

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/

Janet Johnson
Deputy Chief Executive

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City Centre

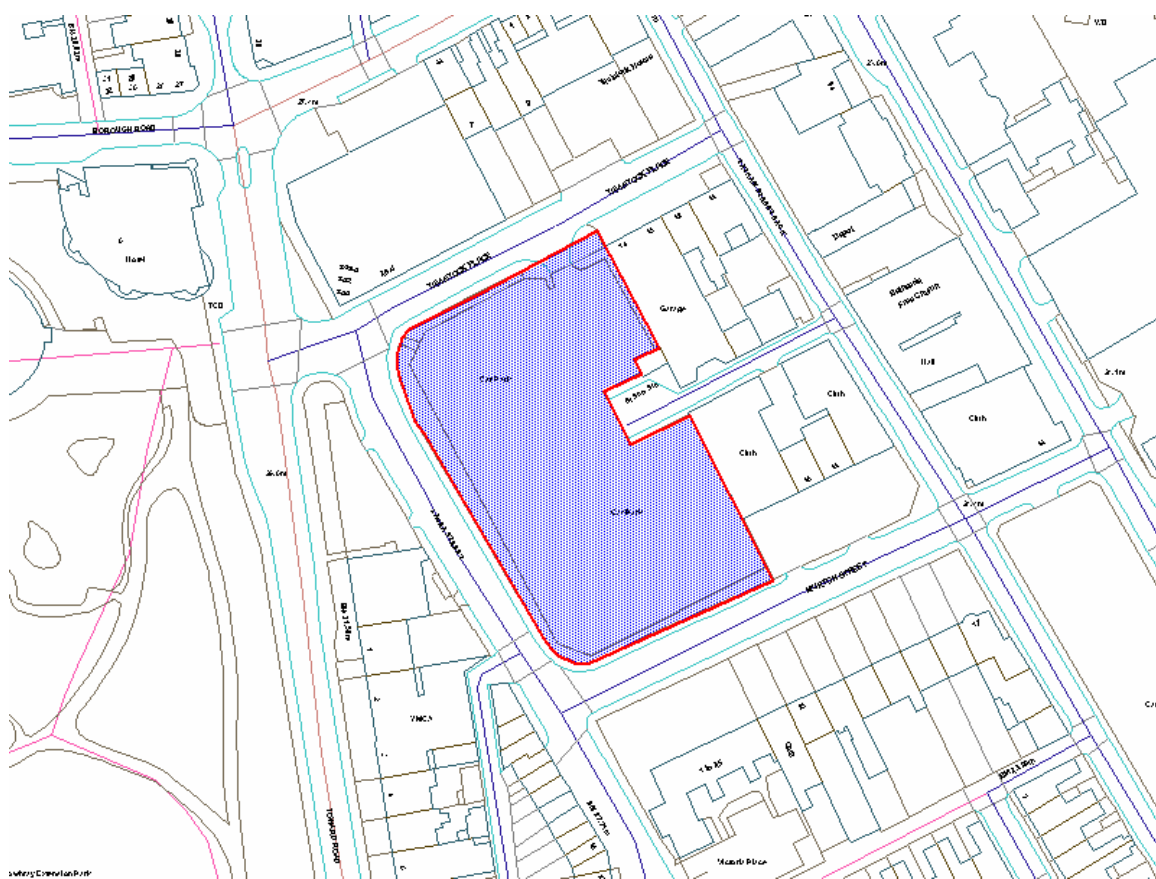
Reference No.: 11/03313/LAP Development by City(Regulation 3)

Proposal: Variation of condition 2 of planning approval 10/03519/LAP. (Provision of a three storey commercial office building to include community facilities and publically accessible cafe at ground floor level with associated landscaping and car parking).In relation to the list of approved plans.

Location: Site Of Surface Car Park Tavistock Place Sunderland

Ward: Hendon
Applicant: Office Of The Chief Executive
Date Valid: 9 December 2011
Target Date: 9 March 2012

Location Plan



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PROPOSAL:

Members may recall in January 2011, planning application 10/03519/LAP was approved for the provision of a three storey commercial office building to include

community facilities and publically accessible cafe at ground floor level with associated landscaping and car parking.

The site is located on the existing Tavistock Place surface level Car Park. The northern boundary of the site abuts the southern boundary of the Sunnyside Conservation Area and sits in the south-east corner of Sunderland City Centre, to the immediate east of Mowbray Gardens, the City Museum and the Winter Gardens. The surrounding building scale, character and use vary. Broadly the scale is circa 2-4 stories (residential whilst use is typically mixed mostly residential, with some small business (office, retail and crèche). Of the buildings that surround the application site 10 are designated as listed buildings, those being 17-23 Murton Street, the Bethesda Free Church and Tavistock House.

There is some on-street parking around the perimeter of the site.

The gradient of the site is generally level however with a slight fall of less than 1m from the North-West corner (Laura Street / Tavistock Place) to the South-West corner (Murton Street).

The application has been advertised by way of site notices, press notices and neighbour consultations.

This application seeks to vary elements of the previously approved planning application. Members should be aware the principle of the development does not need to be considered as this was agreed through the previous planning application 10/03519/LAP, this application see to change minor elements of the previously approved application.

The key changes are listed below for consideration:-

- Hard Landscaping Materials

The approved concrete paving slabs and kerbs specified on drawing 104050L01 Rev B has been substituted with mid-grey and black Marshalls.

- New Pedestrian Crossing

The variation of the application now includes a new pedestrian crossing on the corner of Tavistock Place and Laura Street.

- Cycle Shelter and Waste Enclosure re-siting

The cycle shelter has been re-sited from the car area to the opposite side of the substation to reduce both the dead and live loads onto the existing brickwork retaining wall opposite to the existing sub-station.

- Elevation Changes

North Elevation:-

The Groundfloor escape doors from staircore 1 have been repositioned to the northern elevation. The second floor roof terraced area the single pedestrian access onto the roof terrace has been omitted and the second floor roof terraced area door EL2.3 has been repositioned on the northern elevation.

East Elevation:-

The incorporation of double doors set to provide maintenance access to the Comm's room door ELO.9.

The north lights to the side louver panels have been omitted and substituted with Trocal single membrane covering to match the main roof.

West Elevation

The north lights to the side louver panels have been omitted and substituted with Trocal single membrane covering to match the main roof.

Galvanised handrails to the maintenance walkways adjacent to the North Lights.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

The Highways Agency

Final Date for Receipt of Representations: **19.03.2012**

REPRESENTATIONS:

One letter of representation has been submitted. The main concerns relate to the retrospectiveness of the application as the majority of the works has been carried out.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
EC_1_General Support for economic development proposals and initiatives
B_4_Development within conservation areas
B_6_Measures to preserve and enhance conservation areas

COMMENTS:

The key changes to the previously approved are as follows:-

- Hard Landscaping Materials
- New Pedestrian Crossing
- Cycle Shelter and Waste Enclosure re-siting
- Elevation Changes

- Hard Landscaping Materials

The proposed changes to the hard landscaping materials are considered acceptable in principle, it is considered that the change of materials would not have a detrimental impact on the quality of the scheme and as such accord with policy B4 of the adopted Unitary Development Plan.

- New Pedestrian Crossing

The addition of another pedestrian crossing on the corner of Tavistock Place and Laura Street, is considered acceptable in principle and benefits the scheme by having additional pedestrian access within the site as such the proposed addition of the crossing is considered acceptable. It should be noted that these works are outside the redline, however, the proposed works can be carried out under permitted development rights and as such has not be considered under this application to vary the plans.

- Cycle Shelter and Waste Enclosure re-siting

The cycle shelter has been re-sited from the car area to the opposite side of the substation to reduce both the dead and live loads onto the existing brickwork retaining wall opposite to the existing sub-station. The proposed re-siting of the cycle shelter and waste enclosure is considered acceptable in principle as it does not have a detrimental impact in the overall scheme and has been relocated for safety reason to reduce the load on the existing retaining wall opposite the existing sub-station. The proposed re-siting is considered to accord with policy B4 of the adopted Unitary Development Plan.

- Elevation Changes

The proposed changes to north, east and west elevations are considered minor and do not have a detrimental impact on the overall scheme. The proposed alterations as detailed in the proposal section of this report are considered acceptable in principle and accord with policy B4 of adopted Unitary Development Plan.

Conclusion

The proposed minor amendments to the scheme are considered acceptable and such it is recommended that the variation of planning permission be granted subject to the conditions below as the development is in accordance with the Unitary Development Plan policies.

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 the original permission was granted 12.01.2011 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 Layout Plan (90) 07 Rev F Received the 09.11.2011

Site Layout Plan (90) 10 Received the 09.11.2011

General Arrangement Ground Level (10) 100 Revision I, Received the 09.11.2011

General Arrangements First Floor (10) 101 Revision D, Received the 09.11.2011

General Arrangements Second Floor (10) 102 Revision H, Received the 09.11.2011

General Arrangement Roof Level (10) 103 Revision E, Received the 09.11.2011

Elevations East and West (20) 101 Revision D, Received the 09.11.2011

North and South (20) 102 Revision E, Received the 09.11.2011

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 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, measures to ameliorate noise, dust, vibration and other effects and the selection and siting of machinery along with the substitution of machinery and methodology and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy EN5 of the UDP.
- 4 Development shall not commence until a detailed scheme for the accurate location, protection of and access to its apparatus during construction and afterwards of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details, in order to ensure a satisfactory form of development in accordance with policy EN12 of the UDP.
- 5 Notwithstanding the information submitted to date, no development shall commence on site until precise details relating to the diversion and/or relocation of the sewer located on the development site have been submitted to and approved in writing by the Local Planning Authority in

consultation with Northumbrian Water. The approved works shall then be carried out in complete accordance with the agreed details in order to ensure a satisfactory form of development, in accordance with policy B2 and EN12 of the UDP.

- 6 Before the development hereby approved is commenced the office block shall be pegged out on site and its exact location agreed in writing with the Local Planning Authority, in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.
- 7 No development shall commence on site until precise details relating to the height and design of the balustrade for the roof terrace of the cafe have been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in complete accordance with the approved details in order to ensure a satisfactory form of development, in accordance with policy B2 and T14 of the UDP.
- 8 Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 9 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 10 Before the development hereby approved is commenced the details of all exterior lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved plans before the building is occupied, in order to ensure a satisfactory form of development and to comply with policy B2 of the UDP.
- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 12 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All

works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.

- 13 The development hereby approved shall not be occupied until details of the entry code system for the car park have been submitted to and approved in writing by the Local Planning Authority. The system shall then be installed in complete accordance with the approved details prior to the first occupation of the building in order to ensure a satisfactory form of development in accordance with policy T14 of the UDP.
- 14 Notwithstanding the information already provided, a revised Travel Plan which details the ownership and management of the Travel Plan along with a survey of both employees and visitors should be carried out within 6 months of the first occupation of the building. The revised Travel Plan should then be submitted to the Local Planning Authority for formal written approval within 9 months of the first occupation of building in order to provide a readily accessible development, in accordance with policy T14 of the UDP.
- 15 Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to a minimum standard of BREEAM Very Good (or equivalent accreditation) unless otherwise agreed in writing by the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the Unitary Development Plan.
- 16 The premises shall be used for offices with associated cafe and for no other purpose (including any other purpose in either Class B1 in respect of the office element of the development or A3 in respect of the cafe) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), in order to achieve a satisfactory form of development and to accord with policy B2 and EN5 of the UDP.
- 17 Before the cafe use hereby approved is commenced, details of the ventilation/extraction/filtration system, including all external ducting and stacks shall be submitted to and approved in writing by the Local planning authority. All works shall be completed in accordance with the agreed details before the use commences, in order to protect the amenities of the area and to comply with policy S12 of the UDP.
- 18 Notwithstanding the submitted details, noise levels arising from the operation of the plant and equipment from the development hereby approved shall not exceed the background noise level by more than 5dBA or, if the noise is tonal, should not exceed the background noise at all, at any noise sensitive property in order to protect the amenities of the area and to comply with policy EN5 and B2 of the UDP.

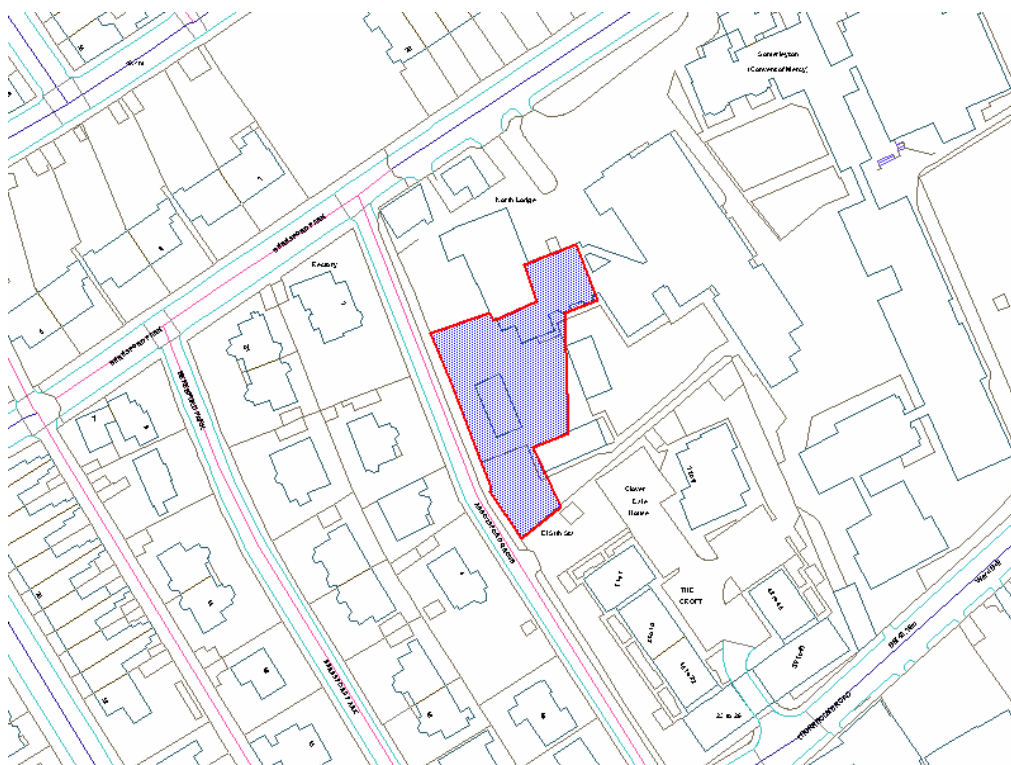
Reference No.: 11/03342/FUL Full Application

Proposal: **Removal of single storey mobile unit (located adjacent to western boundary of site) and demolition of attached toilet block and two storey corridor/classroom building located to the south of the Westburn Building; removal of fire escape stairs from Westburn Building and remedial works to stone damage on Westburn Building. Removal of trees, saplings and shrubs from site. Erection of two storey building comprising 6no. classrooms, seminar, accessible WCs, toilets, lift, plant, stores and flexible ICT teaching space and erection of two storey link building between new build extension (as proposed) and Westburn Building. Erection of fencing and gates and associated landscaping works.**

Location: Saint Antonys RC School Thornhill Terrace Sunderland SR2 7JN

Ward: Millfield
Applicant: Convent Of Mercy
Date Valid: 14 December 2011
Target Date: 8 February 2012

Location Plan



PROPOSAL:

The application relates to the removal of an existing single storey mobile unit (located adjacent to the western boundary of the site) and the demolition of the attached toilet block and two storey corridor/classroom building located to the south of Westburn House; the removal of the existing fire escape stairs from Westburn House and remedial works to make good any stone damage to Westburn House. The removal of trees, saplings and shrubs from the site, all works necessary to facilitate the erection of a two storey building comprising 6No. classrooms, seminar, accessible WCs, toilets, lift plant, stores and flexible ICT teaching space and the erection of a two storey link building between the new build extension (as proposed) and Westburn House. Erection of additional fencing and gates and associated landscaping works at Saint Anthony's School, Thornhill Terrace, Sunderland.

The application should be considered along with Listed Building Consent application number 11/03343/LBC, which seeks Listed Building Consent for this development due to the demolition works required to the attached toilet block and two storey corridor/classroom building, connected to Westburn House, which is a Grade II listed building.

The proposal has been subject to pre-application discussions involving the architect and the Conservation Team and forms phase 1b of the wider "Redevelopment Strategy" adopted by the school in 2007. Members may recall that phase 1a of the strategy which involved demolition works and the installation of a two storey six classroom block was approved by Development Control Sub-Committee dated 01.12.2009.

The aim of the wider redevelopment strategy and specifically phase 1b is to improve the level of the school's teaching accommodation, by removing the remaining demountable classroom and replacing it with a bespoke teaching facility. Pupil and teaching levels are to remain the same.

Saint Anthony's School is located within Ashbrooke Conservation Area in a predominantly residential area, bound to the west by Abbotsford Grove, the north by Thornhill Terrace, the east by Tunstall Road and to the south by Clover Dale House. The existing site boundary treatment varies and comprises natural stone walls to the south west boundary and a brick wall in part along Abbotsford Grove.

The exact siting of the proposal was historically part of the curtilage of Westburn House, situated in the south west corner of the school's grounds, currently occupied by a temporary classroom structure and adjacent the aforementioned recently completed new two storey classroom block to the east. Westburn House was originally a large three storey dwelling converted and changed in use when purchased by the current owners. This area of the school is characterised by a variety of mature trees with the southern boundary protected as a group by Tree Preservation Order No.6 1971.

The proposal requires the removal of the last remaining temporary structure occupying the site which has an area of 0.15 hectares. Due to the topography of the site the adjacent residential properties to the south and west, sit above the

proposed site level which is approximately 1.0 to 1.5 metres below Abbotsford Grove. The existing temporary building is largely not visible from the south west and is heavily screened by mature trees and boundary walls.

The proposal for the replacement two storey building will produce a building taller than the existing temporary structure reaching a height of 9.0 metres along the top of the parapet roof enclosing the flat roof. The proposed building is approximately 24 metres distant from residential properties along Abbotsford Grove and approximately 19 metres between the south gable and the apartment block within the Clover Dale House development.

The new building footprint will be 474 square metres with modern classbases of 56 square metres in accordance with Building Design Bulletin 98. This will not increase pupil numbers above their current level but will make overall occupancy more acceptable.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted

CONSULTEES:

City Services - Network Management
County Archaeologist

Final Date for Receipt of Representations: **30.01.2012**

REPRESENTATIONS:

ENGLISH HERITAGE

No comments to make on the application.

COUNTY ARCHAEOLOGIST

No comments to make on the application.

NEIGHBOURS

One letter of representation has been received following the expiry of the consultation period. Concerns raised included the proposal being located too close to residential properties, too high and generally too large. The design not respecting the conservation area and a potential loss of privacy and increase in noise.

Addressing each of the concerns in turn:

The proposal being located too close to residential properties. Planning standards are useful in helping define the lowest level of acceptability, but greater freedom to vary standards needs to be allowed for such things as garden sizes and

privacy distances in the interest of creating more complex, varied and attractive spaces. In general residential developments interface distances of 21 metres have been adopted between main facing windows in order to ensure appropriate levels of residential amenity are maintained. In this particular instance although the school block is not a residential property, the interface distance is in excess of the standard required for residential properties by approximately a further 4 metres.

Notwithstanding this separation distance, in assessing the impact of the school building upon levels of residential amenity currently afforded the existing residential properties, other characteristics of the street scene have been given consideration, namely size of front gardens, boundary enclosures, planting etc. With the above in mind, the proposed building is sited at its narrowest point a distance of 3 metres from the boundary wall of the school, screened by planting and then separated from residential properties by a private road and front garden, given an overall distance of approximately 25 metres.

The height of the proposed building and size of footprint are considered proportionate and subordinate with other buildings contained within the school site. The proposal reaches 9 metres in height, whilst the adjacent Westburn House building reaches approximately 13 metres in height and phase 1a of the school redevelopment reaching 8 metres in height. Furthermore, the neighbouring residential properties located within Abbotsford Grove provide roof ridgelines approximately 8.5 metres in height. In terms of the overall size of the footprint of the building the room sizes have been developed in accordance with Building Design Bulletin 98: Briefing Framework for Secondary School Projects ensuring a fit for purpose design for the needs of the pupils and teaching staff.

In relation to the design not respecting the conservation area, the proposal has been discussed from very early concept stages with the Planning Implementation Conservation Team, who are very supportive of this scheme and the wider redevelopment strategy in general, as it proposes to remove unsightly temporary buildings, existing poor quality extensions and improve the overall appearance of Westburn House and its immediate surroundings.

Privacy and noise concerns have both been addressed at the design stage of the proposal. The layout of the proposed building has been designed so that the west facing elevation of the proposal, provides the outside windows of the classrooms with both vertical and horizontal louvres adding a degree of screening to the building, whilst corridors providing access around the courtyard are located along the inner profile walls of the proposal with access doors opening into the courtyard area, thus mitigating any increase in levels of noise at this specific area of the school site.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

B_4_Development within conservation areas

B_6_Measures to preserve and enhance conservation areas

B_10_Development affecting the setting of listed buildings

L_7_Protection of recreational and amenity land
CF_5_Provision for primary and secondary schools
CN_17_Tree Preservation Orders and replacement of trees
CN_18_Promotion of nature conservation (general)
CN_22_Developments affecting protected wildlife species and habitats
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
EN_5_Protecting sensitive areas from new noise/vibration generating developments

COMMENTS:

The main issues to consider in determining the application are :-

- (i) The Principle of the New Development/Policy Context.
- (ii) Design, Siting, External Appearance and Landscaping (Visual Impact).
- (iii) Removal of Trees/Wildlife.
- (iv) Highways and Parking Issues.

- (i) The Principle of the New Development/Policy Context.

The site in question is allocated under Policy L7 of the Unitary Development Plan (UDP). Policy L7 states in part that:

"Land allocated for open space or outdoor recreation, as shown on the proposals map, will be retained use. This includes playing fields attached to school or other educational establishment. Permission for other uses on these sites will only be granted if:

- (i) the development is for educational purposes; and,
- (ii) there would be no significant effect on the amenity, recreational and wildlife habitat of the site."

Policy CF5 requires that where possible, the requirements for the provision of secondary education needs will be accommodated primarily on existing sites.

It is therefore considered that the small scale addition to the school accords with relevant policies of the UDP.

- (ii) Design, Siting, External Appearance and Landscaping (Visual Impact).

In assessing the visual impact of the proposal due consideration has been given to Policies B2, B4 and B6 of the UDP.

Policy B2 states that:

""The scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas."

Due to the location of the school within Ashbrooke Conservation Area, policies B4 and B6 are of particular relevance.

Policy B4 requires in part that:

"All development within and adjacent to conservation areas will be required to preserve or enhance their character or appearance."

Whilst policy B6 expands upon the above policy by a seeking measures including in part that:-

"(i) Encouraging the retention of existing buildings and the improvement of features, open space, historic street patterns and plot boundaries;

(ii) Encouraging the retention of existing mature trees."

With regard to the design of the new classroom blocks, the scale, massing, form and appearance of the buildings is subservient and sympathetic to Westburn House, reaching a height approximately 5 metres below that of the listed building. The continuity of the innovative, bespoke design approach of phase 1a throughout the classroom block is considered appropriate, clearly distinguishing them from the old building and completing the courtyard appearance of the overall development.

The proposed building, sited on level ground sits in existing hard and soft landscaping parallel to the western boundary. Break-out or external teaching spaces will face west at ground level, whilst in terms of siting and general orientation the external social areas face north east overlooking Westburn House, mitigating any potential impact on potential levels of noise to surrounding neighbours.

Fenestration to classbases and to circulation areas is full height with louvres to provide solar shading to the east and west facing elevations. Louvres to the west elevation also serve to screen the first floor classrooms to combat potential overlooking of Abbotsford Grove. These louvres have also been incorporated into the fenestration and serve the dual purpose of assisting natural ventilation.

It is considered that the juxtaposition between the new block and the listed building has been handled sensitively following pre-application discussions with the architect. The incorporation of a glazed link that is set back behind the stone quoins of the listed building will expose these important features and provide a light weight separation between the old and the new that reveals more of the listed building's original square form.

The proposal intends to retain the established landscape character as in Phase 1, however the demolition of the temporary building and partial site clearance will result in the loss of a tree in a brick planting box, no area of open space will be lost.

In summary, phase 1b of the redevelopment strategy has considerable conservation benefits and will significantly enhance the character and setting of Westburn House. The proposal seeks to remove the poor quality mid-late 20th century extension to Westburn House (along with the stand alone demountable in close proximity to it), and repair and restore the original appearance and detail of the listed building. In continuing the design philosophy of phase 1a, the current proposal will secure the removal of the unsightly escape stairwell to the south elevation of the listed building, allowing the reinstatement of a sliding sash

window and decorative stone cill, whilst ensuring teaching/learning facilities are brought up to the highest standards.

The proposal complies with relevant UDP policies B2, B4 and B6.

(iii) Removal of Trees/Wildlife.

Following pre-application discussions both for phase 1a and 1b with the architect, it was identified that a number of trees would have to be removed to facilitate the redevelopment of this area of the school. A supporting Arboricultural Implications Assessment has been provided in support of the application.

Policy CN17 of the UDP states that:

"The city council will encourage the retention of trees which make a valuable contribution to the character of an area by the making of tree preservation orders and replacing trees in highways and other public areas, with species which help maintain the character of the locality. The retention of trees, hedges and landscape features in all new developments will be required where possible."

The supporting tree assessment has identified two trees to be removed. (T12). A middle aged Crack Willow (*Salix fragillis*) 11.1 metres in height located along the western perimeter of the site and identified as being in a structurally poor condition with symptoms of ill health and (T5) a 7.5 metres high Cherry tree centrally located within the internal courtyard.

In light of the existing health of the Willow and the limited amenity value of the Cherry tree identified for removal within the Arboricultural assessment, it is considered that this element of the development complies with policy CN17 and should members be minded to approve the proposal, conditions can be attached requiring the planting of suitable replacements and safeguarding of the existing species.

In addition to the supporting Arboricultural assessment, the site has been subject to a wildlife survey, which has checked for nesting birds and roosting bats.

Policy CN22 of the UDP states that:

"Development which would adversely affect any animal or plant species afforded special protection by law. or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and where appropriate planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the city."

The findings of the survey have stated that it is not considered any of the buildings provide a suitable maternity roost site. None of the elevations of the building surveyed in 2011 provide suitable locations for hibernating bats or maternity colonies. There is a very low risk that some features may provide occasional day roosting opportunities for common pipistrelle bats however no evidence was recorded on site that would suggest such uses within recent months.

It is therefore considered that with suitable mitigation measures to prevent bats being harmed or disturbed during the works and to ensure that the site retains the potential to be used by bats in a similar manner in the medium to long term the development complies with policy CN22 and is therefore acceptable subject to appropriate conditions.

(iv) Highways and Parking Issues.

It is not proposed that the development will lead to an increase in either pupil, staff or visitor numbers.

Policy T14 relates to proposals for new development and states in part that:

"new development should not cause traffic congestion or highways safety problems on existing roads."

Following consultations with the Executive Director of City Services (Transportation) there are no observations to report and as such the proposal is considered to comply with policy T14 of the UDP.

CONCLUSION

The proposed demolition of the attached toilet block and two storey corridor/classroom building and the removal of the fire escape and existing temporary classroom to allow the construction of a new two storey classroom/learning block is considered to be acceptable in principle.

The proposed design, siting and external appearance of the new building is considered to be well conceived in terms of urban design principles, sympathetic with the character of the surrounding conservation area and listed building and retaining levels of residential amenity currently afforded neighbouring residential properties.

Appropriate mitigation can also be afforded the development by means of conditions to safeguard both the trees and wildlife contained within the site to the benefit of the wider community. As such the proposal accords with the above planning policies and conditional approval of the application is recommended.

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.1. Location Plan received 14.12.2011.

Drawing No.2. Existing Site Plan received 14.12.2011.

Drawing No.3. Proposed Site Plan received 14.12.2011.

Drawing No.9. Existing Plans and Elevations - Westburn received 15.11.2011.

Drawing No.10. Proposed Ground Floor Plan received 14.12.2011.

Drawing No.11. Proposed First Floor Plan received 14.12.2011.

Drawing No.12. Proposed Roof Plan received 14.12.2011.

Drawing No.20. Existing Elevations - Contextual received 11.11.2011.

Drawing No.21. Proposed Elevations - Contextual received 11.11.2011.

Drawing No.22. Existing and Proposed Elevations - Westburn received 14.12.2011.

Drawing No.23. Westburn - Proposed Works to the Existing Fire Escape Stair Opening received 11.11.2011.

Drawing No.25. Proposed Elevations received 14.12.2011.

Drawing No.30. Proposed Fencing Detail received 14.12.2011.

Drawing No.35. Proposed Sections received 11.11.2011.

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 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 Before the development hereby approved is commenced details of the means of demolition of the extensions, including details of measures to be taken to protect stonework of the listed building Westburn House shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policy EN5 of the UDP.
- 5 No development shall take place unless in accordance with the mitigation detailed within the Wildlife Survey of Saint Anthony's School, as outlined in Appendix 4 : Method Statement For Contractors and Appendix 3 : BS5837 Tree Protection Plan Should Trees Be Retained of the Arboricultural Implications Assessment, in order to maintain the favourable conservation status of protected species and to comply with policies CN18 and CN22 of the UDP.
- 6 No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include days and hours of working, siting and organisation of the

construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.

- 7 No development shall take place until there has been submitted to and approved in writing by the Local Planning authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2, B4 and B10 of the UDP.
- 8 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 and B4 of the UDP.
- 9 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.
- 10 If any retained tree is removed, uprooted, destroyed or dies, throughout the construction period on site and for a further three years following the completion of works, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 11 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the plans and particulars to be submitted to and approved by the Local Planning Authority, before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 12 Before the trees which are subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a

timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.

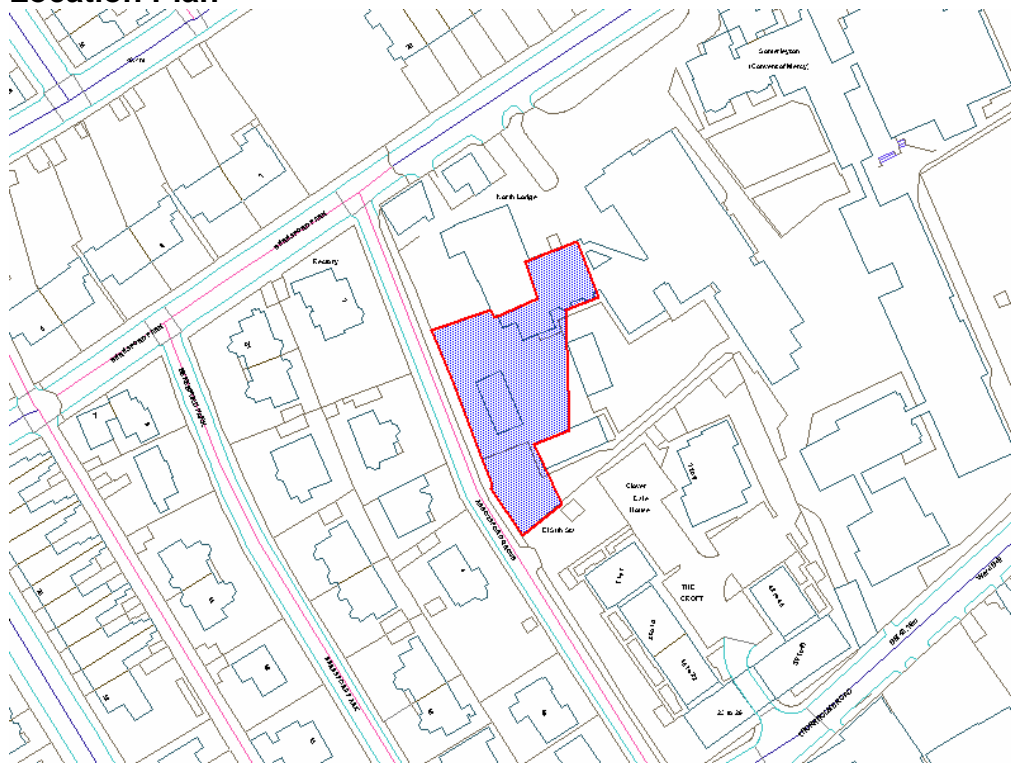
Reference No.: 11/03343/LBC Listed Building Consent

Proposal: **Removal of single storey mobile unit (located adjacent to western boundary of site) and demolition of attached toilet block and two storey corridor/classroom building located to the south of the Westburn Building; removal of fire escape stairs from Westburn Building and remedial works to stone damage on Westburn Building. Removal of trees, saplings and shrubs from site. Erection of two storey building comprising 6no. classrooms, seminar, accessible WCs, toilets, lift, plant, stores and flexible ICT teaching space and erection of two storey link building between new build extension (as proposed) and Westburn Building. Erection of fencing and gates and associated landscaping works.**

Location: Saint Antonys School Thornhill Terrace Sunderland SR2 7JN

Ward: Millfield
Applicant: Convent Of Mercy
Date Valid: 14 December 2011
Target Date: 8 February 2012

Location Plan



PROPOSAL:

Listed Building Consent is sought for the demolition of an attached toilet block and two storey corridor/classroom building, the removal of an existing fire escape stairs located to the south west corner of Westburn House. As a consequence of the demolition, consent is sought for repair and restoration measures to Westburn House.

The application should be considered along with application number 11/03342/FUL, which seeks full planning permission for the erection of a two storey building comprising 6no. classrooms, seminar, accessible WC's, toilets, lift, plant, stores and flexible ICT teaching space and the erection of a two storey link building between the new build extension (as proposed) and Westburn House.

The proposal has been subject to pre-application discussions between the Conservation Team and the architect, during which the principle of the scheme and the main elements of the proposal - demolitions, general layout, form, height and positioning of the new school blocks were generally agreed.

Westburn House, now part of St. Anthony's Girl School, is a Grade II listed building built originally as a single dwelling house, changing ownership and use some 50 years ago. Built around 1850 it has horizontally tooled ashlar stone walls with smooth sawn faced ashlar plinths, quoins and dressings. The roof covering is graduated Lakeland slate with ashlar chimneys.

The current proposal follows the successful implementation of phase 1a of the redevelopment strategy for the school that resulted in the removal of the link building attached to the eastern elevation of Westburn House and the subsequent remedial works required to reinstate the eastern elevation to its original design.

As a consequence of the demolition of the toilet block and link building to the south west corner of the building, it will also be necessary to rationalize the interior of Westburn House along with replacing the existing fire escape door with a new first floor window, the cill and details. It is proposed to utilise new cills and pilasters as complete carved stones in Blaxtor or similar sandstone ashlar blocks to replicate details lost to the previous intervening extensions.

All stonework to the affected areas is to be re-pointed with sand/lime mortar to each complete bay i.e. pilaster to pilaster.

Internally some internal window reveal panelling and architraves will be required to be replaced and rebuilt back to form the original window cill and sized opening. New replicated sash windows are to be installed.

In terms of works required to improve the fire safety of Westburn House, a new Fire alarm detection VESDA (Very Early Warning Smoke Detection Alarm) system is proposed to the entrance hall and staircase to bring the system in line with current legislation. Repaint doors with intumescent paint to make them as fire resisting as possible and ensure that any gaps between the doors and frames

are reduced. Several of the doors are not original and it is proposed to renew these doors with new panelled fire doors which are more sympathetic to the buildings interior.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
County Archaeologist
English Heritage

Final Date for Receipt of Representations: **30.01.2012**

REPRESENTATIONS:

ENGLISH HERITAGE

No comments to make on the application.

COUNTY ARCHAEOLOGIST

No comments to make on the application.

NEIGHBOURS

One letter of representation has been received following the expiry of the consultation period. Concerns raised included the proposal being located too close to residential properties, too high and generally too large. The design not respecting the conservation area and a potential loss of privacy and increase in noise.

Each of the above concerns relate specifically to the new build element of the proposal and have been covered within the Full Planning application ref. 11/03342/FUL. None of the above concerns are material to the determination of the Listed Building Consent proposal.

POLICIES:

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

B_10_Development affecting the setting of listed buildings

COMMENTS:

In determining the proposal the main issues to consider are the impact of the demolition works upon the setting of the listed building and the special architectural character of the host property.

Planning Policy Statement 5 (PPS5) : Planning for the Historic Environment provides the Government's overarching aim to conserve the historic environment and its heritage assets for the enjoyment and quality of life they bring to this and future generations.

Policy HE9.1 states in part that:

"There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be."

Whilst Policy HE10 relates to applications for development affecting the setting of a designated heritage asset with para. HE10.2 stating that:

"Local Planning Authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset. taking such opportunities should be seen as a public benefit and part of the process of place-shaping.

Policy B10 of the Unitary Development Plan (UDP) states:

"The city council will seek to ensure that development proposals in the vicinity of listed buildings do not adversely affect their character or setting."

In summary, and in light of the above guidance and policy, it is considered that the demolition of the attached toilet block, link building and demountable classroom would be desirable, removing an unattractive two storey extension from the south western corner of Westburn House.

The general scope of the repair and restoration works to the listed building were discussed with the Conservation section at the pre-application stage and are reflected in the submitted scheme. Overall, the Conservation section consider the details provided for the works to be appropriate and provided they are properly specified and carried out to a high standard of workmanship befitting a building of special architectural and historic interest they should considerably enhance the listed building.

In the event members be minded to approve the proposal, and in order to safeguard the integrity of the listed building, the Conservation section have requested additional details relating to the proposal be conditioned. It should be noted that the full extent of repair and restoration works to the south west corner of the building will not be known until the extensions have been removed when inspection of the exposed stonework will be possible.

There is a requirement to provide a detailed specification and method statement for all repair and restoration works to the listed building, including stone replacement, stone indenting/re-facing, mortar repairs, mortar mix and method of

finishing for re-pointing works and other remedial works such as cleaning of stonework etc.

There is a requirement for a sample area of re-pointing (and bedding of new stone if necessary) to be provided for inspection.

There is a requirement for a method statement for demolition of extensions, including details of measures to be taken to protect stonework of the listed building as the extension is taken down and a further requirement to inform the Conservation Team on completion of demolition works so a joint inspection of exposed stonework can be undertaken and the scope of repair and restoration works agreed.

There is a requirement for full details of all measures to satisfy building and fire regulations i.e. specification of intumescent products.

Finally, there is a requirement for all samples of all external materials - including new stonework for quoins, cills and pilasters to be provided for inspection.

CONCLUSION

With regard to the above, the proposal is considered to comply with the general conservation principles as outlined in PPS5 and policy B10 of the UDP. It is considered that the appearance and setting of the listed building will benefit significantly from the removal of the attached toilet block and two storey corridor/classroom building along with the removal of the fire escape stairs and as such members are recommended to approve the proposal 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 18 of the Planning (Listed Buildings and Conservation Areas) 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 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including new stonework for quoins, cills and pilasters has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 3 Notwithstanding the approved plans, no part of the works hereby granted consent shall be commenced until a detailed method statement of the proposed demolition of the attached toilet block and two storey

corridor/classroom and removal of the fire escape stairs from Westburn House has been submitted to and approved in writing by the City Council in its capacity as Local Planning Authority. For the avoidance of doubt, the method statement shall include a clearly annotated plan confirming the exact extent of demolition, written details of the means of demolition, details of measures to be taken to protect the existing stonework of the listed building as the extension is taken down and the removal of material from the site, in the interests of maintaining the historic fabric of the building and to comply with the requirements of Planning Policy Statement 5 : Planning for the Historic Environment

- 4 Notwithstanding the approved plans, no part of the works hereby granted consent shall be commenced until a full specification and method statement providing precise details of the work necessary for all repair and restoration works to the listed building, including stone repairs, mortar mix, and method of finishing for re-pointing works etc. has been submitted to and agreed in writing with the City Council in its capacity as Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details, in the interests of maintaining the historic fabric of the building and to comply with the requirements of Planning Policy Statement 5 : Planning for the Historic Environment
- 5 Notwithstanding the submitted details, a sample panel of repointing (and bedding of new stone if necessary) must be provided for approval prior to the implementation of the repointing works on site and the remaining brickwork shall be repointed in accordance with the agreed method, in order to protect the fabric of the listed building, in the interests of visual amenities of the area, and to comply with policies B2 and B10 of the UDP.

Reference No.: 11/03401/FUL Full Application

Proposal: **Two storey development to provide a new hospice for Sunderland Teaching Primary Care Trust with associated landscaping, access and parking.**

Location: Land Adjacent To Stockton Road Ryhope Sunderland

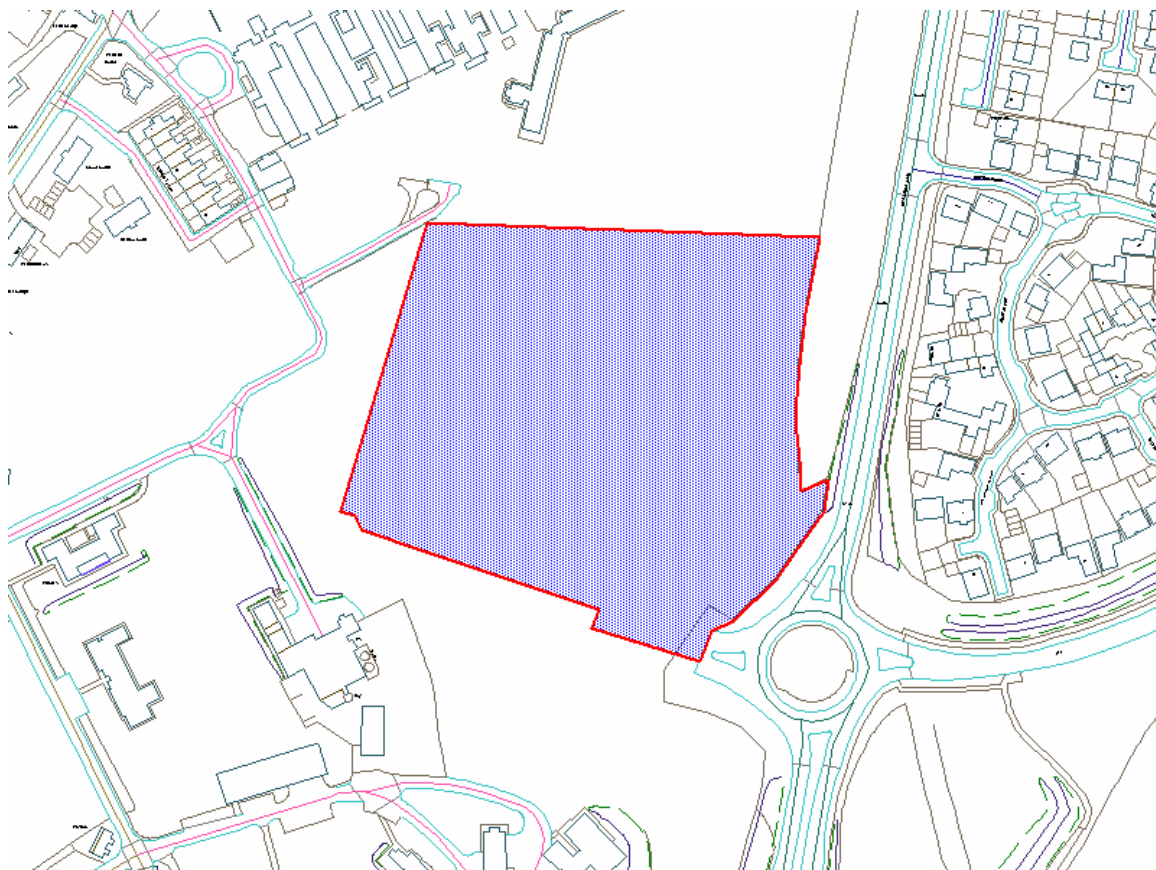
Ward: Ryhope

Applicant: Sunderland Teaching & Primary Care Trust

Date Valid: 1 December 2011

Target Date: 1 March 2012

Location Plan



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PROPOSAL:

The proposed development site is located on a parcel of green field land, situated within the Cherry Knowle hospital site, to the south of the main hospital buildings and to the west of Stockton Road. It is intended, should permission be forthcoming, that the proposed hospice will re-provide a range of services currently provided from a building at Monkwearmouth hospice.

A number of sites were considered for the proposed development, each of which were appraised against the projects objectives, which included:- cost benefit analysis, access, estates, patient experience and added value to the local community. Following detailed analysis of the above, the preferred site was found to be the site within the grounds of Cherry Knowle hospital, Ryhope.

The aim of the Sunderland Teaching Primary Care Trust is to provide high quality physical, psychological, social and spiritual care for both patients and their families. It is envisaged that the new hospice facility will provide:- a new, functional and robust specialist palliative care facility which is fit for purpose, help to improve and provide choice for patients at the end of life, help to deliver community based services which are able to provide sustainable care in the community, contribute to the 5% decrease in deaths in hospital, improve access to inpatient and outpatient specialist palliative care, improve patient experience through improved facilities and environment and help to prevent unnecessary hospital visits.

The proposed layout of the site will concentrate the built form around the eastern/southern boundaries with an area of landscaping and wetland forming the south-eastern boundary. To the west of the building is proposed to be additional landscape and courtyard areas with the main access road, patient drop-off and parking proposed in a crescent shape following the western/northern boundary of the site. Beyond the designated parking areas are further areas of landscape planting and footpaths connecting this site with the adjacent redevelopment proposals for Ryhope General Hospital (PrIDE).

The proposed development will take the form of a split level 'anchor' shaped building, appearing two storey when viewed from Stockton Road and single storey when approached from the main entrance owing to level differences across the site. The main patient entrance is proposed within the western elevation of the building, accessing the building at the upper ground floor level. In summary, the upper ground floor level will house an education unit, a lymphoedema clinic and out-patients department and day care unit, whilst the lower ground floor level will accommodate spaces that require less public access and are clearly defined into two discrete areas, one being administration and staff and the other being an in-patient unit.

Access - Access to the new development will be taken from the proposed 'new' Ryhope - Doxford Park Link Road (Phase 1), which is currently being progressed with an application expected early March 2012. The estimated completion date for the new road is expected to be in line with the construction programme for the hospice. Should, however, the completion of this section of the link road be delayed, for whatever reason, a temporary access road is proposed to be taken from the existing spur off Stockton Road.

Parking - As referred to above, patient drop-off areas and parking are proposed to the west of the main hospice building with a total of 74 spaces to be provided (48 spaces proposed for outpatients, clinics and staff, 20 spaces proposed for inpatients and staff with an additional 6 spaces proposed for day centre staff).

The planning application has been supported by a Design and Access Statement, Archaeological Statement, Heritage Statement, Air Quality Assessment and Transport Assessment. In addition a letter of comfort has been

provided by the HCA confirming their commitment for the proposed Ryhope
Doxford Park Link Road.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted

CONSULTEES:

Durham Wildlife Trust
City Services - Network Management
Street Scene (Environmental Service)
County Archaeologist
Environment Agency
Northumbrian Water
Force Planning and Police Architectural Liaison Officer
Fire Prevention Officer
NE Ambulance Service NHS Trust
Nexus
Business Investment

Final Date for Receipt of Representations: **10.01.2012**

REPRESENTATIONS:

Environment Agency

No objection to the proposal subject to the imposition of conditions relating to the installation of an oil interceptor, preliminary risk assessment, site investigation, remediation assessment, verification plan, monitoring and maintenance plan and unsuspected contamination report.

Nexus

The original response provided by Nexus suggested that there was a need for this and other developments on the Cherry Knowle site to make a joint contribution, in the region of £220,000 towards the funding of a bus service to operate through and around the site.

However, following further discussions, in this regard, it became apparent that the proposal would generate comparatively low trip generation rates and that it would be unreasonable to refuse planning permission on public transport grounds. Therefore, given that the applicant is willing to provide footpath links through their site to the nearest bus stop, in accordance with the maximum walking distance rule of 400m, Nexus have agreed not to pursue the S106 request.

Executive Director of City Services - Environmental Health

The EH section of the authority has raised no objection to the proposal subject to the imposition of a series of planning conditions relating to:- ground contamination, maximum internal noise levels, hours of construction, measures to ameliorate noise, dust, odour, vibration etc.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
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
B_15_Developments causing large scale ground disturbance (currently undeveloped areas)
B_16_Assessing, recording and preserving historic sites discovered during development
R_1_Working towards environmentally sustainable development
CN_17_Tree Preservation Orders and replacement of trees
CN_22_Developments affecting protected wildlife species and habitats
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
SA_9_Allocation of site for new housing (over 10 units)

COMMENTS:

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

1. Principle of development
 2. Design considerations
 3. Highway considerations
 4. Residential and visual amenity considerations
 5. Tree and Ecology considerations
 6. Sustainability considerations
-
1. Principle of development

The site is allocated within the Unitary Development Plan (UDP) for housing and as such is subject to the provisions of policies SA9.13, H3, H5, H7 and H10. Policy SA9.13 states that the application site, known as Wellfield Farm, Ryhope is allocated for 130 dwellings, based on a site area of 5.77 hectares, which is greater than the site subject of this application. In addition to the UDP allocation the Ryhope Tunstall Periphery Planning Guidance (SPG) which was produced as supplementary planning guidance back in 1999 also identifies the site for future housing development. At the time of its preparation, the Ryhope Tunstall SPG was based upon the best available knowledge to the Council with regards to land ownership, the majority of which was within the ownership of the former English Partnerships (EP). Following the transfer of EP to the Homes and Communities Agency (HCA) the sell off of land for the whole of the southern periphery i.e. land

between Ryhope and Tunstall, was undertaken in a very different manner from what had previously been envisaged. As a consequence, the housing and hospital (including hospice) sites were in essence flipped with one another resulting in the hospital sites being located on the northern side of the proposed link road with the housing sites occupying the land to the south. In this regard, whilst the proposal is therefore considered to be a departure from the development plan in force at the time, namely the UDP, it is considered that the proposed land allocation at this time better reflects the needs and operational requirements of the respective hospice and hospital related developments.

Another relevant UDP policy is CF10 which requires health and social care buildings to be located and distributed so as to be accessible to all residents of the City. As this site is situated on one of the main transport routes into and out of the City, which is well served by public transport and associated infrastructure, it is considered that the site is in accordance with policy CF10.

The Town and Country Planning (Consultation) (England) Direction 2009 sets out the Secretary of States power to issue directions to local planning authorities requiring them to consult with specified persons before granting planning permission. The areas covered by this direction include development within the greenbelt, development (retail, leisure or office) outside town centres, World Heritage site development and development on playing fields. In this regard it is not considered that the proposal meets the criteria for referral to the Secretary of State as set out in the Town and Country Planning (Consultation) (England) Direction 2009 and as such can be determined through the normal process.

In terms of the acceptability of the proposal, namely a hospice development on land allocated for housing, it is considered that the proposal is acceptable owing to the fact that the development has not resulted in a loss of land for housing, rather the sites have been switched to slightly different locations. Also, it remains the view that the proposal supports the wider strategic development objectives of the site as set out in both the UPD and SPG.

2. Design Considerations

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

- Layout

The proposed layout for the site consists of a single/two storey building which occupies a relatively small proportion of the site and is located towards the eastern boundary of the site. The primary frontage of the building is inward (south-west) looking, fronting an area of landscape garden and visitor parking. A balancing pond and landscape planting is proposed within the south-eastern corner of the site and along the eastern boundary, which fronts onto Stockton Road. Additional landscaping and tree planting is proposed to border the application site and car parking areas. Servicing is proposed towards the south-western end of the building, away from the main visitor / patient entrance, whilst the more sensitive areas, such as the mortuary, are located at the northernmost end of the building.

In this regard the site layout is considered to be well thought out and appropriate, given its nature and physical context. Prominent frontages, practical aspects (such as servicing) and sensitive uses appear to be adequately catered for, and car parking suitably accommodated so not to visually dominate the site.

- Scale

The proposed building responds to the changing topography of the site and as a consequence the building is both single storey at the main entrance point and two storey to the east. Traditional pitched roofs have been incorporated so as to reduce the overall height of the external walls and the resulting impact on courtyard shading. A further attempt to reduce the overall massing of the building has been proposed through the use of innovative landscaping, namely roof gardens, which aid in reducing the scale of the building and introduce nature at different levels of the proposal. In this regard it is considered that the proposed hospice development positively responds to both the surrounding natural and built environment.

- Elevations

It is essential that the proposed hospice development creates a calming and holistic environment that is beneficial to patients, staff and visitors and therefore the appearance of the building is critical in achieving this requirement. Notwithstanding this requirement, the building also needs to perform a number of varying functions from in-patient palliative care through to education and training. As a consequence the choice of building materials has been heavily informed by the above competing requirements.

In this regard, the majority of the building is proposed to be of a masonry construction, as local brick was not considered appropriate to create the required holistic environment. The palette of materials is therefore heavily influenced by natural stone, which would be located primarily on walls up to first floor level, with full height proposed to eaves level in certain locations. In locations where stonework finishes at first floor level, it is proposed that a through colour render be applied. This material is proposed primarily to the curved first floor wing of the out-patients unit and is used to break the two-storey elevations which surround the southern courtyard. At ground floor level the stone work is further broken down by the through use of timber panelling which is proposed to be used in areas where patients and visitors are likely to interact with the building, i.e. the walls to the private bedrooms.

One of the distinct features of the building is the use of curves in the plan of the building form and within the site plan. The concept is that the curve represents grace and calm and symbolises arms in the form of an embrace, which is seen as support and strength and signifies the work that the hospice provides.

Having regard to the above factors it is considered that the proposed hospice development demonstrates consideration not only to the needs of the facility but also the wider area in terms of providing attractive facades along the buildings prominent frontages. It is also considered that the proposed palette of materials is of a high specification and attractive features have been incorporated into the scheme to provide visual appeal and interest.

In conclusion from a design perspective there are no objections to the proposed scheme subject to the inclusion, should Members be minded to approve the application, of a condition requiring details of materials to be submitted to ensure that the high quality specification of materials included in the proposed design are realised in the construction of the development.

3. Highway considerations

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

The application is accompanied by a revised Transport Assessment and Travel Plan.

The Executive Director for City Services - Network Management, has been consulted on the application and comments are awaited. It is therefore envisaged that further consideration of such matters will be made on a supplement report to the main agenda.

4. Residential and visual amenity considerations

Policy B2 of the UDP requires the scale, massing and layout of new development should retain acceptable levels of privacy and relate harmoniously to adjoining areas. Section 10C of the Residential Design Guide Supplementary Planning Document requires minimum interface spacing of 21m between main facing windows on two storey development.

Residential Amenity - The proposed hospice development is situated, in the region of, 80m away from the nearest residential development to the east of the Stockton Road and owing to the level differences and orientation of the new building it is not considered that the proposal raises any issues with regards to overlooking, loss of privacy, outlook or light.

Visual Amenity - As previously stated, the hospice building, in its design, has been mindful of the fact that the site is has to positively respond to a number of existing built features, namely pre-war to modern day housing, the Victorian pumping station and The Ridings asylum. The building design has also responded to the fact that the site is located on one of the City main routes into the City, the proposed Ryhope Doxford Park Link Road and views of the nearby coastline as well as the sensitivities that surround the operational requirements of the facility. Whilst it is acknowledged that the rear of the building fronts onto Stockton Road it is considered that this elevation and the associated landscape proposal provides a high quality finish which aids in providing an attractive feature when entering the City from the south.

In addition the relationship between the proposed hospice building and the proposed new Ryhope Hospital development has been considered by both architects to ensure that both buildings complement one another and provide permeability through the sites for patients, visitors and the general public. In this regard it is not considered that the proposed hospice building will adversely

impact on the wider residential areas and as such the proposal is considered to accord with policy B2 of the UDP.

5. Tree and Ecology considerations

UDP policy CN17 requires the retention of trees in all new developments where possible, whilst policy CN22 highlights that development which would adversely affect any animal or plant species afforded special protection will not be permitted. In addition to the above is Planning Policy Statement 9 'Biodiversity and Geological Conservation' and the Durham Biodiversity Action Plan (BAP). PPS9 is concerned with ensuring that protected species are protected from the adverse effects of development, where appropriate, by using planning conditions and / or obligations, whilst the Durham BAP provides a strategy that is important in considering the redevelopment of the site and the effect upon the existing trees.

The BAP recognises that the proposed development should take the opportunity to prevent loss and create new habitats through the development process e.g. the retention of existing trees that are identified as being of value and the incorporation of new tree planting along with habitat creation. This is considered to be an important element of development, which would meet a number of the key aims of the Durham BAP.

Trees - A condition survey, undertaken in accordance with BS5837:2005 'Guide for Trees In relation to Construction' and assessment of the existing trees in relation to the proposed development has been undertaken and recommendations for a management strategy provided.

Survey Summary - A small number of mature broadleaf trees are currently situated along the B1286 Stockton Road boundary to the east of the site with other trees grouped in the northwest corner of the site with trees beyond which form a feature within the landscape setting.

The site is considered to be in poor landscape condition and reflects the state of repair and derelict nature of a number of features and elements that once formed part of the now demolished asylum of Wellfield Farm that make up the character of the site, which would benefit from improvement.

In relation to the proposed development, 2no. individual trees (reference T1 and T2) and 1no. group of trees (reference G1) that are situated within the site were surveyed. The age of the above identified trees ranges between 60 and 70 years, reflecting the stages of development that has taken place on this and the wider site, with a number of mature trees situated to the boundaries with shrubs, younger self seeded trees and saplings within the site. T1, T2 and G1 are identified within the report as being proposed for removal, along with all of the self seeded shrubs and saplings, to make way for the proposed hospice development. The impact of the removal of the above trees and shrubs has been considered against the guidance contained within the Durham BAP and it is concluded that the loss of these trees and shrubs would not be detrimental to the setting of the site or harm the visual amenity of the surrounding area.

The survey report also states that tree mitigation measures are proposed to protect and safeguard the existing retained trees during construction and in the longer terms. The measures aim to:-

1. Prevent the existing trees worthy of retention from being harmed or disturbed during the construction works,
2. Ensure that the continuity of tree cover within the site is maintained in the medium term to long term,
3. Safeguard the contribution made by the trees for amenity purposes in relation to the landscape, setting of the site and surrounding area.

In addition, the applicant has agreed to make a financial contribution to the sum of £15,776 towards the creation of the Great North Forest and nature conservation enhancement both within and outside the site, in accordance with Section 10.12 the Ryhope Tunstall SPG.

Notwithstanding the recommendations of the submitted survey report, should Members be minded to approve, appropriate conditions can be incorporated relating to vegetation clearance and planting lists and management plan, in order to safeguard the remaining trees on the site and ensure that suitable habitats are created.

Ecology - An extended Phase 1 Habitat survey was carried out on 5th September 2011. This survey method is based on the Phase 1 habitat survey methodology (JNCC 2007) and aims to identify features of ecological interest which could be affected by the proposed development. The findings of the survey are concluded below.

Intact Hedge - An intact hedge-line, 50m in length, forms part of the eastern site boundary adjacent to the B1286. The species include hawthorn with occasional sycamore. Whilst the impact of the proposed development on the hedge-line is not fully known at this stage, it is considered that this matter could be adequately dealt with by way of condition should Members be minded to recommend approval of the application. Such matters will be dealt with as part of the detailed landscape plan and planting list to ensure that the visual amenity and ecological value of the site is not compromised.

Improved Grassland - An area of short-mown improved grassland, 500 x 350m (with occasional scattered tall ruderal species) is present in the centre of the site. Species present includes dandelion, common ragwort, creeping buttercup, St Johns Wort. Bramble. Given the nature of species present within the site, it is not considered that any further mitigation is required in this regard.

Scattered Scrub - Several areas of scattered scrub are present in the south-east of the site. Species present includes hawthorn, dog rose, ash, elder and common hogweed. Again, as with the identified improved grassland above, it is not considered that the loss of this vegetation warrants any mitigation in this regard.

Scattered Trees - Occasional semi-mature broadleaved trees, including sycamore, rowan and ash are present to the immediate south-west of the site boundary. The impact of the proposal on existing trees within the site is considered, in detail, above with the implications for bats considered below.

Standing Water - Two ponds were noted during the survey, both are located 300m to the north of the site boundary within Ryhope Pumping Station. When surveyed neither pond was considered to be of any particular ecological value with no aquatic vegetation, fish or water fowl present, although signs of previous water fowl were noted. In addition, the Habitat Suitability Assessment carried out on these ponds has identified the ponds as having 'below average' potential for Great Crested newts.

Bats - Two buildings have been identified 50m to the north of the site. It is not considered that these buildings will be impacted upon as a result of the proposed development (they are sufficiently outwith the site boundary and any works would not affect any potential roost entry or exit points, and thus construction would be predicted to have a negligible impact on any roosting bat), and as such the buildings are not subject to further consideration. In addition, no trees with a greater than low potential to support roosting bats were noted during the survey, and therefore in accordance with Bat Conservation Trust guidelines, the trees were not subject to further consideration. Finally, other than hedgerow along the eastern boundary of the site, commuting and foraging potential for bats within the site is considered to be low.

Breeding birds - The improved grassland which dominates the site is heavily used by dog walkers and is therefore not considered suitable for breeding birds. However, the survey did identify several habitats present within the survey area (up to a distance of 50m) which included scrub, scattered trees and hedgerow, which could provide suitable nesting habitat for a range of common bird species. Therefore, should Members be minded to approve the application, a suitably worded condition would be imposed which requires any scrub, tree or hedgerow removal to take place outside the bird nesting season of March to July. In addition, any scrub, tree or hedge row removal will be compensated through a detailed landscape plan which would also be subject to a suitable worded planning condition.

Badger - There are records of badgers within Cherry Knowle Dene Local Wildlife Site which is located 370m to the south of the application site. No evidence of badgers were identified during the Extended Phase 1 Habitat Survey and the habitats on site are considered to have negligible potential for badger sett creation as there is insufficient cover for the setts and the habitat is heavily disturbed by dog walkers. Therefore, it is not considered that the proposed development will have any adverse impact on the local badger population or their nearby habitat.

Great Crested Newts - The majority of the site comprises short-mown improved grassland with negligible potential to support foraging, refuging or hibernating GCN. In addition, no ponds suitable for use by GCN were identified within 500m of the site boundary and as such it is not considered that the proposed development would have an adverse effect of GCN.

Hedgehog - Given the small scale of the works proposed and the limited habitats available, it is considered that any resulting impact of the proposed development on hedgehogs, either on the site or in the surrounding area, can be adequately mitigated against and will be dealt with by way of condition, should Members be minded to approve the application.

Invasive species - The submitted survey did not record any invasive species on the site and as such no further action is required in this regard.

As such, subject to the imposition of suitably worded conditions as detailed above, it is not considered that the proposal will have any adverse effect on the Arboricultural or ecological value of the site and as such the proposal accords with policies CN17 and CN22 of the UDP, PPS9 and also the policies contained within the above named SPG.

6. Sustainability considerations

UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage. Policy 39 of the Regional Spatial Strategy (RSS) required planning proposals to facilitate the generation of at least 10% of the North East region's consumption of electricity from renewable source by 2010.

The application is accompanied by a Ventilation / Extract Statement and Sustainability Report. The purpose of the report is to review the feasibility of incorporating low or zero carbon technologies within the new development. The Sunderland PCT has set a requirement that the development achieves a minimum BREEAM rating of 'Excellent' with a target to achieve 'Outstanding' and that where possible the designs minimise energy consumption and associated carbon dioxide emissions.

In this regard it is considered that the application is generally considered to accord with the principle of Policy R1. The report submitted with the planning application explains that there are design features that contribute to low energy/carbon reduction within the scheme, such as Solar Thermal Water Heating, Solar Wall Air Pre-Heating, Night Time Cooling, Passive Cooling using a Thermal Plenum, Photovoltaic Cells, Ground Source Heat Pumps, Air Source Heat Pump, Wind Turbines, Biomass Boilers, Biodiesel Boilers and Combined Heat and Power.

Having assessed the above against the relevant policy criteria it is considered that a planning condition should be attached to any consent issued regarding the intended renewable energy provision and requiring the developer to submit a Post Construction Review Report carried out by a licensed assessor, together with a BREEAM Final Code Certificate, in order to ensure the development will be built to the stated BREEAM rating. As such, it is considered that the proposal would comply with the aims of UDP policy R1 and RSS policy 39.

7. Archaeology

Policies B11, B13, B14, B15 and B16 of the UDP are concerned with safeguarding sites of known or potential archaeological significance. Where such sites are to be developed, applications should be accompanied by a desk based archaeological assessment. In addition, policy HE12.2 of Planning Policy Statement 5 states that the process of investigating the significance of the historic environment, as part of plan-making or development management,

should add to the evidence base for future planning and further understanding of our past. Local Planning Authorities should make this information publicly available, including through the relevant historic environment record.

The application site is identified as an area of potential archaeological importance and as such the County Archaeologist has requested that a desk based archaeological assessment be carried out. A desk based assessment has been submitted as part of this application, the findings of which are detailed as follows.

Following the assessment no known archaeological features were recorded within the site. However, prehistoric and Roman remains are within the wider vicinity and given that the site has never been developed there is the potential for archaeological features to survive (some of the site has been disturbed by the demolition of a farm and by services running through the site).

The report recommends that archaeological fieldwork be undertaken in the undisturbed areas to ascertain if any remains are present.

In this regard it is recommended that three preliminary trenches, 30m x 2.5m, be carried out on site and if archaeological remains are found to be present then further archaeological excavation will be required before development can proceed.

Therefore, it is considered that based upon the findings of the submitted assessment, the proposed development raises no archaeological concerns, subject to the above assessment works being undertaken prior to the commencement of any development on the site, and as such should Members be minded to approve the application, then a series of conditions relating to archaeological excavation and recording, an archaeological post excavation report and archaeological publication report, should be imposed on the grant of consent.

8. Heritage

As previously alluded to in this report, the application site is located within the vicinity of Ryhope Pumping Engines which is a Scheduled Ancient Monument and Listed Building. However, following discussions with English Heritage they have confirmed that a heritage statement is not required for the application given that they do not consider that the proposal will have any adverse impact on the above identified heritage asset given the distance between the two sites. Therefore, it is not considered that there are any heritage related issues to consider as part of this application.

CONCLUSION

The erection of a new hospice is considered, in principle, to be appropriate and acceptable in this location and is broadly in accordance with relevant UDP and SPG policies. The remaining outstanding highway matters are not considered to be significant however further detailed consideration of this matter must be undertaken before a recommendation can be made. Therefore, it is anticipated that full consideration of the highway matters and a recommendation will be made on a supplementary report.

RECOMMENDATION: Deputy Chief Executive to Report

Reference No.: 11/03478/FUL Full Application

Proposal: **Erection of a new 140 bed Mental Health Hospital with associated landscaping, parking and associated highway works.**

Location: Ryhope General Hospital Stockton Road Ryhope
Sunderland SR2 0LY

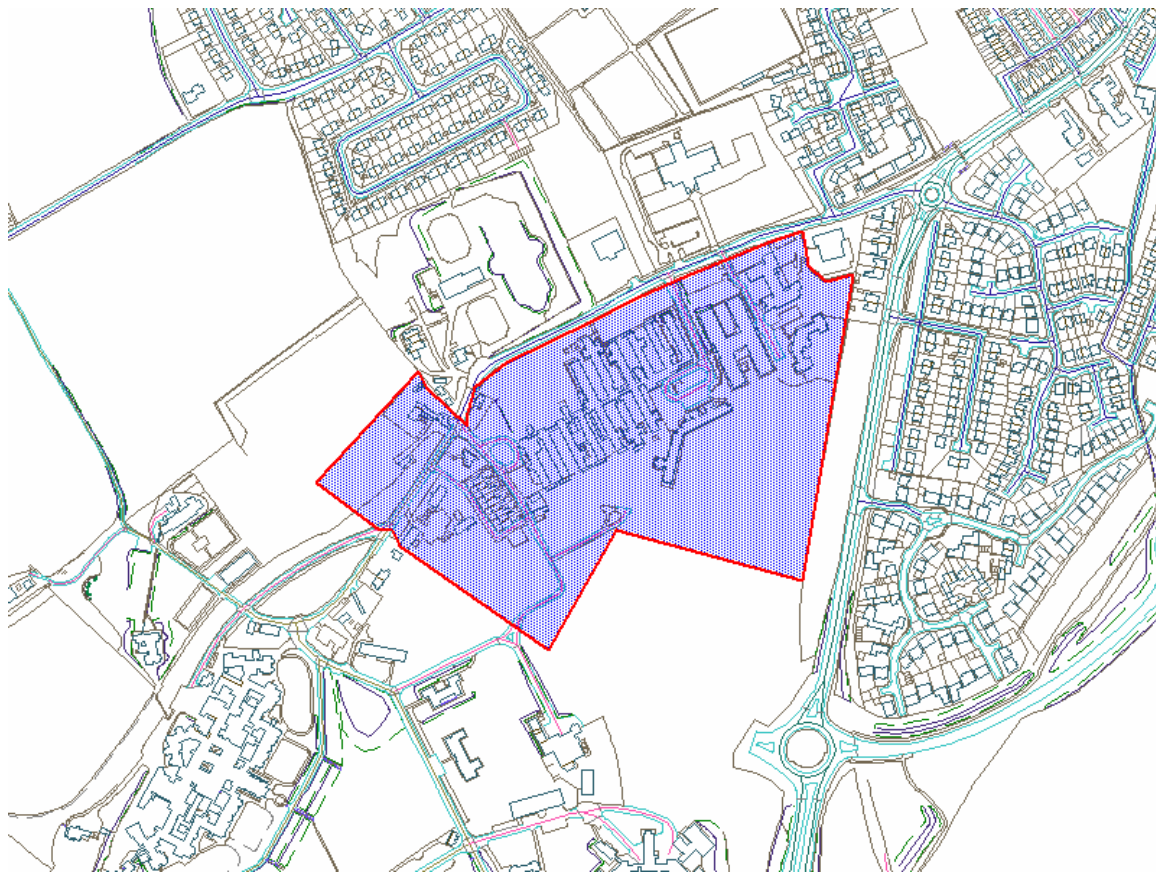
Ward: Ryhope

Applicant: Northumberland Tyne And Wear NHS Foundation
Trust

Date Valid: 6 December 2011

Target Date: 6 March 2012

Location Plan



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PROPOSAL:

The proposed development site is located on land currently occupied by the existing Ryhope General Hospital off Waterworks Road, Ryhope, situated adjacent to Ryhope Pumping Station. The development proposals for the site have been inspired by the history of the site and surrounding area. The name Ryhope has an assumed derivation from 'Rive Hope' and describes a riven

valley, or dene, sharply cutting through the landscape to the sea. This image of a fluid dene was an important driver for the design concept. Adjacent to the site of Ryhope hospital is the Ryhope Engines Museum. The steam powered engines on the site lifted potable water which was stored in reservoirs to supply the rapidly growing population of Sunderland as part of a drive to improve the sanitation of the city. This local importance of flowing water for a healthy life, has parallels in the design concept which we the architects have tried to reflect in the final design proposals. Consequently, a number of features and buildings within the proposal have names, such as The Mill and the Floodwall, which have derived from this theme.

The current Ryhope Hospital site consists of a 150 acre site that is made up of Ryhope General Hospital and Cherry Knowle Hospital. The current built form on the site consist of, an open plan layout with detached villa type accommodation and ancillary structures. The Ryhope General Hospital Buildings that remain in occupation are currently shared between Northumberland, Tyne & Wear (NTW) and City Hospitals Sunderland (CHS) Foundation Trust who operate limited outpatient services from the site. The elements of the existing Cherry Knowle hospital that remain in use are operated exclusively by the NTW Trust. The combined Cherry Knowle and Ryhope Hospital site provides a range of urgent care clinical services divided into two directorates of Adult Mental Health Services and Older Peoples Functional and Learning Disability Services.

As part of the land transfer arrangements on the site with the Homes and Communities Agency (HCA) and Sunderland Primary Care Trust, NTW acquired 25 acres of land which is the area known currently as Ryhope General Hospital. The Trust intends to vacate the buildings it currently operates from on the Cherry Knowle site by the summer of 2013 (estimated completion date of the new development), in accordance with an agreement reached with the HCA.

The redevelopment scheme will consist of demolition of the existing Ryhope General Hospital buildings, some of which have previously been demolished as part of notification application ref: 11/02537/DEM, and construction of a new 140 bed mental health hospital.

The proposed redevelopment of the Ryhope General Hospital Site forms part of a wider scheme known as PrIDE (Providing Improved Mental Health and Learning Disability Environments in Sunderland and South Tyneside) for the Northumberland, Tyne & Wear NHS Foundation Trust (NTW). The scheme involves the redevelopment and reconfiguration of accommodation at Ryhope General Hospital, Monkwearmouth Hospital and South Tyneside General Hospital.

The proposal is part of the Trusts strategic objective to modernise and reform its services in line with local and national strategies and the needs of individuals and communities.

The proposed layout of the site will locate the main entrance (titled CeFa on the submitted drawings) within the `hub' of the proposed ward blocks within the centre of the site with ward blocks branching out to the north, east and south of the main entrance point. 7no. 18 bed urgent care ward blocks and 1no 14 bed PICU (Psychiatric Intensive Care Unit) block are proposed on the site with linkages proposed between the units to ensure security and ease of mobility between the discrete parts of the building. Patient drop off and parking is

proposed immediately to the west of the CeFa / main entrance with further parking proposed on the opposite side of Waterwork Road, adjacent to the horticulture centre. The new buildings are required to cater for mental health inpatient services in the locality for the foreseeable future and as such the services need to be adaptable and the layout organised to address a range of service configurations.

The CeFa (the Mill) is the central facilities building which forms the heart of the site and is the first port of call for visitors to the hospital. The building provides an orientation point from the entrance and across the site as a whole. The building is proposed to be two storey (three storey when viewed from the lowest point owing to the level differences) and will house a welcome point and cafe at the lower ground floor level, office space, physical treatment centre and tribunal suite at ground floor and meeting and administration space at first floor level . The building has been designed so as to be higher than the proposed surrounding built form to enable visitors to be instinctively directed to it.

The Facilities Management (FM) building, which is situated in between wards 3 and 4 and Waterworks Road and the proposed car park beyond. The FM building is the engine house of the hospital housing generators, plant room, back up, laundry room etc. The location of this building close to Waterworks Road is critical to ensure that the building and the services it houses are easily accessible.

The wards all provide accommodation on one level with the wards having been paired together sharing one entry point which can be accessed from the public plaza. External garden courtyards are located within the central areas of the ward blocks offering secure external areas for patients to enjoy the outdoor space.

The existing Wellfield Day unit and Meadow View unit are intended to remain on the site as part of the redevelopment proposals.

The existing site is densely populated by semi-mature and mature trees, the majority of which are located within the proposed car parking area off Waterworks Road and along the northern boundary of the site where it abuts Waterworks Road. Areas of landscaping are proposed along the eastern, southern and western boundaries of the site.

The materials palette for the development, namely off white render walls and vertical timber cladding, has been chosen by responding to the local context, the needs of the patients and also the functional requirements of the services being offered.

The planning application has been supported by a Design and Access Statement, Flood Risk Assessment, Ground Investigation Report, Heritage Statement, Tree and Planting plans, Low and Zero Carbon Technology Appraisal, Travel Plan and Transport Assessment.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Homes and Communities Agency - English Partnerships
County Archaeologist
City Services - Network Management
Street Scene (Environmental Service)
English Heritage
Environment Agency
Nexus
Sport England
Durham Wildlife Trust
Force Planning And Police Architectural Liaison Officer
Northumbrian Water
Fire Prevention Officer

Final Date for Receipt of Representations: **10.01.2012**

REPRESENTATIONS:

County Archaeologist

An archaeological desk based assessment is not required because there are no known archaeological features on the site and the site has been significantly disturbed by the construction of the hospital.

The Victorian buildings within the site were to be recorded prior to their demolition.

The main heritage issue with this application is the setting of the adjacent Ryhope Water Pumping Station, which is a protected Scheduled Ancient Monument (TW32) and listed building. English Heritage should be consulted to ensure that the proposal will not have an adverse impact on the SAM and LB.

Nexus

The original Nexus consultee response raised concerns with regards to the sustainability of the site in relation to the provision of public transport and has requested that a financial contribution, in the region of £220,000, made be towards the provision of a bus service to the site.

Following a meeting between the applicant and Nexus a further consultee response was provided which removed the requirement for the S106 contribution on the grounds that the development is not a profit making enterprise and would also generate low trip generation rates.

Durham Wildlife Group

No comments to make on the application.

Environment Agency

No objections to the proposal subject to the imposition of a condition relating to surface water drainage.

Executive Director of City Services (Environmental Health)

No objection to the proposal subject to the imposition of planning conditions relating to ground contamination, operational noise and construction noise, dust and vibration.

POLICIES:

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

SA_9_Allocation of site for new housing (over 10 units)
B_2_Scale, massing layout and setting of new developments
B_12_Preservation of scheduled ancient monuments
H_3_Quantification of land for new housing
H_5_Distribution of sites for new housing (over 10 units)
H_7_Provision for executive housing
H_10_Phasing of large housing developments
CN_17_Tree Preservation Orders and replacement of trees
CN_22_Developments affecting protected wildlife species and habitats
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

COMMENTS:

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

1. Principle of development
2. Design considerations
3. Highway considerations
4. Residential and visual amenity considerations
5. Tree and Ecology considerations
6. Sustainability considerations

1. Principle of development

The site is allocated within the Unitary Development Plan (UDP) for housing and as such is subject to the provisions of policies SA9.14, H3, H5, H7 and H10. Policy SA9.14 states that the application site, known as Ryhope General Hospital, Ryhope is allocated for 80 dwellings, based on a site area of 3.3 hectares, which is considerably less than the site subject of this application. In addition to the UDP allocation the Ryhope Tunstall Periphery Planning Guidance (SPG), which was produced as supplementary planning guidance back in 1999, also identifies the site for future housing development. At the time of its preparation, the Ryhope Tunstall SPG was based upon the based available knowledge to the Council with regards to land ownership, the majority of which was within the ownership of the former English Partnerships (EP). Following the transfer of EP to the Homes and Communities Agency the sell off of land for the whole of the southern periphery i.e. land between Ryhope and Tunstall, was undertaken in a very different manner from what had previously been envisaged. As a consequence the housing and hospital sites were, in essence, flipped with

one another resulting in the hospital sites being located on the northern side of the proposed link road with the housing sites occupying the land to the south. In this regard, whilst the proposal is therefore considered to be a departure from the development plan in force at the time, namely the UDP, it is considered that the proposed land allocation at this time better reflects the needs and operational requirements of the hospital development.

Another relevant UDP policy is CF10 which requires health and social care buildings to be located and distributed so as to be accessible to all residents of the City. As this site is situated on one of the main transport routes into and out of the City, which is well served by public transport and associated infrastructure, it is considered that the site is in accordance with policy CF10.

The Town and Country Planning (Consultation) (England) Direction 2009 sets out the Secretary of States power to issue directions to local planning authorities requiring them to consult with specified persons before granting planning permission. The areas covered by this direction include development within the greenbelt, development (retail, leisure or office) outside town centres, World Heritage site development and development on playing fields. In this regard it is not considered that the proposal meets the criteria for referral to the Secretary of State as set out in the Town and Country Planning (Consultation) (England) Direction 2009 and as such can be determined through the normal process.

In terms of the acceptability of the proposal, namely a hospital development on land which has previously been used for the same purpose, although allocated for housing in the UDP, it is considered that the proposal is acceptable owing to the fact that the site has not been lost for housing purposes, merely the sites have been switched to slightly different locations. Also, it remains the view that the proposal supports the wider strategic development objectives of the site as set out in both the UPD and SPG.

2. Design Considerations

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

Section 2.10 of the Ryhope Tunstall Periphery SPG states that, the form that the proposed hospital buildings will take will be largely determined by their user requirements.

- Layout

The proposed layout for the site consists of a number of landscape zones which respond to the wider landscape setting, with a 'flow' concept running through the development. The built form has been developed with discreet key drivers in mind, these being:- the provision of a discrete parking area situated away from the main ward blocks, screened behind mature trees, the FM building, which is critical to the efficient operation of the hospital, centrally located but discretely sunken into the changing landform, central positioning of the CeFa building to aid ease of movement around the site for visitor and patients, ward blocks located in a linear pattern leading of from the CeFa main entrance point, PICU ward building discretely located away from the highly concentrated public areas, wards

located at a lower level with landscaping and the potential for future expansion, retention of Gate Lodge and the outbuildings, retention of the wildflower meadow and finally, the retention of Meadow View and gardens.

In this regard the site layout is considered to be well thought out and appropriate, sensitively responding to the physical site constraints such as contours and the retained and existing built form.

Main pedestrian areas, practical aspects (such as the FM building - servicing, laundry, food preparation, generators) and sensitive uses (such as the PICU ward) have been appropriately addressed with car parking suitably accommodated so not to visually dominate the site.

- Scale

The scale and massing of the proposal has been largely governed by the proposed functional requirements of the hospital. In this regard, the proposed hospital building responds to the changing topography of the site and the existing retained built form both within the site and adjacent to it. Consequently, the building comprises of mainly single storey elements with only the CeFa and plant rooms appearing as two/three storey buildings. The reasoning behind the need for higher buildings is largely two fold, firstly, the CeFa element of the scheme serves as the main entrance to the building and therefore the additional height allows the building to rise above the surrounding built form, making it easy to locate from anywhere on the site, and secondly, the height of the plant room is governed by its operational requirements but also serves to provide a grander scale to the single entry points to the wards.

The single storey ward blocks are proposed to have monopitch roofs with a ridge height of just over 5m, which will allow the walls of the courtyard gardens to be low secure standard, therefore removing the need for fencing, whilst also allowing for a walkway to be used to service the building and maintain those services without disturbing the patient environment. The ward blocks increase in height at the end corners to allow the walkway to turn the corner. These areas are proposed to be treated architecturally different along with changes to the roofline from that of the main building.

In this regard it is considered that the proposed hospital development positively responds to both the surrounding natural and built environment.

- Elevations/Materials

It is essential that the proposed hospital development creates a pleasant and positive environment that is beneficial to patients, staff and visitors and therefore the appearance of the building is critical in achieving this requirement. Notwithstanding this requirement, the building also needs to perform a number of varying functions and respond to the existing retained built form and, as a consequence, the choice of building materials has been heavily informed by the above competing requirements.

In this regard a number of different building materials are proposed for the various elements of the scheme, details of which are contained below.

The Floodwall - The floodwall serves to link the FM building, CeFa and the lower level of the site. The main function of the wall is to act as a retaining structure given the level changes across the site, whilst appearing as a design feature within the overall scheme. The proposal is to render the wall with Superlit, which is a durable silicon-based render with a heavy granular texture. At the lower level the floodwall lowers to become bench seating adjacent to the kick about area. Whilst the height of the wall is proposed to vary, the material to be used will be consistent throughout.

In this regard it is considered that the floodwall will serve both a functional and aesthetic purpose with a crisp and attractive finish, which wouldn't be achieved if another form of render was to be used.

CeFa - The CeFa building is proposed to be constructed from natural materials which create a calming feeling. The building will be of a contemporary design, the elevations 'cloaked' in reconstituted Cambrian slate. The slate will wrap around the ground and first floor levels and then over the roof. The gable elevations are rendered with windows within that look out onto the proposed landscaped areas. The proposed roofing material which is to link the CeFa and FM elements of the building will be covered with extensive sedum planting.

The Ward buildings - As with most parts of the development, the design of the ward accommodation has been largely informed by the functional requirements of the building to provide the best care for end users. The palette of materials proposed is simple, with off-white rendered walls with board and batten vertical timber cladding to areas such as corners, recesses and soffits. Canopied walkways around the ward blocks are proposed to have flat roofs using a dark grey single ply membrane. The majority of the ward roofs are monopitched using reconstituted Cambrian slate with flat roofs to the central day areas. All gutter and cappings are to be powder coated aluminium with aluminium framed external doors and windows.

FM building - The FM building is proposed to be sunken into the ground with a sedum roof at eye level when viewed from the access road. The building will be wrapped on three sides by the floodwall. The south-east elevation of the building, which serves as its frontage and entry into the building and service yard, will be clad in board and batten timber up to the underside where it meets the louvres.

It is noted that one of the distinct features of this proposal is the perceived 'flow', like water, between the buildings and through the site. This concept is considered to represent a positive healing process, which will bring about a pleasant patient experience.

Having regard, to the above factors it is considered that the proposed hospital development demonstrates consideration not only to the needs of the facility but also the wider built and natural environment. It is also considered that the proposed palette of materials is of a high specification and attractive features have been incorporated into the scheme to provide visual quality to the overall scheme.

In conclusion from a design perspective there are no objections to the proposed scheme subject to the inclusion, should Members be minded to approve the application, of a condition requiring details of materials to be submitted to ensure

that the high quality specification of materials included in the proposed design are realised in the construction of the development.

3. Highway considerations

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

The application is accompanied by a Transport Assessment and Travel Plan.

The Executive Director for City Services - Network Management, has been consulted on the application and comments are awaited. It is therefore envisaged that highway related matters will be addressed in a supplement report.

4. Residential and visual amenity considerations

Policy B2 of the UDP requires the scale, massing and layout of new development should retain acceptable levels of privacy and relate harmoniously to adjoining areas. Section 10C of the Residential Design Guide Supplementary Planning Document requires minimum interface spacing of 21m between main facing windows on two storey development.

Residential Amenity - The proposed hospital development is situated in excess of 60m away from Finger-paint Kindergarden, over 100m away from St Paul's Primary School and over 150m away from the nearest residential property. As such, it is not considered that this development raises any issues with regards to overlooking, loss of privacy, outlook or light.

Visual Amenity - As previously stated, the hospital building, in its design, has been mindful of the fact that the site has to positively respond to a number of existing built features both within and adjacent to the site.

The building design has also responded to the challenging topography of the site as well as dealing with the sensitivities that surround the operational requirements of the facility. Whilst it is acknowledged that the building does not have any direct frontage onto Waterworks Road it is considered that the treatment of the FM building is acceptable when assessed against the hospitals operational requirements and the quality of the materials proposed for this element of the proposal.

As with the hospice proposal, the proposed new Ryhope Hospital has been designed and laid out with the hospice scheme in mind, and the need to ensure permeability through both sites. In this regard, it is not considered that the proposed hospital development will adversely impact on the wider areas and as such the proposal is considered to accord with policy B2 of the UDP.

5. Tree and Ecology considerations

UDP policy CN17 requires the retention of trees in all new developments where possible, whilst policy CN22 highlights that development which would adversely affect any animal or plant species afforded special protection will not be permitted. In addition to the above is Planning Policy Statement 9 'Biodiversity and Geological Conservation' and the Durham Biodiversity Action Plan (BAP). PPS9 is concerned with ensuring that protected species are protected from the adverse effects of development, where appropriate, by using planning conditions and / or obligations, whilst the Durham BAP provides a strategy that is important in considering the redevelopment of the site and the effect upon the existing trees.

The BAP recognises that the proposed development should take the opportunity to prevent loss and create new habitats through the development process e.g. the retention of existing trees that are identified as being of value and the incorporation of new tree planting along with habitat creation. This is considered to be an important element of development, which would meet a number of the key aims of the Durham BAP.

In this regard, the application is accompanied by a series of ecological, tree and landscaping plans and reports which are currently being amended following concerns raised regarding the technical data. This information is expected in the coming days and as such it is envisaged that full consideration will be given to these matters on a supplement report.

6. Sustainability considerations

UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage. Policy 39 of the Regional Spatial Strategy (RSS) required planning proposals to facilitate the generation of at least 10% of the North East region's consumption of electricity from renewable source by 2010.

The application is accompanied by a Low and Zero Carbon Technology Appraisal, the purpose of which is to consider low - zero carbon technologies in the current proposal. The report looks at a number of options such as biomass, ground source heat pumps, air source heat pumps, photovoltaic, solar hot water, wind energy technology and heat recovery ventilation.

Whilst the report does not identify the chosen Low-Zero Carbon options for the development it is considered that this matter can be adequately dealt with by way of condition should Members be minded to approve the application. Furthermore, the Design and Access Statement does indicate that the proposed development is to have an 'Excellent' BREEAM rating. Therefore to satisfy policy R1 of the UDP it is suggested that a planning condition requiring the developer to submit a Post Construction Review Report carried out by a licensed assessor, together with a BREEAM Final Code Certificate, in order to ensure the development will be built to the stated BREEAM rating

7. Archaeology

Policies B11, B13, B14, B15 and B16 of the UDP are concerned with safeguarding sites of known or potential archaeological significance. Where such sites are to be developed, applications should be accompanied by a desk based archaeological assessment. In addition, policy HE12.2 of Planning Policy Statement 5 states that the process of investigating the significance of the historic environment, as part of plan-making or development management, should add to the evidence base for future planning and further understanding of our past. Local Planning Authorities should make this information publicly available, including through the relevant historic environment record.

In this regard, the County Archaeologist was contacted at the pre-application stage and confirmed that there were no known archaeological features on the site and given that the amount of new build development on the Greenfield parts of the site is relatively small, an archaeological desk based assessment would not be required for the application. As such, no further consideration is given to this matter.

8. Heritage

UDP policy B10 states that the Council will seek to ensure that development proposals in the vicinity of Listed Buildings do not adversely affect their character or setting, whilst policy B12 is concerned with the preservation of scheduled ancient monuments and other nationally important archaeological sites. Planning proposals which are likely to have an adverse impact on their site or setting will be refused unless exceptional circumstances dictate otherwise.

Planning Policy Statement 5 `Planning for the Historic Environment` is concerned with safeguarding the historic environment. Policy HE10 of this policy statement considers development, which has the potential to affect the setting of a designated heritage asset. Paragraph HE10.1 states that when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourable applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.

As previously alluded to in this report, the application site is located within close proximity to the Ryhope Pumping Engines which is a Scheduled Ancient Monument (SAM) and Listed Building (LB).

The application submission was accompanied by a Heritage Statement and consultation was undertaken with English Heritage (EH). In this regard, EH have confirmed that they have no observations to make on the application and that it should be determined in accordance with national and local planning policies.

Therefore, having regard to the above national and local planning policies it is considered that the proposed redevelopment of the Ryhope Hospital site will bring about significant improvements to the setting of the SAM / LB and wider area through the removal of a number of unsightly buildings which currently

occupy the site. The replacement development has been designed with the SAM and LB in the uppermost thoughts of the architects and as a consequence, the majority of the built form has been concentrated within the application site and is proposed to site very low within the landscape setting so that long views of the SAM are maintained.

In light of the above and having given consideration to the policies of the UDP and PPS5 it is not considered that the proposal will have any adverse impact on the above identified heritage asset given the siting, scale and design of the development. Rather, it is felt that the removal of the existing chalet type structures, which are in a poor state of repair, will have a positive impact on the designated heritage asset. The proposal is therefore considered to accord with both national and local planning policies in this regard.

9. Section 106 Contributions

Section 10.12 of the Ryhope Tunstall Periphery SPG states that, an important objective of the SPG is to assist in the creation of the Great North Forest Planting (GNF) as a structural landscape feature, creating an attractive living, working and leisure environment. In this regard, the developer is required to make a financial contribution to the sum of £54,174 towards the provision of the above, something which is vitally important given the ecological value of the site. The applicant has agreed to this contribution and the agreement is currently being drafted.

CONCLUSION

The erection of a new hospital is considered, in principle, to be appropriate and acceptable in this location and is broadly in accordance with relevant UDP and SPG policies. The remaining outstanding ecological and highway matters are not considered to be significant, however, further detailed consideration of these matters must be undertaken before a recommendation can be made. Therefore, it is anticipated that full consideration of the ecological and highway matters and a recommendation will be made on a supplement report to the main agenda.

RECOMMENDATION: Deputy Chief Executive to Report

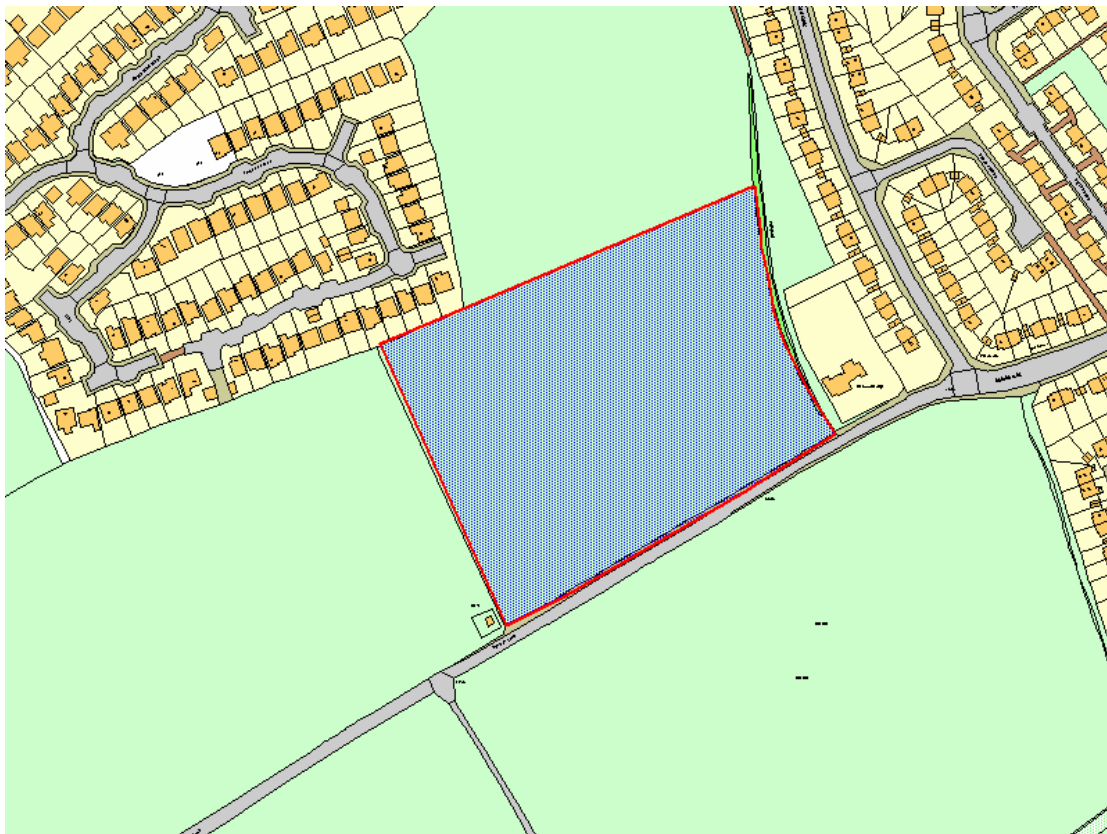
Reference No.: 11/03345/SUB Resubmission

Proposal: Residential development comprising of 77 dwellings with associated access and landscaping. (Resubmission of 11/02474/FUL - amendments to site layout and house types) (As Amended 13.02.2012)

Location: Land At Burdon Lane Sunderland

Ward: Doxford
Applicant: Bellway Homes
Date Valid: 24 November 2011
Target Date: 23 February 2012

Location Plan



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PROPOSAL:

This planning application is a resubmission of application No. 11/02474/FUL which was withdrawn on 18th November 2011. The resubmission relates to the same application site but differs from the original primarily in terms of its design and layout. These changes have been made in response to comments from the City Council's Urban Design Team.

The application seeks full planning permission for 77 houses on a site which is roughly rectangular in shape and covers 2.5ha . It forms part of a larger field with land to the north and is in agricultural, presently intensive arable, use. There is a fall of approximately 5m from the south western to north eastern corners.

The principal change requested was the reduction of the site to exclude all the land proposed to become Open Space under Policy SW27.6 of the UDP. The applicant states this would effectively result in the reduction in the site area by more than 50% and financially compromise the development. Such a reduction would therefore be unacceptable to the applicant.

The applicant being aware of this potential `policy conflict` has submitted a number of material considerations within the planning statement to address UDP policies.

The application is accompanied by the following documents;

- Planning Statement
- Design and Access Statement
- Transport Statement
- Flood Risk Assessment
- Existing Site Survey
- Ecological Survey
- Archaeology Assessment
- Heritage Statement
- Affordable Housing Statement
- Open Space Assessment
- Air Quality Assessment

The proposal is in part a departure from the approved Development Plan in that part of the site is allocated open space it has been advertised accordingly. The applicant has also provided details of proposed section 106 contributions towards highway works, development of a multi –user route, great north forest and towards the development of a park within the area.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director of Children's Services
City Services - Network Management
Environment Agency
Street Scene (Environmental Service)
Northumbrian Water
County Archaeologist
Force Planning and Police Architectural Liaison Officer
City Services - Parks
Natural England

Final Date for Receipt of Representations: **20.02.2012**

REPRESENTATIONS:

NEIGHBOURS

Two letters of representation have been received. The main concerns are listed below;

Houses to the east of the site are considered too close to an adjacent dwelling.

Houses on the eastern boundary are at a higher level than an adjacent property which raises concerns on the standards.

Drainage from the development to the adjacent dwelling is a concern.

The proposal will remove a wildlife habitat.

The proposed access is adjacent to a brow of a hill on a road where vehicles already travel at high speeds raising the likelihood of accidents.

Urbanisation of Green Belt Land (of which Sunderland has precious little)

Concern about increased Carbon Footprint in one of Sunderland's few remaining Green Belt areas

Existing estate roads may be unable to handle increased volume of traffic in all weather/conditions.

Increased noise dirt and movement of heavy machinery/vehicles due to construction work

Proximity of new houses to existing back gardens causing loss of quiet and seclusion

Destruction of Wildlife Habitat (i.e. swallows who return every summer to feed/breed on and around the cornfield. Hedgehogs, Foxes and also field mice and rare Newts.

Increased volume of traffic on existing roads which could endanger children/pedestrians and also inhibit emergency services in the course of their work

Loss of panoramic view of surrounding coast-line.

When we purchased our site we were informed in writing that no building work would be carried out for at least ten years, we have been in that property for only five years.

These concerns will be addressed in the supplement drawing on the comments of consultees where appropriate, detailed below and in the engineers comments in the supplementary report.

CONSULTEES

ENVIRONMENT AGENCY

The Environment Agency asked for its comments on the previously withdrawn application be made in relation to this resubmission. This relates to the development being carried out in accordance with the submitted Flood Risk Assessment.

COUNTY ARCHAEOLOGIST

The geophysical survey identified the remains of ridge and furrow earthworks, probably relating to post medieval ploughing.

A number of other anomalies were identified by the survey, including a number of circular features. There is also a linear anomaly which could be a former track way. These anomalies may be archaeological in origin or they may reflect changes in the natural geology. There is a possible prehistoric enclosure in the neighbouring field.

Further archaeological work will be required to ascertain if these anomalies are archaeological features or not and to record them if they are. The matter will be dealt with by conditions should the application be approved.

ENVIRONMENTAL HEALTH.

Recommendations

Chemical testing is proposed for topsoil. It is recommended that samples of soils also be tested from the bunds on the east and west boundaries. Testing will also be required for any made ground found during the geotechnical investigation or site strip. This can be controlled by condition should permission be granted.

The proposed development should also be conditioned so that work is stopped if there are unforeseen conditions such as made ground present below the topsoil strip and a risk assessment provided for steps to mitigate the risk to future users of the site.

Environmental Health holds no records of Japanese Knotweed being present on or adjacent to the site. If either of these was the case it is recommended that a Japanese Knotweed survey be undertaken. This could be controlled by condition should planning permission be granted.

The applicant has confirmed that there is no Japanese Knotweed present on the site.

POLICY

The proposed development is considered acceptable in principle and accords with the Draft National Planning Policy Framework, which requires that the Local Planning Authority should apply the presumption in favour of sustainable development. The majority of the site is allocated to housing development in the Unitary Development Plan and the Ryhope Tunstall Periphery Guidance (Adopted 1999).

NATURAL ENGLAND/EGOLOGY

The supporting document in respect of the ecology is considered acceptable, subject to appropriate mitigation measures being implemented and complied with. This could be controlled by condition should planning permission be granted.

NORTHUMBRIA WATER

To date no response has been received it is anticipated the response will be included on the supplement, should any issues be raised.

CITY SERVICES HIGHWAYS ISSUES

The periphery guidance referred to above proposed that this site be accessed off from a roundabout from the proposed Doxford Park to Ryhope link road. Although the applicant has indicated the section 106 contribution off £380,113 this will not pay for the all of the next section of this road, so for the present access would have to be taken from Burdon Lane.

- Site Access

Concerns were raised regarding the site access and the original layout. However, a revised scheme has been submitted which addresses the issues. A full assessment of the revised layout will be included on the supplement, together with statement with progress on the development of this link road.

The proposal would see the main means of access taken from the C517 Burdon Lane, approximately 100 metres west of the junction with Bevan Avenue. The application is supported by a Transport Statement (TS), which includes an assessment of the traffic and road safety issues arising from the proposals. The TS concludes traffic generated by the development will not have a material impact on the surrounding road network.

The principle of the proposal is acceptable. However, details of a scheme of highway improvements in the vicinity are considered to be necessary to ensure that a satisfactory form of access is achieved, and would be subject to a Grampian condition, if permission granted. The scheme should include the following:-

a) Road width.

Localised widening of Burdon Lane to 6.7m (desirable) or 6.1m (minimum) width in the vicinity of the site access.

b) Footways.

The proposed footway connection to Bevan Avenue should be extended westwards as necessary to accommodate the desire line for frontage properties.

c) Visibility.

Alterations and levelling of verge areas to achieve maximum visibility at the junction.

d) Street lighting & speed limit.

Provide street lighting along the frontage of the development. This will have the effect of extending the existing 30mph zone which applies within Ryhope village, to a point at least 100m further west along Burdon Lane.

e) Signs & markings.

Additional traffic signs and road markings on the eastbound approach to the development site. This should have the effect of reducing the speed of traffic entering Ryhope along Burdon Lane adjacent to the proposed site access point.

Future Road Infrastructure

The Ryhope Tunstall Periphery Planning Guidance (RTPPG) sets out the principle of phased development and the delivery of highway infrastructure with Burdon Lane being severed by the proposed Ryhope Doxford Park Link road (RDPL). If approved this development should include financial contributions towards the future link road. Monies should be secured for the maximum period of time to accommodate the potential delivery of the link road over the medium to long term. If possible the monies should be available for any opportunities of land purchase in advance of the construction of the link road.

Internal Layout

It is noted that the proposed width of 6.7m for the main internal road is the recommended width for a potential bus route.

Other roads are shown as only 4.8m, which is less than the recommended minimum width of 5.5m (4.8m is not desirable unless development is single sided).

Plots 20-27 frontage needs to be adoptable configuration (i.e. greater than 6m wide, and requires provision for public utilities, street lighting etc.).

Plots 7-10 shows four dwellings accessed off a private access, whereas the maximum permissible number is three dwellings. The access in any event is situated too close to the main junction.

The future connection to the north should be verified in terms of a prospective vertical alignment.

A scheme of traffic calming should be introduced.

Public Right of Way

The eastern boundary of the site abuts Ryhope Footpath 7. The footpath should be upgraded to a nominal 3m wide, street lit bridleway, to cater for increased demand generated by the development, this will form part of the section 106 agreement.

Visitor Parking Provision

Visitor Parking Spaces should be provided at a ratio of 1 per 3 dwellings (equating to 25 spaces for 77 dwellings), these should be evenly distributed

throughout the site. The proposed site layout however only provides 18 VP's, with a number located within close proximity of one another and other areas without any apparent provision.

Construction Access

Consideration should be given to the control of access routes for construction traffic.

Travel Plan

A condition should be provided for the submission of a suitable Travel Plan prior to occupation of the site.

The above comments on internal layout to construction access relate to the scheme as initially submitted. The supplement report will examine the recently submitted amended scheme.

POLICIES:

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

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

T_8_The needs of pedestrians will be given a high priority throughout the city.

T_9_Specific provision will be made for cyclists on existing/new roads and off road

T_22_Parking standards in new developments

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

SA_27_Improvements to existing open space / proposed new open space

SA_9_Allocation of site for new housing (over 10 units)

CN_19_Development affecting designated / proposed SAC's, SPAs and RAMSAR Sites

CN_20_Developments affecting designated/proposed SSSI's

CN_21_Developments affecting designated / proposed LNR's, SNCI's or RIGS

CN_22_Developments affecting protected wildlife species and habitats

CN_23_Measures to conserve/ improve wildlife corridors

B_2_Scale, massing layout and setting of new developments

HA_4_Sites for new housing

H_14_Negotiation for special needs housing in major developments

H_16_Negotiation for affordable housing in major developments

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

COMMENTS:

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

- The Principle of the Development
- Highway Issues

- Provision for Children's Play
- Affordable Housing Provision
- Ecological Issues
- Archaeology Issues
- Flooding Issues
- Ground Contamination Issues
- Design
- Impact on the Amenities of Neighbouring Occupiers
- Dust and Fumes
- Sustainability
- Section 106 contribution

The Principle of the Development

The application site is within the area subject to policy SA9.17 and SA27.6 in the adopted Unitary Development Plan. The policies seek to allocate the land for housing and improve the provision and quality of amenity open space.

It should be noted that the application is partly a departure because it includes some land identified as open space in the Unitary Development Plan.

Government policy in respect of the determination of planning applications for housing development are set out in Planning Policy Statement 3 Housing (PPS3). This indicates that local planning authorities should have regard to:

- achieving high quality housing;
- ensuring the achievement of a good mix of housing types;
- the suitability of a site for housing including its environmental sustainability;
- the effective and efficient use of land;
- planning for housing objectives; and
- ensuring proposals do not undermine wider policy objectives.

The draft National Planning Policy Statement (July 2011) follows on from "A Plan for Growth" and the ministerial statement on 'Planning for Growth' both issued in March 2011, which both stressed the need for a presumption in favour of sustainable development. The NPPF seeks to encourage sustainable development and encourages local planning authorities to give significant weight to the benefits of economic and housing development and particularly where the development plan is "absent, silent, indeterminate or where relevant policies are out of date". While the NPPF is still in draft form it is considered to be a material consideration in the determination of planning applications of type under consideration here. However, the weight to be given to it is a matter for the decision maker.

The principal change requested was the reduction of the site to exclude all the land allocated as Open Space under Policy SW27.6 of the UDP. The applicant states this would effectively result in the reduction in the site area by more than 50% and financially compromise the development. Such a reduction would therefore be unacceptable to the applicant.

In submitting this the applicant is aware of this potential `policy conflict` but outlined in the Planning Statement and Open Space Assessment submitted with

the planning application, a number of material considerations have been submitted in an attempt to address UDP policy.

In summary the applicant considers that UDP Policy SA27.6 is out of date and has in effect been superseded by subsequent events. The UDP dates from 1998 and was meant to only cover the period to 2006. The open space proposed as part of SA27.6 was required to primarily serve the housing sites allocated under Policy SA9.17, including part of the application site. However the Council subsequently granted planning permission for Rushford Phase 1 (216 dwellings). This included housing development on a significant part of the SA27.6 Amenity Open Space allocation.

The applicant contends that the grant of planning permission for the Rushford Phase 1 development fundamentally compromised the ability of the City Council to ever deliver the open space allocation on SA27.6, as originally envisaged, and as a result limited weight can be attached to this policy in the determination of the current planning application. The Council instead should therefore consider what is appropriate and deliverable in current circumstances.

The applicant also contends further significant change in circumstance derives from the emergence of more detailed designs for the proposed Ryhope Doxford Park Link Road that is shown on the UDP Proposals Map as forming the western boundary of the SA27.6 allocation.

It is now anticipated that the route of this Link Road will be further to the west than shown on the UDP Proposals Map (which is only schematic) and the applicant requests that the Council reconsiders the role and extent of the SA27.6 Amenity Open Space allocation to ensure that the boundaries of any open space provided in this part of the City reflect this change to ensure proper planning of this area. The applicant states that the additional land that might be `released` in this way is comparable to that proposed within the application site.

The Open Space Assessment submitted with the planning application attempts to seek to, in line with the Council's adopted Open Space standards, and irrespective of the delivery of additional Amenity Open Space within policy SA27.6, a more than adequate supply of open space and other amenity land within the vicinity of the application site to meet existing needs and any additional needs generated by housing development on the application site.

The proposed development will in practice help to ensure the delivery of open space in the adjacent area by way of section 106 contributions, which are discussed later in this report.

In conclusion, the principle of development is considered acceptable in principle and broadly complies with the Council's policies and the draft National Planning Policy Framework which states `emerging policies, in the form of draft policy statements and guidance, can be regarded as material considerations, depending on it's context'

The draft National Planning Policy Framework states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. However the National Planning Policy Framework also states "Planning policies and decisions should aim to ensure that development optimise the potential of the site to accommodate

development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as part of developments)." This supports the position of providing open space in line with policy L7 and H21 of the adopted Unitary Development Plan.

Highway Issues

Policy T14 of the adopted Unitary Development Plan seeks to ensure that all new development should have good road, footpath/cycleway and public transport links to local services; should not cause traffic congestion or highway safety issues on existing roads and make appropriate safe provision for access and egress by vehicles, pedestrians, cyclists and other road users as well as making adequate provision for loading/unloading and car parking. Meanwhile policies T8 and T9 seek to ensure that adequate provision is made for pedestrians and cyclists respectively.

A full assessment of the highway issues will be addressed on the supplementary report.

Provision for Children's Play

Policy H21 of the adopted Unitary Development Plan requires that all new housing developments in excess of 10 properties should make adequate provision for children's play.

The Executive Director of City Services: Play, Leisure and Community Development has indicated that it would be preferable to seek off site provision rather than to incorporate a play area within the site. In this respect it is advised that the East Priority number 18- Development of new high quality provision as part of Burdon Lane and Cherry Knowle site would be the most appropriate location for such provision to be made. Consequently, it is considered that a financial contribution of £53,977, (or £701 per dwelling) should be sought via an agreement under section 106 of the Town and Country Planning Act 1990 in lieu of on site provision. The applicant has indicated that this approach is acceptable.

It is considered that with the completion of a satisfactory s106 agreement, as outlined above, the requirements of policy H21 of the adopted Unitary Development Plan will be met.

Affordable Housing Provision

Policy H16 of the adopted Unitary Development Plan allows for the negotiation of an element of affordable housing in new major housing developments assessed against local needs. The recent Strategic Housing Market Assessment (SHMA) indicated that it would be appropriate to seek 10% allocation for such housing on major schemes. In this instance 8 affordable houses would need to be provided.

As indicated above the Lead Policy Officer for Planning has indicated that affordable housing must be provided on the site unless the applicant provides a robust justification why this is not feasible. The applicant has agreed to provide 8 affordable units (10%) as part of the development. Six of these units will be social

rented and two of these will be for intermediate use mostly likely shared ownership. The Council will be given 100% nomination rights to the six rented homes ensuring that the properties will go to people on the housing waiting list, who are in priority need. Eligibility criteria for the two intermediate dwellings will be set to ensure that they can be accessed by those unable to access market housing. These requirements can be included in a section 106 agreement,

It is considered that with the completion of a satisfactory s106 agreement, as outlined above, the requirements of policy H16 can be achieved.

Archaeology Issues

Policy B11 of the adopted Unitary Development Plan seeks to ensure the preservation or recording of any historic remains revealed during the course of development, while policy B15 allows the council to determine the extent of any archaeological excavation on major development sites and policy B16 requires an appropriate level of assessment of any historic sites or monuments discovered during the development process. These policies are in line with policies in both the Regional Spatial Strategy (policy 34) and Planning Policy Statement 5 (PPS5) Planning for the Historic Environment (policies HE 6 - 8 and 12)

The geophysical survey identified the remains of ridge and furrow earthworks, probably relating to post medieval ploughing.

A number of other anomalies were identified by the survey, including a number of circular features. There is also a linear anomaly which could be a former track way. These anomalies may be archaeological in origin or they may reflect changes in the natural geology. There is a possible prehistoric enclosure in the neighbouring field.

Further archaeological work will be required to ascertain if these anomalies are archaeological features or not and to record them if they are. The County Archaeologist has proposed appropriate conditions to cover these matters should the application be approved.

In conclusion, it is considered that the imposition of such conditions will ensure that the development complies with the requirements of policies B11 and B15 of the adopted Unitary Development Plan.

Ecological Issues

The requirements in respect of the ecological aspects of development are addressed by policies CN 18 - CN23. The issues addressed by these policies are:

- making provision in development proposals for the preservation of habitats or the creation of compensatory or new habitats in development proposals, adopting management regimes sympathetic to nature conservation especially in wildlife corridors; improving access to and interpretation of appropriate wildlife sites and refusing inappropriate development (CN18).

- requirements for designated sites, not relevant to this application (CN19, 20 and 21)
- the avoidance of adverse effects on protected species and/or their habitats (CN22)
- the conservation and maintenance of wildlife corridors (CN23).

The assessment reports submitted, is considered satisfactory and complies with the council's conservation policies, subject to conditions to ensure the measures are implemented and complied with should planning permission be granted.

Flooding Issues

New development is required through policy EN12 of the adopted Unitary Development Plan to make adequate provision for surface water drainage so as not to result in an increase in the risk of flooding of the site and its vicinity nor to result in adverse impacts on the quality of availability of ground or surface water.

The submitted Flood Risk Assessment indicates that the site has a low risk for flooding. The Environment Agency has requested that a condition be imposed should planning permission granted, that the development should be carried out in accordance with the submitted Flood Risk Assessment, It would be appropriate to impose a condition on any consent issued to ensure this is achieved.

It is considered that proposed development with the above condition complies with the requirements of policy EN12 of the adopted Unitary Development Plan.

Ground Contamination Issues

The adopted Unitary Development Plan seeks to ensure that adequate consideration is given to the risks of potential contamination resulting from previous uses on redevelopment sites (policy EN14). Where potential or actual contamination is identified mitigation measures should be put forward and agreed.

The Phase 1 Report 3499-G-R1 by ID GeoEnvironmental Consulting Engineers submitted with the application indicates that;-

The site history, based on mapping from 1861 suggests it is previously undeveloped. Potential contaminative land uses in the vicinity include quarrying (270m South). Ryhope Colliery and associated gasometer, coke ovens, reservoir and housing (600m North).

Historically, there was a shallow groundwater spring 200m north. Groundwater is being extracted for hospital 310m of the site, and potable water for Northumberland water 330m Southeast. The site is in a Source Protection Zone 2 (Outer = 400m travel time).

Geology from mapping is expected to be Glacial Till over Ford Formation Permian (Magnesian limestone). Mining of 6 seams has occurred between 320m and 610mbgl in underlying Coal Measures according to Coal Authority sources. Movement should now have ceased. Shallow mining is unlikely given the presence of Permian Limestone.

Geohazards include natural cavities found 1km north of the site in the Ford Formation Limestone. The Envirocheck report regards this as a very low risk on the site.

No contamination is anticipated by although it is proposed to test topsoil for re-use. Ground gas is not believed to be an issue since no sources have been identified.

It is proposed to undertake a geotechnical investigation of foundation conditions using trial pits as the thickness of drift is unknown.

The Executive Director of City Services: Environmental Services has recommended that as the report proposed, chemical for topsoil. It is recommended that samples of soils should also be tested from the bunds on the east and west boundaries. Testing will also be required for any made ground found during the geotechnical investigation or site strip. This can be controlled by condition should permission be granted.

The proposed development should also be conditioned so that work is stopped if there are unforeseen conditions such as made ground present below the topsoil strip and a risk assessment provided for steps to mitigate the risk to future users of the site.

Environmental Health holds no records of Japanese Knotweed being present on or adjacent to the site. If either of these was the case it is recommended that a Japanese Knotweed survey be undertaken. This could be controlled by condition such planning permission be granted.

In conclusion, it is considered that the contaminated land issues can be controlled through imposed planning conditions should planning permission be granted and as such it is considered to comply with policy EN14 of the adopted Unitary Development.

Design and Layout

Policy B2 of the adopted Unitary Development Plan seeks to ensure that proposals for new development do not have significant adverse impacts upon the amenities of nearby residents.

Impact on the amenities of neighbouring occupiers

All new development is expected by virtue of policy B2 of the adopted Unitary Development Plan not to result in significant adverse affects on the amenities of nearby occupants.

Two letters of objection have been received regarding spacing standards. The amended site layout complies with the Council's spacing standards for new development and the proposed development accords with policy B2 of the adopted Unitary Development Plan. The proposed house design has been amended to reflect the council's urban design aspirations.

In conclusion, it is considered that the site layout and design of the houses comply with policy B2 of the adopted Unitary Development.

Dust and Fumes

There are no policies within the adopted Unitary Development relating specifically to the generation of dust and fumes on construction sites. However policy B2 does seek to ensure that development does not have a significant adverse impact on the amenities of nearby residents and can be used to cover the impacts from construction.

The Executive Director of City Services: Environmental Services has indicated that in view of the close proximity of residential properties provision should be made for the reasonable prevention of dust generation or where this is not possible that adequate dust suppression management should be applied. It is considered that a suitable and constant supply of water adequate for dust suppression purposes should be available on site. Similarly facilities should be available on site to ensure that mud from the site is not transferred to the local road network. In this respect it is considered that the imposition, on any consent issued, of an appropriate condition requiring the submission of the details of dirt and dust management on the site would enable the above requirements to be met.

As regards fumes etc the Executive Director of City Services: Environmental Services has indicated that no emissions of dark smoke should take place on the site. Further it is advised that all other burning should be prohibited on site unless it is not appropriate to dispose of the material in any other manner. It is considered that an appropriate condition could be imposed on any consent issued to ensure that this requirement is met.

It is considered that with the imposition of the appropriate conditions in respect of dust, dirt and fumes the amenities of the nearby residents will be protected in line with the requirements of policy B2 of the adopted Unitary Development Plan.

Sustainability

The adopted Unitary Development Plan seeks to promote sustainable development in the city principally via policies R1 (maximising the efficient use of land, energy and other resources; reducing reliance on the use of the motor car; and avoiding risks of serious environmental damage) and R4 (efficient use of energy and use of non-fossil fuel sources).

The submitted Sustainability Statement indicates how the proposed housing development will contribute to the principles of sustainability and a low carbon future.

The applicant statement sets out measures which will be incorporated in order to ensure the achievement of level 3 of the Code for Sustainable Homes and as such this is considered acceptable.

Section 106 Contributions

Heads of Terms:-

The applicant proposes to provide the following affordable housing, which is considered acceptable.

10% of Affordable Housing - 8 Houses in total, 6 of these will be social rented and two of these will be for intermediate use.

The applicant proposes to make a contribution towards the Ryhope Doxford Link Road (RDPL) to the amount of £380,113 (£4936.53 /dwelling). This is acceptable in principle but would not pay for the whole of the next section of the road. This will be considered further in the supplementary report.

The applicant proposes to make a contribution towards a multi user route to the amount of £21,525 (£297.54/dwelling). This is considered to be acceptable in principle.

The applicant proposes to make a contribution towards the provision of equipped children's play facilities within the vicinity of the site to the amount of £37,180 (£482.86/dwelling). This is considered to be acceptable in principle.

The applicant proposes to make a contribution towards Great North Forest Planting to the amount of £13,942 (£181.08/dwelling). This is considered to be acceptable in principle.

The applicants proposed contribution total £506,572.00.

Conclusions

The issues of how the site is accessed now and in the longer term, together with the layout of some of the site roads has been the subject of discussion between City Services Network Management and the applicant. Acceptable amendments to the scheme and in principle off-site highway proposals have recently been received. However, Members need to be fully informed of these matters in order to reach a soundly based decision on this application. Accordingly it is proposed to report these matters on the supplementary report.

RECOMMENDATION: Deputy Chief Executive to Report