition states that the proposed parking is laid out in accordance with the approved plans (Drawing No. 1267-01-03) and kept clear and available for the purposes of car parking at all times.

## **County Archaeologist**

The County Archaeologist has offered no objection in relation to the proposed change of use.

## **Environmental Health**

The submitted noise assessment has been undertaken in accordance with BS 4142 to determine the likely impact upon the closest residential property together with an assessment of the likely impact upon office accommodation of neighbouring industrial facilities.

Data from an existing facility within South Shields and noise modelling have been used to predict the likely noise impact of the development.

The results have shown that at the nearest noise sensitive receptor, complaints are likely, without mitigation. With mitigation it is predicted noise levels would be of marginal significance. The noise consultant has stated that noise levels with mitigation will be below background levels and complaints from residents would be unlikely. The internal noise levels at nearby industrial offices are considered to be in accordance with BS 8233. It is not expected that there would be a significant impact from highway noise.



Following an assessment of the application, it is recommended, should Members be minded to approve the application, that the following conditions be given due consideration:

- Provision of a turning circle to minimise the use of reversing beepers
- The solid steel perimeter fence be maintained to the site south west and north west boundaries
- ELV processing and the processing of non ferrous metals should take place within the building
- The mobile external shear shall be fitted with an additional exhaust silencer and provided with a localised acoustic screen
- The metal storage bays shall be constructed from 5 metre high solid steel fence
- Mobile plant operating shall be fitted with broadband type reversing alarms to minimise disturbance from reversing beeps

### **Environment Agency (EA)**

It is stated that there is currently an Environmental Permit in force on the site for household, commercial and industrial waste transfer with vehicle storage, de-pollution and dismantling. The Permit is held by the previous operator and as such the Permit will be required to be transferred to the new Permit holder.

Upon transfer of the Permit it is noted that the operator will be required to submit a new Environmental Management System (EMS) incorporating a noise and vibration management plan to the EA. Confirmation of the drainage arrangements is also required to be submitted to the EA.

The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit.

In relation to land contamination the EA consider that the controlled waters at the site are of low sensitivity.

### **Northumbrian Water**

Northumbrian Water has considered the proposal in relation to the impact of the development on their assets and has assessed the capacity within the network to accommodate and treat the anticipated flows. In this regard Northumbrian Water has offered no objection to the scheme.

### **National Grid**

Given overhead power lines cross a section of the south west of the site the National Grid were consulted. Following discussions between the agent and the National Grid amended plans were received with regard to the height of the proposed fencing and the portacabins. The initially proposed double height portacabins have been replaced by 2 single storey structures. The proposed fencing is to be reduced to a maximum height of 5 metres.

The revisions were submitted in order that the statutory clearance for the maximum sag of power lines is met. The statutory clearance is identified as 5.3 metre. In addition it should be noted that the operator is required to work in accordance with the following documents:

- HSE Guidance Note 6 - Avoidance of Danger for Overhead Electricity Power Lines

- The relevant parts of the Electricity at Work Regulations 1989
- National Grid Guidance - Electricity Overhead Lines
- National Grid Guidance - Development near Overhead Lines
- National Grid Guidance - Essential Guidance Document and General Guidance Document
- National Grid Design Guidelines - 'Sense of Place'
- Energy Networks Association - Technical Specification 4-48 for 'Overhead Lines Clearance' Issue 3
- National Grid Transmission Drawing 28\_NG\_0294\_1 Issue A

**POLICIES:**

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

- WA\_1\_Retention and improvement of established industrial / business area
- B\_2\_Scale, massing layout and setting of new developments
- CN\_2\_Purpose of the Green Belt in Sunderland
- CN\_3\_Control of development within the Green Belt
- CN\_4\_Control of other operations in the Green Belt
- CN\_5\_Safeguarding the visual amenity of the Green Belt
- CN\_13\_Protection and enhancement of important views
- CN\_16\_Retention and enhancement of existing woodlands, tree belts and hedgerows
- CN\_18\_Promotion of nature conservation (general)
- CN\_15\_Creation of the Great North Forest
- CN\_23\_Measures to conserve/ improve wildlife corridors
- EC\_4\_Retention and improvement of existing business and industrial land
- EC\_15\_Development or extension of bad neighbour uses
- EN\_5\_Protecting sensitive areas from new noise/vibration generating developments
- EN\_12\_Conflicts between new development and flood risk / water resources
- M\_14\_Location and planning of waste disposal activities acceptable under M12 or M13
- M\_18\_Provision of waste reclamation and recycling facilities subject to amenity etc.
- T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising
- T\_22\_Parking standards in new developments
- EN\_1\_Improvement of the environment

**COMMENTS:**

The main issues to be considered in assessing the application are as follows:

1. Principle of the development
2. Siting and design of development
3. Potential Highway/ Parking Implications
4. Potential Noise and Disturbance
5. Potential Contamination and Flooding
6. Ecology Issues
7. Other Issues

## 1. Principle of Use

It is important to establish the acceptability of the principle of development on any proposed development site. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the adopted development plan be regarded as the primary consideration by the Local Planning Authority (LPA) in determining a proposal for development unless material considerations dictate otherwise.

As of 27 March 2012, the National Planning Policy Framework (NPPF) became a material consideration in the determination of planning applications and superseded a large number of previous planning policy guidance notes and statements. Paragraph 11 of the NPPF states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 expands upon this and advises that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

Whether or not the development plan is up to date is a material consideration in determining how much weight should be attached to the relevant policies in the development plan in light of other material considerations. In particular, Paragraph 214 of the NPPF states that where the relevant provisions of the development plan were not adopted in accordance with the provisions of the Planning and Compulsory Purchase Act 2004 (which is the case with the Council's Development Plan which was adopted in 1998), due weight should be given to the relevant policies of the plan according to their degree of consistency with the NPPF.

Paragraph 14 of the NPPF provides that in respect of decision making:-

- development proposals that accord with the development plan should be approved without delay;
- where the development plan is absent, silent or the relevant policies are out of date, planning permission should be granted unless:-

(i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole; or

(ii) specific policies in the NPPF indicate that development should be restricted.

The Council's Development Plan comprises the saved policies of the Development Plan which was approved in 1998, the UDP Alteration Number 2 (Central Sunderland) adopted in 2007 and the Regional Spatial Strategy.

On the above basis it is considered that the following issues and policies are relevant to the consideration of the change of use of the site to a metal recycling facility.

The North East Regional Spatial Strategy (NERSS) was adopted in 2008 with Policy 45 aiming to manage waste at the highest possible level on the waste hierarchy, enabling waste to be disposed of in one of the nearest appropriate installations while ensuring communities take more responsibility for their own waste.

The site falls within an area which is largely identified on the approved Unitary Development Plan (UDP) for industrial purposes (Policy WA1.7) which is to be retained and improved. The north eastern boundary adjoins the approved Green Belt which is subject to policies CN2, CN3, CN4 and CN5. Consent 06/01947/OUT however set the principle of the industrial development of that part of the site subject to the provision of an appropriate landscaping strip /tree belt.

Policy CN5 aims to ensure that the visual amenity of the Green Belt will not be injured by proposal for development within or conspicuous from the Green Belt. In this regard the removal of unauthorised development from the Green Belt and the proposed landscaping plan would ensure that the development has no significant impact on the adjacent Green Belt in accordance with policy CN5 of the adopted UDP.

Policy EC15 of the UDP specifically relates to scrap yards and the sorting and storage of waste materials and states such uses will only be permitted provided that:

- There is no significant nuisance to adjacent premises or highway users by virtue of dust, smell, vibration, smoke, noises, pollution of controlled waters, mud or slurry
- The site is adequately screened or is not visually prominent
- Appropriate facilities are provided for the storage and treatment of by-products and for waste disposal
- The site is of sufficient size for operations and has adequate car parking and servicing

Policy M18 of the UDP states "The City Council will permit the provision of facilities for the reclamation and recycling of waste materials subject to the protection of local amenity and other proposals of the plan. Processing facilities will be considered in relation to relevant criteria of policy M14".

Policy M14 deals with waste disposal stating such facilities must be located and planned to ensure:

- (i) the amenity of residential, recreational, commercial and B1 industrial areas and other sensitive uses is protected;
- (ii) there is acceptable means of access to the strategic road network for the number and size of vehicles involved in the operation, and to the rail network, where readily available;
- (iii) public access to surrounding areas is maintained;
- (iv) discharges to the air or into ground water or surface water features are minimised (notwithstanding that they meet pollution control standards and regulations);
- (v) there is no serious adverse effect on land drainage;
- (vi) the effect of the proposal on archaeological remains, listed buildings, conservation areas or sites of nature conservation value meets the requirements of policies B4 to B18, and CN18 to CN23;
- (vii) during its operation, the visual impact of the site on the surrounding landscape is minimised, and that on completion the site is complementary to the latter;
- (viii) there is no adverse effect on the creation of the great north forest (see also policy CN15);
- (ix) the efficiency of surrounding agricultural units is not impaired;

- (x) there is no irreversible loss of the best and most versatile agricultural land (grades 2 and 3a) (in accord with policy cn8); and that
- (xi) areas of mineral resources as defined elsewhere in part ii are safeguarded.

Planning Policy Statement 10 (PPS10) sets out the key planning objectives for recycling facilities which are:

- help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
- provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- help implement the national waste strategy, and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls such as those set out in the Waste Management Licensing Regulations 1994;
- help secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste to be disposed of in one of the nearest appropriate installations;
- reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness;
- protect green belts but recognise the particular locational needs of some types of waste management facilities when defining detailed green belt boundaries and, in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission;
- ensure the design and layout of new development supports sustainable waste management.

Within PPS10 paragraphs 20 and 21 deal with identifying suitable sites and areas. Specific regard is given to opportunities to co-locate facilities together and with complementary activities. Paragraph 21 sets out criteria planning authorities should consider when deciding sites for waste management. It is noted that authorities should "give priority to the re-use of previously-developed land".

The proposed use of the site does not fall within any particular use class (sui generis) but includes office (B1), general industry (B2) and storage (B8) uses which were granted consent under the outline consents in 2004 and 2006 while the current authorised use is also deemed a sui generis use.

Given the proposed use is not too dissimilar to the authorised use as a material recycling facility it is considered that the principle of the development of the site as a metal recycling facility is acceptable and complies with the Council's adopted policies.

## **2. Siting and Design of Development**

The works associated with the proposed change of use have been detailed above and as such, the potential impact of the siting and design will be considered.

At present there is a large planting of trees along the north eastern edge of the applicant's ownership which restrict views into the site from the north and east, which mark the boundary of the approved Green Belt.

In addition the existing hardstanding area to the north east, which was constructed within the Green Belt without consent, is to be removed, graded, and planted.

The proposed landscaping scheme is detailed above however, for clarity, the northwest elevation is to include the infilling of gaps within the existing hedge while additional planting and landscaping is proposed to the southern elevation.

The proposed fencing is to have a maximum height of 5 metres while the portacabins on the site are to measure 3.5 metres while the existing building is constructed to a height of 10.9 metres. It must be noted that the proposed structures are relatively low when compared with the structures on the adjacent sites.

The proposed Hawthorn trees and mixed evergreen/ deciduous climbers in front of the fencing along the Monument Park boundary are intended screen the proposed building and infrastructure. This proposed planting will provide an adequate level of screening whilst also limiting the height of planting underneath the overhead high voltage lines.

Given the site is located within an established industrial estate, with other commercial and industrial uses and buildings present in the vicinity, the proposed change of use and associated development is not considered to be at odds with the surroundings and as such is considered an appropriate form of development.

### **3. Potential Highway/ Parking Implications**

Policies T14 and T22 of the UDP stipulate that development should not cause traffic congestion or highways safety problems on existing roads whilst adequate provision shall be made for the parking of vehicles.

The comments provided by the Transportation Section raised no objection to the proposal. It was suggested that a condition be placed on the decision notice, should Members be minded to approve the application. The condition states that the proposed parking is laid out in accordance with the approved plans (Drawing No. 1267-01-03) and kept clear and available for the purposes of car parking at all times.

As such, the proposed change of use is considered to accord with Policies T14 and T22 of the UDP.

### **4. Potential Noise and Disturbance**

A Noise Impact Assessment has been undertaken as part of the planning submission. The noise measurements were undertaken at the nearest residential boundaries during a typical Saturday morning to establish the lowest likely background levels. Measurements were also undertaken at a similar Van Dalen site in South Shields for information on typical site operational noise levels during peak noise events.

Noise levels were measured at a similar site in order to determine the noise contribution from the development at the nearest residential properties for comparison with background measurements.

The findings of the noise impact assessment have indicated that the proposal, with mitigation measures, is unlikely to lead to conditions which would be detrimental to the surrounding businesses or residential properties in the wider area.

The Council's Environmental Health Team have considered the proposal and suggested a list of conditions to be imposed upon the application, should Members be minded to grant consent which were detailed above.

Further to the conditions detailed above, it is suggested an additional condition be placed on the application requiring the effectiveness of the mitigation measures to be checked within one month of the date of the commencement of use. Should it be established that the mitigation is not satisfactory, further measures will be required to be submitted to and approved in writing by the Local Planning Authority.

## **5. Potential Contamination and Flooding**

Following an assessment on flood risk and impact of surface waters it was found that the existing site drainage infrastructure is not appropriate for the planned use and does not accord with relevant regulations. In addition it is stated that the site does not have a properly connected drainage network and therefore there is currently a risk of run-off.

The proposal includes the installation of a purpose built, modern, sealed drainage system in order to prevent material from the working area being washed onto adjoining areas and sites.

Calculations were undertaken of both anticipated staff water disposal and the run-off from the hardstanding areas in order to inform the proposed drainage system. The system will operate by directing run-off from hardstanding areas into an oil interceptor and then an attenuation tank before being pumped to the foul sewer in Monument Park. Waste from toilets and other staff welfare facilities would be discharged directly into the public foul sewer.

The run-off from the office building is expected to be small and fed into the surface water sewer via a gravity feed. The recycling building run-off water would be directed to a 9.2 cubic metre capacity tank to attenuate flows.

Given the proposed operation and legislative controls the concrete hardstanding is to remain as it ensures that the ground is adequately protected from potential pollution and contamination.

The agent has confirmed that as part of the drainage assessment, public sewer records were obtained which includes details of any watercourses within the vicinity of the site. It is stated that the records confirm that there are no existing streams or other watercourses underlying the site.

Further to the above, it should also be noted that a formal consultation response has been received from the EA in relation to the proposed change of use. In their response they have not identified any risk to the site from flooding and have not raised any objections to the development.

The EA mapping concludes the proposal is outside of the extreme flood zone and is not at risk from fluvial flooding. The proposed drainage system has been designed to control surface and foul water. Furthermore the impermeable surfacing at the site creates a barrier to the vertical passage of potentially contaminated water. The surface water is to be discharged from the site at a controlled rate in accordance with the EA Environmental Permit.

In addition to the above it should be noted that the proposed facility would be required to operate under an Environmental Permit that would be issued and regulated by the EA.

The Environmental Permitting Regime requires operators to obtain permits for some facilities, to register others as exempt and provides for on-going supervision by regulators (EA). The aim of the Regime is to:

- protect the environment so that statutory and Government policy environmental targets and outcomes are achieved;
- deliver permitting and compliance with permits and certain environmental targets effectively and efficiently in a way that provides increased clarity and minimises the administrative burden on both the regulator and the operators;
- encourage regulators to promote best practice in the operation of facilities;
- continue to fully implement European legislation.

If an operator is not complying with the conditions of their Environmental Permit the EA has powers to issue enforcement notices, suspension notices or, if an operator has committed a criminal offence under the Regulations, commence prosecution proceedings.

Therefore there is a significant amount of environmental protection and regulation that the applicant is required to operate within.

## **6. Ecology Issues**

An assessment into the indirect ecology impact has been submitted with the proposed change of use. The survey seeks to address concerns in relation to

- Noise impacts on ecological interest features
- Impacts of runoff
- Impacts of airborne particles
- Impacts of site lighting
- Impacts of increasing the boundary fence height

The findings of the report, when compared to the previous use, were that;

- The hardstanding area will be reduced and increase woodland planting
- Will not increase noise levels above the current baseline
- Upgrade drainage, conforming to current and future pollution control requirements
- Methods of working, including the enclosure of de-polluting activities, will minimise the risk of emissions to air
- An improved lighting design will minimise light spillage
- A tall solid fence will prevent human disturbance outside of the site boundary



It is claimed the proposal will have a neutral to minor positive ecological impact. The proposal is not expected to negatively affect any aspect of the Washington Wetland Centre's ecological interest features, or prevent their achievement of biodiversity targets with respect to habitat and species management.

## **7. Other Issues**

### **Air Quality**

Impact to air quality has been given consideration in terms of short term, during construction, and the longer term operating of the site. Given the distance the site is located away from residential properties (approx 250 metres) and the limited amount of demolition and construction while operations have also been designed to minimise any emissions of dust, it is not considered that there would be any material impacts.

The activities associated with the handling and processing of metallic waste by nature is not dusty. Similarly odorous emissions are unlikely. De-pollution is to be carried out within the on site building while the proposed shear fully envelops vehicles before applying pressure which should minimise particulate generation.

### **Vermin**

Metallic waste does not represent a food source and therefore it is not anticipated vermin would generate a nuisance either on site or within the wider area.

### **Litter**

The waste would be transported to the site in sheeted and sealed vehicles. Therefore it is not expected that the proposed use would result in an increase in litter on the surrounding routes. In addition, it is stated due to the weight of metal it is very unlikely that it would be moved by the wind. The proposed slid metal fencing will also provide a barrier for material to be transferred to the surrounding areas.

### **Mud**

As vehicles do not travel on un-surfaced roads there is not a possibility for mud to be transferred onto vehicles and the wider highway network.

### **Cash Sales and Risk of Fire**

The agent has confirmed (correspondence received 24 October 2012) that no cash sales are to be undertaken at the site.

The potential risk of fire is a matter outside the control of the Planning Department and a matter which would be dealt with by the fire department. The planning application seeks to consider the use of the land.

In any event the proposed boundary treatment and security measures have been designed to deter and prevent unlawful access to the site. Tyres are also claimed to be stored in a safe and secure manner. Working practices also stipulate that no works are undertaken where they may present a source of ignition to any flammable materials.

## **Asbestos**

The removal and handling of asbestos is strictly controlled in accordance with Defra and Dti Guidance for the de pollution of ELVs. In this regard the agent has confirmed that:

"Van Dalen have a legal duty to remove asbestos containing materials (normally brake pads) when they are identified during a visual inspection of a vehicle. Should any asbestos containing material be identified, it would be removed, handled and stored (i.e. in a secure and leak proof container) in accordance with relevant health and safety guidelines, prior to being disposed of in a suitable facility. The collection of the asbestos material from the site and its disposal would be carried out by a suitably qualified and licensed waste disposal company".

In addition to the above it is claimed that asbestos has not been used in vehicular manufacture within the last 15 years and as such there are diminishing quantities of asbestos occurring at ELV facilities.

## **Conclusion**

It should be noted that the proposed change of use relates to a site which has recently operated as a materials recycling facility, in a similar manner, to that proposed. The site is allocated for industrial uses, which the proposal is not at odds with.

The submitted surveys and details outlined above, have demonstrated that it is not expected that there will be any detrimental impact to the surrounding businesses, Wildlife Trust or residential dwellings in the wider area.

It is considered that the proposal for the change of use of the site to a metal recycling facility is acceptable in that the principle of such use on the Monument Park development had been set by earlier permissions. Furthermore the design of the scheme and the position of the buildings are acceptable both in terms of appearance and lack of impact on both trees on the site and the Green Belt. No adverse impact on the adjacent highway network is envisaged with acceptable levels of vehicle parking. Noise impact was considered to be unlikely to be detrimental while the air quality should not be affected in accordance with the submitted assessments. Contamination and flooding has been considered and addressed within the proposal. In terms of waste management policy the site is considered to fit within the waste hierarchy and deemed to be sustainable. As such, Members are recommended to approve the application for the proposed change of use, subject to the following conditions.

## **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, 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 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:

Drawing No. 1267-01-01, received 26.07.2012. Statutory Plan  
Drawing No. 1267-01-02, received 26.07.2012. Existing Site Plan  
Drawing No. 1267-01-03, received 18.10.2012. Proposed Site Plan  
Drawing No. 1267-01-04, received 26.07.2012. Existing and Proposed Recycling Building Elevations, Floor and roof plan  
Drawing No. 1267-01-05, received 26.07.2012. Existing and Proposed Finished Floor Levels  
Drawing No. 1267-01-06, received 18.10.2012. Fencing and Gating Plan  
Drawing No. 1267-01-07, received 18.10.2012. Fencing and Gating Elevations  
Drawing No. 1267-01-08, received 18.10.2012. Proposed Office/ Welfare Cabins - Elevations  
Drawing No. 1267-01-09, received 18.10.2012. Landscape Proposals

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 All car parking in connection with the development hereby approved shall be laid out in accordance with the approved plans (Drawing No. 1267-01-03) and kept clear and available for the purposes of car parking at all times unless otherwise first agreed in writing with the Local Planning Authority. In the interest of achieving a satisfactory form of development on site and to comply with the requirements of policy T22 of the adopted Unitary Development Plan.
- 4 The premises shall not be operated for the purposes hereby approved outside the following hours:
- Monday to Friday (except Bank Holidays) 07:00 to 18.00;
  - Saturday 07:00 to 13.00;
  - and at no time on Sundays and Bank Holidays
- In order to protect the amenities of the area in accordance with policies EN5, M12, M14, M18 and B2 of the UDP.
- 5 No deliveries shall be taken at, or despatched from, the site outside the hours of :
- Monday to Friday (except Bank Holidays) 07:00 to 18.00;
  - Saturday 07:00 to 13.00;
  - and at no time on Sundays and Bank Holidays
- In order to protect the amenities of the area in accordance with policies EN5, M12, M14, M18 and B2 of the UDP.
- 6 All planting, seeding or turfing comprised in the approved details of landscaping (Drawing No. 1267-01-09, received 18.10.2012) 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 policies CN16, CN18 and B2 of the UDP.

- 7 No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 8 No materials or equipment shall be stored outside the buildings except in areas defined on the approved plan (Drawing No. 1267-01-03, received 18.10.2012) in the interests of visual amenity and to comply with policies B2 and CN5 of the UDP.
- 9 No material shall be burnt on site at anytime unless first agreed in writing with the Local Planning Authority in the interest of residential amenity and to comply with the requirements of policy B2 of the adopted UDP.
- 10 Material shall not be stacked or deposited to a height exceeding the boundary treatment as detailed on the fencing and gating plan (Drawing No. 1267-01-06, received 18.10.2012) in the interests of visual amenity and to comply with policy EC12 of the UDP.
- 11 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
- 12 All vehicles transporting materials to or from the site shall be securely sheeted whilst in transit, in order to minimise the risk of spillage of materials onto the highway, in the interests of the amenities of the area and highway safety and to accord with policies B2, EN1, M18 and T14 of the adopted Unitary Development Plan.
- 13 The noise mitigation measures indicated within the Noise Impact Assessment report, Sections 7.1 and 7.4, dated 19 April 2012, with the exception of the stated boundary heights which shall be implemented as detailed on the Fencing and Gating Plan (Drawing No. 1267-01-06, received 18.10.2012) , shall be fully implemented in connection with the development hereby approved and retained as such thereafter for the lifetime of the development in the interest of residential amenity and to comply with the requirements of policies B2, EN1 and EN5 of the adopted UDP.
- 14 Within one month of the date of the commencement of the use, a noise assessment shall be carried out in accordance with BS4142 "Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas" to assess the noise levels at the 2 receptors within the Noise Impact Assessment dated 19 April 2012 (Lydcott and Off Pattinson Road) to verify the effectiveness of the mitigation measures and a noise survey report, to

include any further mitigation measures, where necessary, and a programme for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary mitigation measures identified in the report shall then be fully implemented within one month of the Local Planning Authority issuing written approval of the noise survey report, which shall be retained for the lifetime of the development, in order to protect the amenities of the area and to comply with policies B2, EN1 and EN5 of the adopted Unitary Development Plan.

- 15 Notwithstanding the approved plans associated with the development hereby approved cut off lanterns and shields to direct light into the site and to minimise light spillage shall be used on all external lighting within the development. Where light pollution is considered by the Local Planning Authority to cause a nuisance a written scheme of mitigation detailing remediation measures to reduce light pollution shall be submitted in writing to the Local Planning Authority within one calendar month of the identification of the nuisance and approved in writing. The approved scheme of mitigation shall then be fully implemented to a timetable to be first agreed in writing with the Local Planning Authority. To achieve a satisfactory form of development on site and in the interest of residential amenity and to comply with the requirements of policies B2, EN1 and CN18.

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Reference No.: 12/02556/REM Approval of Reserved Matters

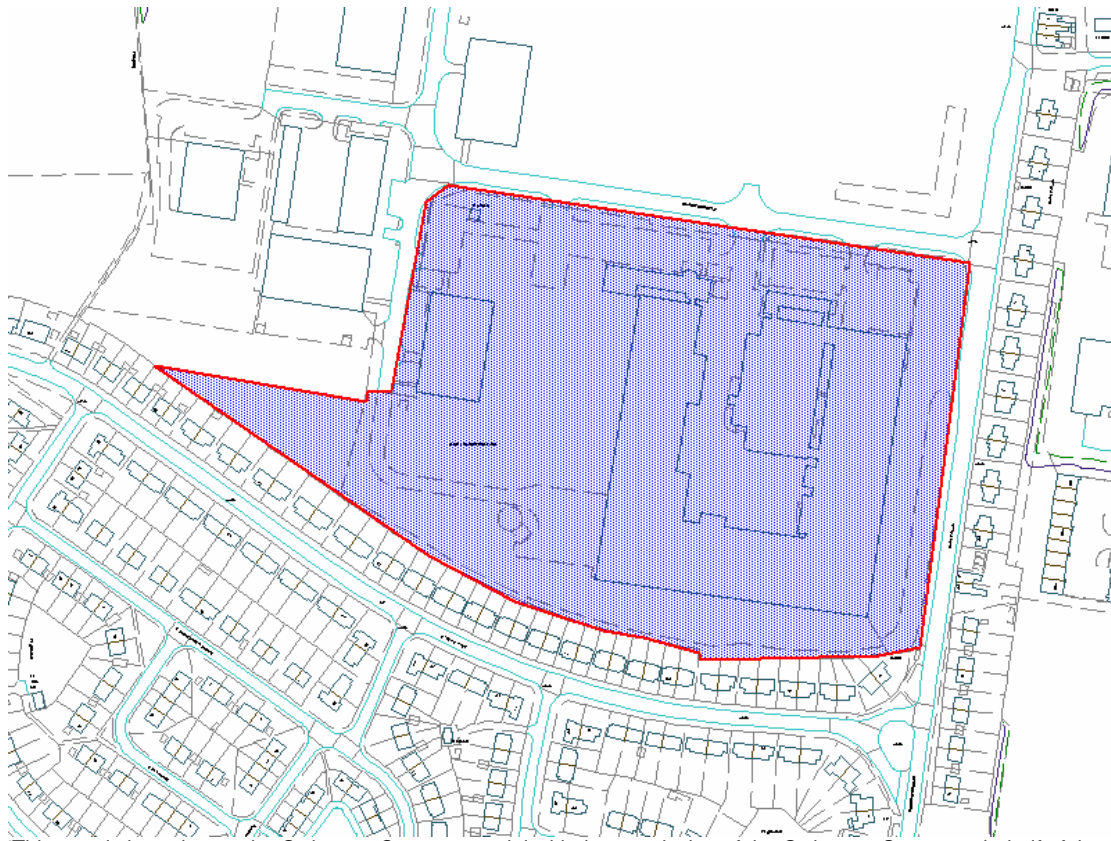
**Proposal:** Approval of reserved matters (in connection with outline planning approval 11/01612/OUT) for 158 dwellings (including 10% affordable homes) and associated landscaping and infrastructure.

**Location:** SIG Combibloc Limited Blackthorn Way Sedgeleth Industrial Estate Houghton-Le-Spring DH4 6JN

**Ward:** Houghton  
**Applicant:** Taylor Wimpey North East  
**Date Valid:** 6 September 2012  
**Target Date:** 6 December 2012

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### Location Plan



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### PROPOSAL:

This application seeks to agree reserved matters (appearance, landscaping, layout and scale) in connection with an extant outline planning permission which granted permission for residential dwellings on the former SIG Combibloc factory site in Sedgeleth. Under normal circumstances applications for Reserved Matters are dealt with under the delegated powers of the Deputy Chief Executive.

However, in this instance the application has been referred to Committee at the request of an elected Member due to local interest in the application.

Members may recall that planning application 11/01612/OUT, which sought consent for residential development with all matters, except access, reserved was presented to them for their consideration at their meeting of 16 August 2011. At that meeting Members resolved to approve the proposed outline application and planning permission was subsequently issued on 18 August 2011.

The development site, which is 5.497 hectares in area, is located at the edge of Sedgeleth Industrial Estate. The site is bounded by Avenue Vivian to the south and to the north and west of the site are areas of industrial land.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Letter

**CONSULTEES:**

City Services - Network Management  
Director of Children's Services  
Nexus  
Environment Agency  
Business Investment  
Street Scene (Environmental Service)  
Northumbrian Water  
North Gas Networks  
Northern Electric  
Force Planning and Police Architectural Liaison Officer  
The Coal Authority

Final Date for Receipt of Representations: **09.11.2012**

**REPRESENTATIONS:**

Four representations have been received in connection with this application.

**POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
H\_1\_Provision for new housing  
H\_21\_Open space requirements in new residential developments (over 40 bed spaces)  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
EN\_6\_Limit exposure of new noise/vibration sensitive developments to existing sources  
EN\_9\_Conflicts between proposed sensitive developments and existing non compatible uses  
CN\_22\_Developments affecting protected wildlife species and habitats  
EN\_12\_Conflicts between new development and flood risk / water resources

**COMMENTS:**

The development proposed already benefits from planning permission (reference 11/01612/OUT) therefore the principle of locating residential development on this site is established and cannot be given any further consideration.

This application seeks to determine the acceptability of the appearance of the dwellings proposed; the acceptability of the landscaping proposed and the layout and scale of the development.

All matters relating to the above remain under consideration. It is anticipated that all considerations will be concluded prior to the meeting of the Development Control (Hetton, Houghton and Washington) Sub-Committee and will be reported on a supplementary report together with detailed consideration of the representations received.

**RECOMMENDATION: Deputy Chief Executive to Report**



3.

Washington

Reference No.: 12/02629/FUL Full Application

**Proposal:** **Erection of 26no residential dwellings, comprising of two storey 2, 3 and 4 bedrooms and associated works.**

**Location:** Land Adjacent To Springwell Road Springwell Village Gateshead

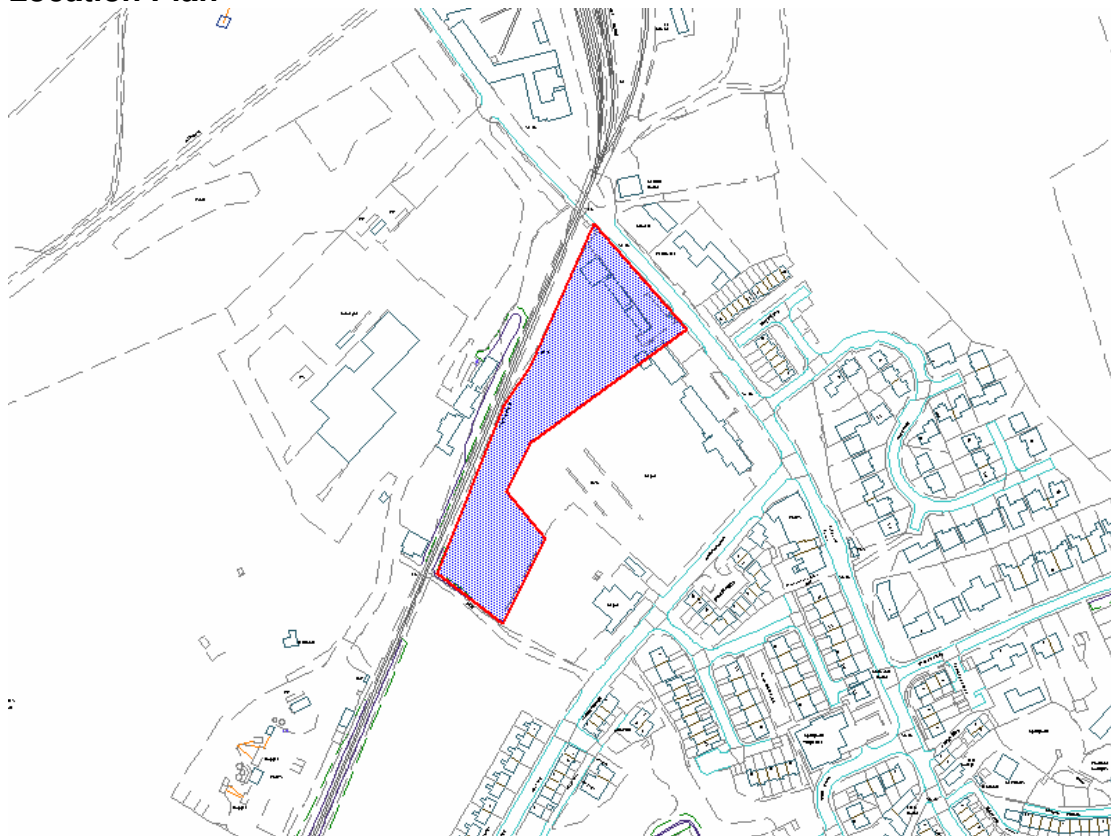
**Ward:** Washington West

**Applicant:** Taylor Wimpey North East

**Date Valid:** 17 September 2012

**Target Date:** 17 December 2012

### Location Plan



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### PROPOSAL:

This application seeks permission for the construction of 26 dwellings on Land Adjacent to Springwell Road, Springwell Village.

The site, part of a former quarry, forms part of an area identified under policy WA1.9 as an existing employment site allocated for office, research and development, light industry and general industry, though the site is currently vacant and has been so for some length of time.

The proposed development site is linear in form and is located between the Bowes Railway line which is a scheduled ancient monument and the newly constructed Bowes Gardens housing development (planning reference 10/03294/FUL).

The proposal seeks consent to develop 0.91 hectares of land for residential use. The proposal consists of 26 dwellings at a density of 28 dwellings per hectare.

Members may recall that planning application 10/03294/FUL for 60 dwellings was presented for their consideration at the 20 December 2010 meeting of the Development Control (Hetton, Houghton and Washington) Sub Committee. Members resolved to approve that application and the houses approved have subsequently been constructed and are now occupied. This application, although entirely separate, is essentially the next phase of the Bowes Gardens development and will infill the area remaining between the newly constructed houses and the Bowes Railway.

Vehicular access to the proposed development site will be taken from Springwell Road via a junction.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

Environment Agency  
English Heritage  
City Services - Network Management  
Street Scene (Environmental Service)  
Northumbrian Water  
Director of Children's Services

Final Date for Receipt of Representations: **04.12.2012**

**REPRESENTATIONS:**

No representations received.

**POLICIES:**

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

WA\_1\_Retention and improvement of established industrial / business area

CN\_23\_Measures to conserve/ improve wildlife corridors

EC\_4\_Retention and improvement of existing business and industrial land

EC\_5\_Sites for mixed uses

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

T\_13\_Criteria influencing proposals for highways improvements including new road construction.

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

H\_8\_Windfall sites to accord with other policies unless specific benefits are provided

H\_21\_Open space requirements in new residential developments (over 40 bed spaces)

EN\_6\_Limit exposure of new noise/vibration sensitive developments to existing sources

EN\_7\_Proposals for residential development in the vicinity of railway tracks

EN\_9\_Conflicts between proposed sensitive developments and existing non compatible uses

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

B\_10\_Development affecting the setting of listed buildings

### **COMMENTS:**

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

- The Principle of Development
- Affordable Housing
- Highway Access and Safety
- Impact Upon the Setting of Listed Buildings and Scheduled Ancient Monument
- Impact Upon Visual Amenity
- Impact Upon Residential Amenity

### **Principle of Development**

The proposed development site is allocated in the adopted Unitary Development Plan as an Area for Economic Development to be retained and improved for uses including offices, research and development, light industry, warehouses and storage, subject to the provisions of policies WA1.9 and EC4 of the adopted Unitary Development Plan (UDP).

As such this application for use of the site for residential purposes is a departure from the development plan and has been advertised accordingly.

The principle of the development was considered appropriate, although contrary to the UDP, based on the recommendations of the City Council's Economic Land Review (ELR) and Strategic Housing Land Availability Assessment (SHLAA).

The UDP was adopted in 1998 and in several locations, while at present remaining the adopted development plan, it has been overtaken by other more relevant up to date policy documents. The ELR recommended the release of both the Volker Stevin/Van Elle sites and land to the west of the site, stating that in the longer term the site may be better suited to non-industrial uses. The SHLAA identifies the site as appropriate for the location of residential development.

It should be noted that the ELR and SHLAA are both research documents and will inform the forthcoming Core Strategy and the Allocations Development Plan Document of the City's Local Development Framework, however neither are policy documents that formally indicate the intended land use for the site. It will be the role of the LDF to determine which specific sites are to be allocated for the most appropriate purposes to best meet the objectives of the council. Until then national policy in the form of the National Planning Policy Framework (NPPF) and the UDP remain the starting point for determining planning applications, but in the interim emerging LDF documents and information papers are material considerations.

Based upon the above, it is considered that the development of the application site for residential purposes is acceptable in principle.

### **Affordable Housing**

Three affordable houses are to be provided as part of the development (equating to 10% of total dwelling numbers). This provision breaks down to two social rented dwellings (Plots 24 and 25) and one intermediate dwelling (plot 26). This affordable housing and dwelling mix is considered to be in broad accordance with the findings of the City Council's Strategic Housing Market Assessment (SCMAA).

The provision of the affordable houses on the proposed site will be controlled via a legal agreement under the provisions of Section 106 of the Planning Act.

### **Highway Access and Safety**

Currently the highway arrangements immediately outside of the site on the B1288 Springwell Road could be described as complicated. To the immediate west of the site is the Bowes Railway Line with its associated level crossing. To the east of the site is a junction access to the Bowes Gardens development. Also to the east of the site is a chicane traffic calming feature.

It is proposed to access the development proposed via a single point from a junction off Springwell Road. In addition, it is proposed to simplify the existing arrangements i.e. the junction access to Bowes Gardens and the chicane, by removing these features and replacing them with a roundabout at the junction of Bowes Gardens and Springwell Road.

The City Council's network Management Team has been consulted regarding the proposed highway improvement works and regarding the proposed junction access to the proposed development and have raised no objection to the proposals but have requested that the highway works be controlled through the imposition of a Grampian condition.

The highway improvement works required are outside of the red line boundary associated with this planning application and so if Members are minded to approve this application, these improvement works will be required via a Grampian Condition attached to any approval granted and will also be subject to an agreement under the provisions of section 278 of the Highways Act, 1980.

Internally, all of the houses proposed benefit from private car parking facilities in the form of either a garage or an area of hardstanding (driveway). Additionally six visitor car parking spaces are proposed.

Some minor modification is required to the arrangement of the car parking associated with plot 21 of the scheme to ensure that it is immediately accessible from the property. Also, it is considered that the visitor car parking proposed needs to be reconsidered in order to ensure that there is an even distribution of visitor car parking spaces throughout the development. An amended plan reflecting these changes has been requested from the applicant and it is anticipated that this amended plan will be received in the near future.

Impact upon the Setting of Listed Buildings and Scheduled Ancient Monument

The development site lies adjacent to the scheduled monument of Bowes Railway but the works do not directly impact upon the monument. Red Hill House a Grade II Listed Building is also nearby.

The application is accompanied by a Heritage Statement which clearly sets out and assessment of the significance of the Bowes Railway as required by paragraphs 128 and 129 of the NPPF.

It is considered that the proposed development will enhance the character of the currently derelict application site and reduce, or remove completely, the level of vandalism that the area has reportedly been subject to. Furthermore, the development proposed will remove the invasive Japanese Knotweed which is located along the northern edge of the development area which has the potential to physically impact the Railway if left untreated.

It is therefore considered that while the proposed development will add new elements into the setting of the scheduled railway, these are in keeping with the monument's current setting and the existing residential character of Springwell. The proposed development is therefore considered to comply with the requirements of Policy B10 of the adopted UDP which seeks to ensure that development proposals in the vicinity of listed buildings (and scheduled ancient monuments) do not adversely affect their character or setting.

#### **Impact upon Visual Amenity**

The proposed development is considered to be similar in character to the Bowes Gardens development approved under planning reference 10/03294/FUL. It is not considered that the proposed development will have any detrimental impact upon visual amenity within the locality.

#### **Impact upon Residential Amenity**

The proposed development is located immediately to the east of the existing Bowes Gardens residential development. It is considered very unlikely that the proposed development will have any detrimental impact upon the residential amenity of the occupiers of the dwellings located in Bowes Gardens.

All of the dwellings proposed retain a distance of not less than 20.5 metres between their main facing elevation and those of the existing dwellings in Bowes Gardens, the majority of the dwellings provide a separation distance far in excess of this. Furthermore, the separation distances proposed between the proposed dwellings are considered to be acceptable and will afford the occupants of the dwellings a suitable level of outlook from the windows of main habitable rooms.

The proposed dwellings that will front on to Springwell Road will retain a separation distance in excess of 30 metres between their front elevations and those opposite in Warren Lea and Derwent.

It is therefore considered that the proposed development broadly complies with the separation distance of 21 metres set out in the City Council's adopted Residential Design Guide Supplementary Planning Document

An area of open amenity space is proposed centrally within the development. In addition, because there is no provision for equipped children's play on site the developer has elected to enter into an agreement with the Council under the provisions of Section 106 of the Planning Act, to provide a payment of £18226.00

towards the provision or upgrade of existing play facilities at Seldom Seen Play Area, Heugh Hill Play Area and Fairhaven Play Area. The development is therefore considered to comply with the requirements of Policy H21 of the adopted UDP which requires the provision of such facilities.

In terms of noise and disturbance for the occupiers of the dwellings proposed from the nearby Springwell Quarry and from the Bowes Railway, the applicant has submitted a noise survey which demonstrates that the dwellings proposed can be insulated against noise to a satisfactory degree in the event that planning permission is forthcoming. The proposal is therefore considered to comply with policy EN6 of the adopted UDP in terms of exposure to noise from near neighbouring uses.

In the event that Members are minded to approve this application conditions will be attached to any approval granted requiring the installation of noise insulation as set out in the applicant's noise survey and also requiring an assessment of the impact of vibration (including preventative and precautionary measures) from the adjacent railway line upon the dwellings proposed.

### **Summary**

The proposed development of 26 dwellings is considered to be acceptable in principle. However there are a number of issues that remain outstanding including the provision of an amended plan identifying a revised arrangement for car parking on the site and the Section 106 agreement in association with the proposed development.

It is anticipated that all issues in connection with this application, including the Section 106 agreement, can be resolved prior to the statutory thirteen week target date of 17 December 2012. It is therefore requested that Members delegate the final decision in connection with this application to the Deputy Chief Executive who is minded to approve the application, subject to any necessary conditions, and subject to the completion of an agreement under the provisions of Section 106 of the Planning Act for payment in lieu for equipped children's play space and to control the provision of affordable housing on site.

In the event that all outstanding matters cannot be satisfactorily resolved or in the event that representations are received that raise issues not addressed in this report, the application will be referred back to Development Control (Hetton, Houghton and Washington) Sub-Committee for a final decision.

**RECOMMENDATION: Delegate to Deputy Chief Executive**

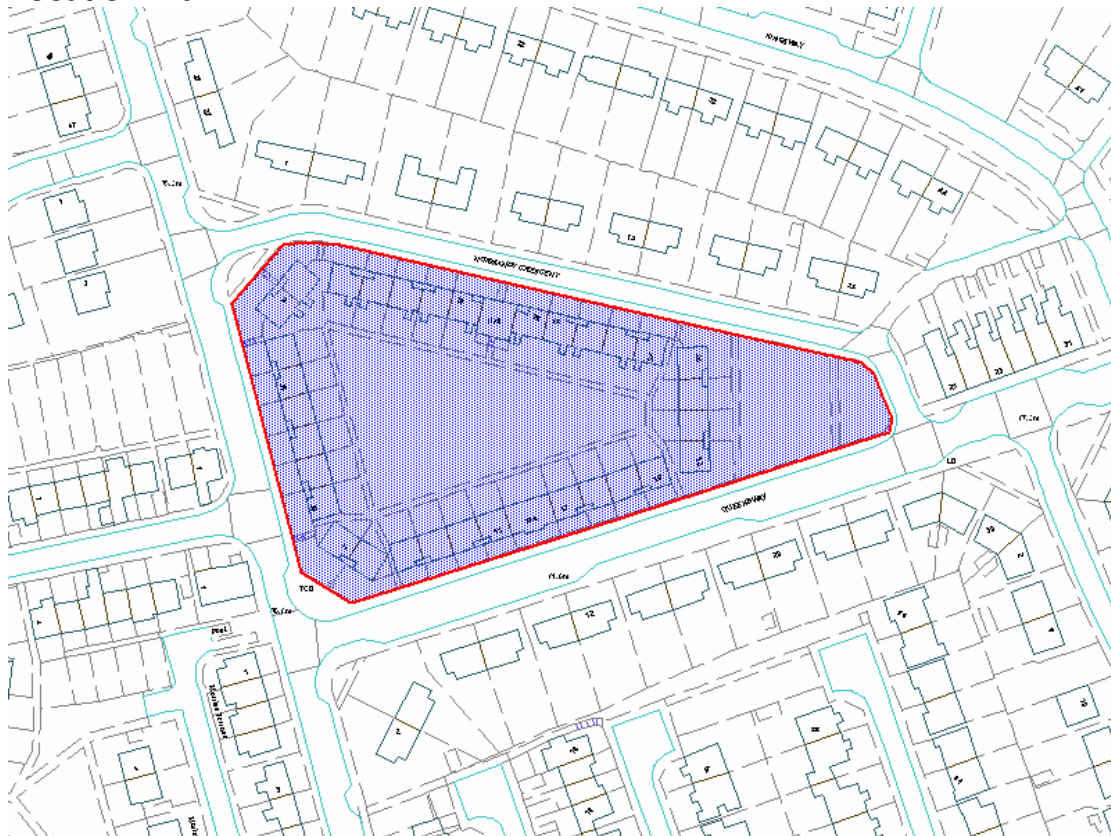
Reference No.: 12/02906/VAR Variation of Condition

**Proposal:** Variation of Condition 2 (Approved Plans) of planning Permission 12/00516/FUL (Erection of 23no. dwellings with associated hard and soft landscaping, drainage, services and associated infrastructure and stopping up of highway) to omit two visitor parking bays adjacent to Queensway and also to omit Solar Panels from the scheme.

**Location:** Land at Racecourse Queensway Houghton-Le-Spring DH5 8EJ

**Ward:** Copt Hill  
**Applicant:** Gentoo  
**Date Valid:** 24 October 2012  
**Target Date:** 23 January 2013

#### Location Plan



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#### PROPOSAL:

Planning approval 12/00516/FUL allowed the erection of 23 two storey family dwellings. Members may recall that this application was presented to them for their consideration at their meeting of 16 May 2012 where they resolved to approve the application.

The application under consideration today seeks to vary condition 2: Approved Plans, of planning permission 12/00516/FUL to allow the previously approved development to proceed without the installation of solar panels to the roofs of the houses and also to remove two visitor parking spaces, previously located on Queensway, from the development.

The application site is triangular in shape and is bounded by Normandy Crescent, Hall Lane and Queensway. The site is approximately 0.8 hectares in area. The development approved by planning permission 12/00516/FUL has been commenced and the construction of the 23 dwellings is underway.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted

**CONSULTEES:**

City Services - Network Management  
Northumbrian Water

Final Date for Receipt of Representations: **28.11.2012**

**REPRESENTATIONS:**

No representations have been received.

**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\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

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

T\_22\_Parking standards in new developments

H\_21\_Open space requirements in new residential developments (over 40 bed spaces)

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\_11\_Measures to protect the archaeological heritage of Sunderland (general)

B\_13\_Sites and monuments of local importance affected by development

B\_14\_Development in areas of potential archaeological importance

**COMMENTS:**

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

- Whether the removal of solar panels from the roofs of the houses (which already have planning permission) will have any detrimental effect upon visual amenity. Furthermore, the impact of the proposed removal of solar panels from the roofs upon sustainability must be considered; and



- Any implications for highway safety as a result of the proposed removal of two visitor car parking spaces from the approved scheme.

## **Solar Panels**

### **Visual Amenity**

In terms of the impact upon visual amenity, the omission of solar panels from the roofs of the dwellings is considered to be acceptable. Solar panels are not characteristic of the locality and the proposal to finish the roofs of the dwellings in roof tiles is considered to be in keeping with the character of the area.

### **Sustainability**

Despite the omission of solar panels from the roofs of the dwellings, the developer has confirmed that the scheme will still comply with "Code for Sustainable Homes" requirements which sets minimum standards for energy and water use. The development as proposed, with the solar panels omitted, is therefore considered to be acceptable from a sustainability perspective.

### **Car Parking Spaces**

Previously it was proposed to locate two visitor parking spaces on Queensway, adjacent to plots 23 and 32 of the approved scheme. Since the original approval of planning permission the applicant has discovered that several services run under Queensway, including beneath where the two car parking spaces were located. The applicant has further indicated that the positioning of car parking spaces in this location is cost prohibitive.

Visitor parking bays in association with the development will be retained on Hall Lane and on Normandy Crescent.

The Council's Network Management Team has been consulted regarding the proposals and has raised no objection to the removal of the two spaces from the scheme.

### **Summary**

The proposed removal of solar panels from the roofs of previously approved dwellings and the omission of two visitor car parking spaces from the development are considered to be acceptable and accordingly this application is recommended for approval subject to the conditions listed below:

## **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, 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 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 Site G.A. (Site 2) Drawing Number GEN-07E-003 Revision A received 24 October 2012  
 Site 2 Detailed Landscape Proposals drawing number 78.017/02B received 14 May 2012  
 Proposed Street Elevations Site Area 2 Sheet 1 of 2 Drawing Number GEN-07E-031 Rev B received 24 October 2012;  
 Proposed Street Elevations Site Area 2 Sheet 2 of 2 Drawing Number GEN-07E-032 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 13 \_ 14 (Site 2) Drawing Number GEN/07E/216 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 15 \_ 16 (Site 2) Drawing Number GEN/07E/217 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 17 \_ 18 (Site 2) Drawing Number GEN/07E/218 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 19 \_ 20 (Site 2) Drawing Number GEN/07E/219 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 21 \_ 22 (Site 2) Drawing Number GEN/07E/220 Rev B received 24 October 2012;  
 Setting Out /Elevations plots 23 \_ 24 (Site 2) Drawing Number GEN/07E/221 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 25 \_ 26 (Site 2) Drawing Number GEN/07E/222 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 27 \_ 28 (Site 2) Drawing Number GEN/07E/223 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 29 \_ 30 (Site 2) Drawing Number GEN/07E/224 Rev B received 24 October 2012;  
 Setting Out /Elevations Plot 31 (Site 2) Drawing Number GEN/07E Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 32 \_ 33 (Site 2) Drawing Number GEN/07E/226 Rev B received 24 October 2012;  
 Setting Out/Elevations Plots 34 \_ 35 (Site 2) Drawing Number GEN/07E/227 Rev B received 24 October 2012;  
 Proposed Boundary Wall Details, drawing number GEN/07E/800 Revision P2 received 2 March 2012  
 Proposed Roof Plan (Area 2) Drawing Number GEN/07E/041 Revision B received 24 October 2012

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 The materials to be used in the construction of the development hereby approved shall be strictly in accordance with the schedule below unless otherwise first agreed in writing with the Local Planning Authority:

External Walls, Facing Brick, Wienerberger Terca Multi Minster, Buff;  
 External Walls, Facing Brick, Ibstock Hadrian Antique, Red/Purple;  
 External Walls, Render, Weber, Pral "M" Monocouche, Ivory (016);  
 External Walls, Cast artstone, Bespoke concrete products, buff (2 1/2 H IR 1/2CC 1W)  
 External Walls, Brickwork Band/Soldier Course, Hanson, Village Harvest Multi, Buff

Roofs, Concrete tile, Marley, Edgemere, Smooth Grey  
Roofs Concrete tile, Marley, Edgemere, Old English Dark Red

Windows, uPVC Double Glazing, Synseal, Legend, White  
External Doors, Composite Timber Doors, Russell Timberbeach, QTE10 range, Light Oak door c/w white frame.

Paving Concrete flag paving 450x450mm, Marshalls, Saxon, Buff.

Driveways, Block Paving 200 x 100, Marshalls, Keyblock, Burnt Ochre.

Adoptable Carriageway, Hot rolled asphalt, Black DBM/Black Chippings  
Adoptable Carraigeway, Block Paving, Marshalls, Tegula (160 gauge)  
Traditional.

Boundary Enclosures, Tanellised Softwood, Close boarded timber fencing, Brown.

Boundary Enclosures, Brick Walling, Wienerberger & Ibstock, Terca Multi  
Minster and Hadrian Antique, Buff and Red.

Boundary Enclosures, Steel railings, Galvanised steel.

In the interest of visual amenity and to comply with the requirements of  
Policy B2 of the adopted Unitary Development Plan.

- 4 None of the trees indicated as "to be retained" on plan :Proposed Site G.A. (Site 2) Drawing Number GEN-07E-003 Revision T3 received 28 May 2012 shall be felled or removed from the site without the prior written agreement of the Local Planning Authority. Where any of the trees shown to be retained die, are removed or become seriously damaged or diseased they 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.
- 5 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.
- 6 No development other than site investigation works or archaeological investigation 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 other than site investigation works or archaeological investigation 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 The construction compound associated with the development hereby approved shall be sited and organised in strict accordance with following plans and documents unless otherwise first agreed in writing with the Local Planning Authority:

Method statement for control of contamination to roads and highways within the surrounding environment, received 17 August 2012  
Noise and Pollution Statement, received 17 August 2012  
Traffic Management Plan Racecourse Phase 4 Site 2

In order to achieve a satisfactory form of development on site and in the interest of highway safety and pollution control and to comply with the requirements of policies B2, EN1 and T14 of the adopted Unitary Development Plan.

10 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.

11 The bus stop to be provided on Hall Lane shall be done so in strict accordance with the following:

Drawing Number 11238-207 Rev B Section 38/278 Area 2 received 20 July 2012

Drawing Number GEN-07E-003 Revision T4 received 20 July 2012

Drawing Number 11238-210 Rev A Road Construction Details received 20 July 2012

Letter dated 20 July 2012

In order to achieve a satisfactory form of development on site and in the interest of Highway Safety and to comply with the requirements of Policies B2 and T14 of the adopted Unitary Development Plan.

12 No house approved shall be occupied until the off street parking space(s) in association with it is completed and made available for the parking of vehicles. In order to achieve a satisfactory form of development on site and in the interest of residential amenity and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.

**Reference No.:** 12/02907/VAR Variation of Condition

**Proposal:** **Variation of Condition 2 (Approved Plans) of Planning Permission 12/00320/FUL (The construction of 12no. residential dwellings with associated hard/soft landscaping, drainage and mains services and associated access and infrastructure, including stopping up of existing highway) to omit Solar Panels from the scheme.**

**Location:** Land at Racecourse Kingsway Houghton-Le-Spring DH5 8DW

**Ward:** Copt Hill  
**Applicant:** Gentoo  
**Date Valid:** 24 October 2012  
**Target Date:** 23 January 2013

### Location Plan



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**PROPOSAL:**

This application seeks to vary condition 2: Approved Plans, of a previous planning approval, (planning reference 12/00320/FUL) to allow the development to proceed without the installation of solar panels to the roofs of the houses.

The application site is located on the junction of Kingsway and Queensway on the Racecourse Estate. The site has historically been occupied by housing but most recently was occupied by the developer's construction site compound. The development approved by planning permission 12/00320/FUL has commenced on site and the 12 dwellings approved are currently under construction.

The previously approved scheme comprises 12 two storey family dwellings with associated access and landscaping. Members may recall that planning application 12/00320/FUL was presented to them for their consideration at the meeting of the Development Control (Houghton, Hetton and Washington) Sub-Committee where they resolved to approve the application.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

Final Date for Receipt of Representations: **28.11.2012**

**REPRESENTATIONS:**

No representations received.

**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\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

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

T\_22\_Parking standards in new developments

H\_21\_Open space requirements in new residential developments (over 40 bed spaces)

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

**COMMENTS:**

The main issue to consider in the determination of this application is whether the removal of solar panels from the roofs of the houses (which already have planning permission) will have any detrimental effect upon the visual amenity. Furthermore, the impact of the proposed removal of solar panels from the roofs upon sustainability must be considered.

**Visual Amenity**

In terms of the impact upon visual amenity, the omission of solar panels from the roofs of the dwellings is considered to be acceptable. Solar panels are not

characteristic of the locality and the proposal to finish the roofs of the dwellings in roof tiles is considered to be in keeping with the character of the area.

### **Sustainability**

Despite the omission of solar panels from the roofs of the dwellings, the developer has confirmed that the scheme will still comply with "Code for Sustainable Homes" requirements which sets minimum standards for energy and water use. The development as proposed, with the solar panels omitted, is therefore considered to be acceptable from a sustainability perspective.

### **Summary**

The proposed variation of condition two of planning permission 12/00320/FUL to allow variation of the approved plans to omit solar panels from the roofs of the dwellings is considered to be acceptable with no material impact upon the development originally 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, 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 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:

Site location plan GEN/07E/001-1 Rev P3 received 18 April 2012  
Existing site plan (topographical survey) GEN-07E-010 Rev P3 received 18 April 2012  
Proposed site G.A. (area 1) GEN-07E-002 Rev P5 received 18 April 2012  
Proposed roof plan (area 1) GEN/07E/040 Rev B received 24 October 2012  
Proposed Street Elevations, Site Area 1, Drawing Number GEN-07E-030 Rev B, received 24 October 2012  
Setting Out/Elevations Plots 1 & 2 (Site 1) Drawing Number GEN/07E/210 Rev B received 15 November 2012  
Setting Out/Elevations Plots 3 & 4 (Site 1) Drawing Number GEN/07E/211 Rev B received 15 November 2012  
Setting Out/Elevations Plots 5 & 6 (Site 1) Drawing Number GEN/07E/212 Rev B received 15 November 2012  
Setting Out/Elevations Plots 7 & 8 (Site 1) Drawing Number GEN/07E/213 Rev B received 15 November 2012  
Setting Out/Elevations Plots 9 & 10 (Site 1) Drawing Number GEN/07E/214 Rev B received 15 November 2012  
Setting Out/Elevations Plots 11 & 12 (Site 1) Drawing Number GEN/07E215 Rev B received 15 November 2012  
Boundary Wall Details GEN/07E/800 Rev P1 received 15 February 2012

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 The materials to be used in the construction of the development hereby approved shall be strictly in accordance with the schedule below unless otherwise first agreed in writing with the Local Planning Authority:

External Walls, Facing Brick, Wienerberger Terca Multi Minster, Buff;  
External Walls, Facing Brick, Ibstock Hadrian Antique, Red/Purple;  
External Walls, Render, Weber, Pral "M" Monocouche, Ivory (016);  
External Walls, Cast artstone, Bespoke concrete products, buff (2 1/2 H IR 1/2CC 1W)

External Walls, Brickwork Band/Soldier Course, Hanson, Village Harvest Multi, Buff

Roofs, Concrete tile, Marley, Edgemere, Smooth Grey  
Roofs Concrete tile, Marley, Edgemere, Old English Dark Red

Windows, uPVC Double Glazing, Synseal, Legend, White  
External Doors, Composite Timber Doors, Russell Timberbeach, QTE10 range, Light Oak door c/w white frame.

Paving Concrete flag paving 450x450mm, Marshalls, Saxon, Buff.

Driveways, Block Paving 200 x 100, Marshalls, Keyblock, Burnt Ochre.

Adoptable Carriageway, Hot rolled asphalt, Black DBM/Black Chippings  
Adoptable Carriageway, Block Paving, Marshalls, Tegula (160 gauge)  
Traditional.

Boundary Enclosures, Tanellised Softwood, Close boarded timber fencing, Brown.

Boundary Enclosures, Brick Walling, Wienerberger\_ Ibstock, Terca Multi Minster and Hadrian Antique, Buff and Red.

Boundary Enclosures, Steel railings, Galvanised steel.

In the interest of visual amenity and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.

- 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 The construction compound associated with the development hereby approved shall be sited and organised in strict accordance with following plans and documents unless otherwise first agreed in writing with the Local Planning Authority:

Traffic Management Plan, Phase 4, Site 1, received 23 July 2012;  
Dirt and Debris Statement received 17 August 2012;  
Noise Pollution Statement received 17 August 2012.



In order to achieve a satisfactory form of development on site and in the interest of highway safety and pollution control and to comply with the requirements of policies B2, EN1 and T14 of the adopted Unitary Development Plan.

- 6 The hard and soft landscaping in association with the development hereby approved shall be carried out strictly in accordance with Drawing Number 78.017/01B, SITE 1 Detailed Landscape Proposals Drawing, received 23 July 2012 unless otherwise first agreed in writing with the Local Planning Authority. In order to achieve a satisfactory form of development on site and to comply with the requirements of policy B2 of the adopted Unitary Development Plan.
- 7 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.
- 8 Precise written details of all off site highway improvement works to be undertaken, shall be submitted to and approved in writing by the Local Planning Authority to a timetable to be first agreed in writing with the Local Planning Authority. For the avoidance of doubt these works should include areas extending northwards and westwards from the site to meet previous phase(s) of the Racecourse Estate redevelopment). The works shall then be fully implemented in accordance with the approved plan(s) prior to the occupation of any buildings unless otherwise first agreed in writing with the Local Planning Authority. (For the avoidance of doubt and for the purposes of clarification all off site highway works will be subject to a section 278 agreement with the Local Highways Authority). In the interest of highway safety and to achieve a satisfactory form of development on site and to comply with the requirements of Policy T14 of the adopted Unitary Development Plan.
- 9 No development other than site investigation works shall commence until precise written details for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in strict accordance with the approved scheme unless otherwise first agreed in writing with the Local Planning Authority. To ensure that the development does not increase the risk of flooding and to comply with the requirements of Policy EN12 of the adopted Unitary Development Plan.
- 10 No development other than site investigation works 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.

- 11 No development approved by this permission shall be commenced other than site investigation works 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.
- 12 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.