

DEVELOPMENT PLAN

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

Unitary Development Plan - current status

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

STANDARD CONDITIONS

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

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (General Development Procedure) Order 1995.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett
Director of Development and Regeneration Services.

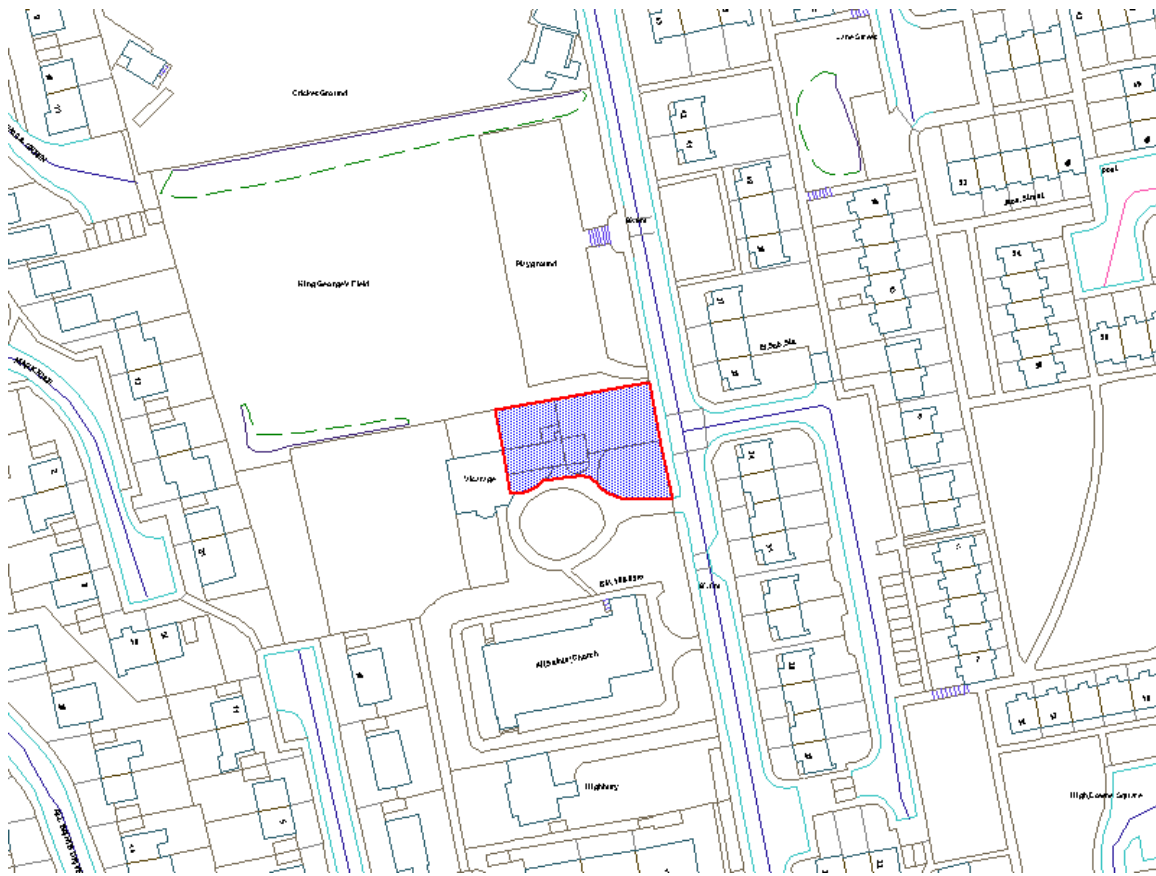
Reference No.: 08/04021/FUL Full Application

Proposal: Proposed erection of 10 bed residential care unit with associated access and parking.

Location: Land To The North Of All Saints Church Church Road
Hetton Le Hole

Ward: Copt Hill
Applicant: Glenpath Holdings Ltd
Date Valid: 22 January 2009
Target Date: 19 March 2009

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a 10 bed residential care unit with associated access and car parking on land to the north of All Saints Church, Church Road, Eppleton, Hetton-le-Hole, DH5 9AJ.

The proposed residential care unit is to be erected within the spacious grounds of All Saints Vicarage, an attractive two-storey red-brick building standing to the north of the disused church with which it was once associated. The grounds in

which the vicarage stands cover an area of approximately 4,000 sq. metres and take the form of a large, open lawn to the west of the building and a landscaped area to the east containing a number of mature trees protected by a Tree Preservation Order. An ivy-clad brick wall runs between the east elevation of the vicarage and two small outbuildings to its east; a hedge then continues from the east elevation of the outbuilding to the eastern boundary of the site, effectively enclosing the area to the north-east of the vicarage. Both outbuildings and the wall are proposed to be demolished to make way for the proposed building.

To the north of the vicarage's boundary are the King George's Playing Fields, to the west are the residential dwellings of Mark Rise and to the east of the site runs Church Road, on the opposite side of which are residential bungalows. The eastern boundary of the vicarage is defined by an attractive red-brick wall running adjacent to the footway of Church Road, in which are two vehicular accesses bordered by stone pillars and copings; only the southern access point is currently utilised. The vicarage access road circles a large grass mound topped with trees to the south-east of the building; vehicular parking is arranged in an informal manner around the exterior of the turning circle. The vicarage, the sturdy boundary wall and heavily canopied grounds contribute a particularly attractive element to the streetscene of Church Road.

The former vicarage is currently in use as a residential facility, with support and care, for adults aged 18-65 with autism and associated complex needs. Members may recall a previous application to add a two-storey extension and disabled access ramp to the vicarage building (application no. 05/01394/FUL), which was approved at the Hetton, Houghton and Washington Development Control Sub-Committee of 8th September 2005. The extension served to increase the number of bedrooms available within the building from five to seven and also provided additional lounge and dining space.

An application for the erection of a bungalow for people with special needs (app. ref. 03/01958/FUL) within the grounds of the former vicarage was withdrawn in May 2004 due to concerns regarding the design of the proposed bungalow and parking arrangements. The development was, however, considered to be generally acceptable in principle.

The proposed building will essentially provide an extension to the existing facilities found within the former vicarage. The building is to stand immediately to the east of the existing vicarage, on the site of the aforementioned outbuildings, and has a length of 22.1 metres and a depth of 13.9 metres, giving a footprint of approximately 307 sq. metres, compared to the vicarage's footprint of just under 200 sq. metres. The proposed building is three-storey in scale, with a monopitched roof sloping up from a height of 7.7 metres to the rear (north) elevation to its high point of 9.4 metres to the front (south) elevation. The front elevation of the proposed building is set back from that of the former vicarage so that its rear elevation is situated 1.4 metres from the northern boundary of the site, which is defined by a 1.8 metres-high palisade fence. At its closest point, the distance between the west elevation of the proposed building and the east elevation of the existing vicarage is just 3.2 metres.

The building provides a total of ten bedrooms (two at ground floor, four at first floor and four at second floor), each of which features a bathroom and sitting room. The building will also contain one dining/lounge area and kitchen per floor,

lounges on the first and second floors and ground floor reception and office space.

The proposed building is of a contemporary design, with a brick and render finish, lead effect roofing and aluminium framed windows and doors. The front elevation of the building includes a number of design features, such as a ground floor lobby and canopy, and first and second floor fully-glazed projecting bay lounge windows. The south-west corner of the building will be curved, with two full-height lounge/dining room windows stretching from ground to eaves level. The rear elevation, overlooking the playing fields, is of a more basic design, with regular fenestration.

The proposed development also includes the creation of a formal parking area, utilising the unused access point and footway crossing in the northern end of the eastern boundary wall. The access route will immediately turn south upon entering the site before widening and terminating at a row of four parking spaces adjacent to the access point in the southern end of the boundary wall. A paved area will also be constructed to the front of the building, providing a hard surface from the proposed car parking to the lobby. The existing access arrangements for the former vicarage, including the turning circle, are not to be affected by the proposed development.

The proposed building, access and car park requires the removal of a number of trees within the site. It is proposed to remove four poplar trees from adjacent to the northern boundary of the site, two sycamore adjacent to the existing outbuildings and eight sycamore and elderberry from adjacent to the eastern boundary of the site to allow for the construction of the access and parking area. It is also proposed to remove the privet hedge from the site, for this occupies the site of the proposed access route. Given the proposed removal of trees, hedges and outbuildings, an Arboricultural Assessment and Protected Species Risk Assessment and Ecological Evaluation have both been submitted with the application.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services
Hetton Town Council
Director Of Community And Cultural Services
Director Of Health, Housing And Adult Services
Durham Bat Group
Northumbrian Water

Final Date for Receipt of Representations: **20.02.2009**

REPRESENTATIONS:

NEIGHBOURS

No letters of representation have been received to date. Any objections received before the expiry of the consultation period (20th February 2009) will be reported on the Supplementary Report.

CONSULTEES

Responses are awaited from a number of statutory consultees, including Hetton Town Council, Natural England and Northumbrian Water. Details of the responses received from these consultees, which are due imminently, will be also be reported on the Supplementary Report.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

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

T_22_Parking standards in new developments

H_17_Nursing and rest homes to respect amenity / established local character

H_22_Residential development within the curtilage of an existing house

CN_17_Tree Preservation Orders and replacement of trees

CN_22_Developments affecting protected wildlife species and habitats

COMMENTS:

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

- the principle of the proposed development
- the impact of the proposed development on visual and residential amenity
- the impact of the proposed development on highway safety
- the impact of the proposed development on protected trees
- the impact of the proposed development on protected species and ecology

Principle Of The Proposed Development

The development site is identified as 'white land' on the proposals map of the City Council's adopted Unitary Development Plan (1998) and as such the proposal is subject to policy EN10. This policy dictates that where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain and development in such areas must be compatible with the principal use of the neighbourhood.

In addition to the above, policy H17 of the UDP indicates that the provision of nursing homes and other residential accommodation for people in need of care by the construction of buildings and conversion of large units in their own

grounds will normally be approved, provided they are not detrimental to general amenity and the established character of the locality.

The Head of Adult Services has expressed concern at the proposed development, stating that there is an over-provision of care home places in Sunderland. However, it is not the role of the planning system to restrict competition and prevent development on such grounds - ultimately, market forces must determine the success of the proposed use. The existing provision of care facilities within the City is therefore not a material consideration in the determination of this application.

Given that the vicinity is characterised by residential dwellings and as the site already includes a residential care unit, the proposal is considered to comply with the requirements of policies EN10 and H17 and, in principle, is broadly acceptable.

Impact Of Development On Visual And Residential Amenity

Policy B2 of the UDP requires that the scale, massing and layout of new development should respect and enhance the best qualities of nearby properties and the locality. Policy H22 states that new residential development within the curtilage of an existing house will only be acceptable if it is not detrimental to general amenity and to the established character of the locality. Proposals must demonstrate how parking and servicing requirements will be met; 'tandem' development (whereby one house is positioned immediately behind the other and sharing the same access) will normally be refused.

Although the proposed building will occupy the curtilage of an existing residential facility, this is not necessarily considered to be problematic. The proposed development effectively acts as an extension to the existing facilities found within the vicarage, rather than introducing an additional use, and will share the untouched amenity space of the large lawn found to the west. Providing the access and parking arrangements are satisfactory, it is considered that the curtilage can comfortably accommodate additional development and as such satisfy the requirements of policy H22.

The use of the area of land to the east of the vicarage for the proposed building is considered to be generally appropriate, although it will result in the building being relatively prominent from Church Road. The lawn to the west of the vicarage would provide a more secluded site for the building, but this is used as amenity space by residents and as such is not desirable for development. The proposed building will not stand beyond the building line formed by the east elevation of the church to the south of the site and is set back 10.5 metres from the eastern boundary of the site; given this, and providing that an acceptable level of screening from retained trees is provided, it is not considered that a building at this site need appear as overly dominant within the existing streetscene or be harmful to the established character of the area.

The Design and Access Statement submitted with the application provides very little justification to explain the scale, siting and design of the proposed building, although the contemporary style approach taken by the applicant is considered to be generally appropriate. The scale of the proposed building and its position in relation to the former vicarage is of significant concern. The footprint of the

proposed building is 50% greater than that of the former vicarage and it is one storey greater in height. Given this arrangement, it is considered that the building will dominate the existing vicarage (particularly as the minimum distance between the two is only 3.2 metres) and will appear as overly large and highly unsympathetic in relation to its surroundings, resulting in a wholly unsatisfactory form of development.

Additionally, the proposed materials do not appear to be chosen from a high-quality palette, in particular the proposed aluminium doors and window frames. The use of timber would relate better to the character of the site and avoid giving the proposed building a rather 'industrial' feel.

The east elevation of the vicarage does not contain any windows serving main living rooms, and as such the proximity of the proposed building does not raise any concerns with regard to a loss of amenity for the residents of the existing care facility. However, the ground, first and second floor living/dining room windows in the west elevation of the proposed building will look directly at the east elevation of the vicarage from a distance of only 3.2 metres away; although each room will still contain a window facing south, this is not a satisfactory arrangement.

The proposed development raises no concerns with regard to the residential amenity of neighbouring dwellings. The front elevations of the nearest residential properties, 34 and 35 Church Road to the east of the development site, are a minimum of 27 metres from the east elevation of the proposed building. Supplementary Planning Guidance (SPG) to the UDP recommends a distance of 21 metres between elevations containing main facing windows, with a further 5 metres distance added for a three storey building; the distance of 27 metres between the two is considered to be sufficient to ensure these dwellings will not suffer a loss of outlook, privacy or suffer overshadowing.

Whilst the use of the site to the east of the vicarage for the building is considered to be generally acceptable and it does not raise any concerns with regard to the residential amenity of neighbouring dwellings, the design, scale and layout of the proposed building is of concern.

Impact Of Proposed Development On Highway Safety

Policy T14 requires proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport; not cause traffic congestion or highway safety problems on existing roads; make appropriate safe provision for access and egress by vehicles, pedestrians, cyclists and other road users; make provision for the loading and unloading of commercial vehicles and indicate how parking requirements will be accommodated. Policy T22 states that in deciding the appropriate level of car and cycle parking to be provided in connection with a development proposal, the Council will have regard to: development type (e.g. scale, use, catchment, user characteristics) and locational characteristics (e.g. accessibility by modes other than private car, population density, historic character).

The highway safety, access and parking implications of the proposed scheme are still being assessed. However, the highway implications of the proposal are still being assessed with due regard to policies T14 and T22 of the Unitary

Development Plan. It is anticipated that this will be completed prior to the Development Control Sub-Committee meeting and any observations will be reported on the supplement.

Impact Of The Development On Protected Trees

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 development will be required where possible.

The proposed development requires the removal of a total of 14 trees, 9 of which are protected by Tree Preservation Order 113. The removal of four poplar trees (referenced 1R (not protected), 2C, 3C and 4R on the plan submitted with the Arboricultural Survey; T3, T4 and T5 on the Order) adjacent to the northern boundary of the site was considered to be acceptable to facilitate the development proposed by the withdrawn application no. 03/01958/FUL. These trees are of low retention value and deadwood is present in all specimens. Similarly, the removal of a sycamore (ref. 5C/T13) standing adjacent to the existing outbuildings is also considered acceptable.

However, the sycamore (ref. 6B/T21) to the south-east of the outbuildings is a large specimen and one of the most visually pleasing on the site. Although the Arboricultural Survey suggests some deadwood is present, its retention is generally desirable. Similarly, the proposed loss of three poplar and a sycamore (refs. 18C, 19C, 20C and 24B/T9, T10, T11 and T22) adjacent to the eastern boundary of the site is also of concern given the contribution they make to the streetscene of Church Road and the role they could play in offering substantial screening of the development site. These trees only require removal to allow for the proposed access and parking area; whether this facility is necessary will become clear upon further consideration of the highway safety, access and parking implications of the proposed scheme.

The Arboricultural Report also proposes that protective barriers should be erected around all trees to be retained within the site prior to the commencement of development. It also proposes the laying of a permeable surface adjacent to the retained trees alongside the eastern boundary for the proposed vehicular access and parking arrangements. Such measures are considered appropriate and necessary at the site and their implementation will be required by conditions attached to any approval.

The impact of the proposed development on protected trees within the site in relation to the requirements of policy CN17 cannot be fully assessed until the concerns regarding the design, scale and layout of the proposed scheme have been met. It is anticipated that this assessment will be completed prior to the Development Control Sub-Committee meeting and any observations will be reported on the supplement.

Impact Of The Development On Protected Species

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.

Given the proposed removal of two outbuildings and a number of mature trees, the application has been accompanied by a Protected Species Risk Assessment and Ecological Evaluation. The report concludes that the proposed development is highly unlikely to result in a contravention of protected species legislation. Given their design, the demolition of the two outbuildings is unlikely to affect roosting bats, although standard precautions are recommended during the demolition phase. Additionally, all of the trees in and adjacent to the development area were considered to be at a low risk of bat usage.

It is conceded that the development may affect a potential feeding site for bats known to feed within the vicinity; however, when compared to the feeding opportunities nearby such as Rough Dene, Hetton Bogs and Hetton Lyons Park, the site is not considered a high feeding value area and could, at best, only be assigned a low conservation value. As mitigation, it is recommended that four bat boxes are erected in trees to the south of the development site.

The Durham Bat Group (DBG) has responded to consultation and, in general, agrees with the findings and recommendations of the report. However, the DBG consider that the site is of greater feeding importance than suggested in the report and are concerned that tree removal could reduce the size and break the connectivity of the feeding site and that light pollution from the proposed building could deter bats from the site. The ivy covered wall between the vicarage and outbuildings is also considered to be a prime site for hibernating bats; in order to avoid the risk of an offence, which needs to be conserved in its entirety or else a more detailed risk assessment undertaken. The DBG also considers that the proposed bat boxes can only be viewed as a temporary mitigation measure, instead permanent bat-friendly features should be incorporated into the proposed building.

A consultation response is awaited from Natural England; until this is received, the implications of the development in relation to the requirements of policy CN22 cannot be fully assessed. It is anticipated that the response of Natural England will be received prior to the Development Control Sub-Committee meeting and any observations will be reported on the supplement.

Conclusion

Whilst the use of the land in question for the proposed development is considered to be, in principle, acceptable, the design of the proposed building and its relationship with the existing vicarage is of concern and is considered to require significant alteration and modification. Additionally, the implications of the proposed development in relation to highway safety, access and parking, its impact on protected trees and protected species is still being assessed. Furthermore, the period for public consultation has not yet expired.

It is anticipated that the outstanding responses of statutory consultees will be received prior to the meeting, which along with any further public representations received prior to the expiry of the consultation process and further assessment of the outstanding issues will be reported on a Supplementary Report accordingly.

RECOMMENDATION: Dir.of Dev. and Regeneration to Report

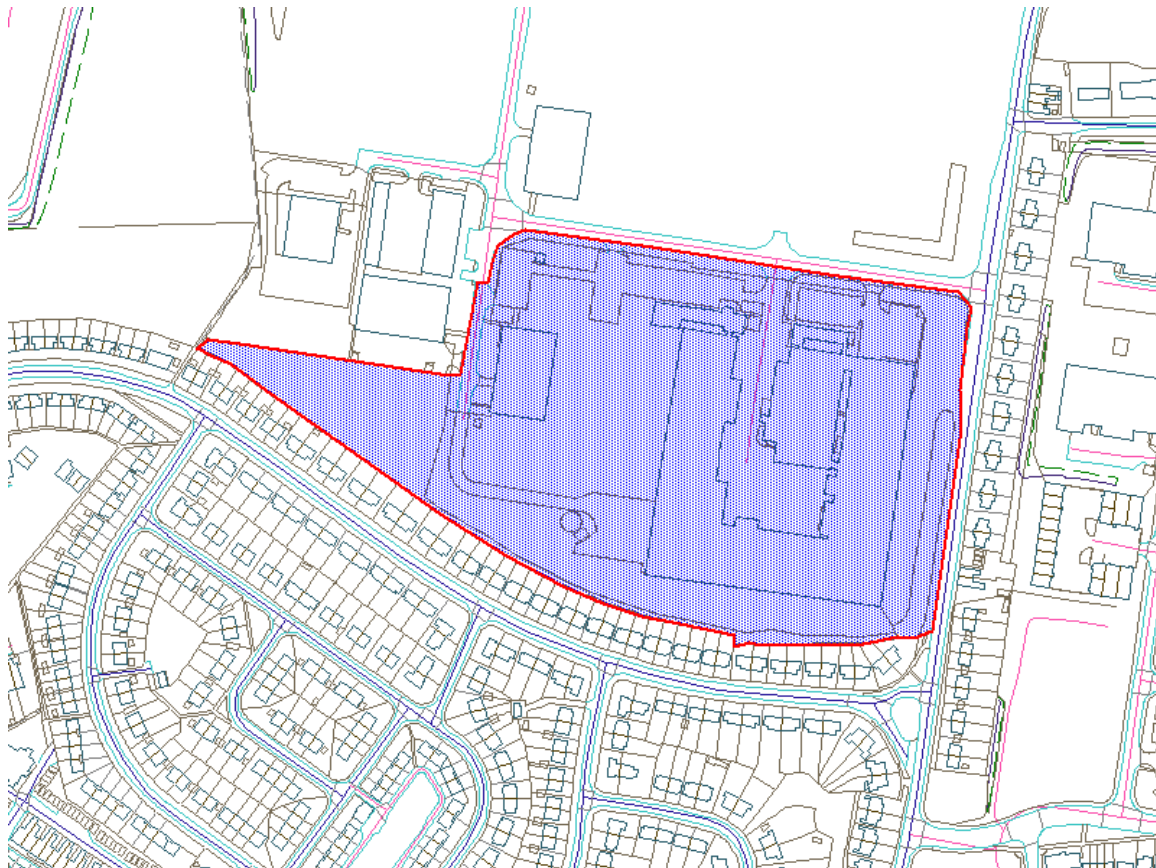
Reference No.: 08/04425/OUT Outline Application

Proposal: Mixed use development comprising of 44 residential units, 70 bedspace care home or 50 sheltered units, 2640-3960m² live work units (sui-generis) conversion of existing industrial buildings to provide 6930m² commercial accommodation (use class B1,B2,or B8) 1000m² of offices (refurbishment), new commercial buildings 1862m² (use classes B1,B2 or B8) together with associated car parking & servicing facilities, landscaped areas - creation of new access from Cedar Terrace / Sedgleleth Road

Location: SIG Combibloc Blackthorn Way Houghton Le Spring DH4 6JN

Ward: Houghton
Applicant: SIG Combibloc International AG
Date Valid: 18 December 2008
Target Date: 12 February 2009

Location Plan



PROPOSAL:

The proposal is for outline planning permission for a mixed use development at the site of SIG Combibloc at Blackthorn Way, Sedgeleth Industrial Estate. The total site area is 5.56 hectares.

The indicative drawing shows the retention and refurbishment of some of the buildings with some new build though the application only seeks consent for access with appearance, landscape, layout and scale being reserved matters.

The indicative Master Plan shows:-

44 two storey terraced and semi-detached 2 and 3 bedroom dwelling houses (Use Class C3).

A residential care home not to exceed 2.5 storeys to provide up to 70 bed spaces (Use Class C2). or old person housing in a residential institution up to 50 units. The applicant claims this is in Use Class C3 but this would depend on the final form of the development.

Erection of 2-3 storey live work units with a gross area of between 2,640-3960 square metres. (Sui generis).

Conversion of existing industrial units to provide 6,930 square metres of single storey commercial accommodation (Use Classes B1, B2, B8).

Refurbishment of existing ancillary office buildings to provide to provide two storey office accommodation totalling 1,000 square metres (Use Class B1 (a)).

Erection of single storey commercial building totalling 1,862 square metres (Use Class B1, B2 or B8) all with associated access, car parking and landscaping.

The proposed commercial development will total 16,392 square metres plus the residential floor space. The current development has a floor space totalling 17,050 square metres.

The application is accompanied by:-

- A planning statement.
- Statement of Economic Regeneration benefits.
- Land Quality Statement.
- Transport Assessment and Green Travel Plan.
- Sustainability Report.
- Statement of Community Involvement.
- Flood Risk Assessment.
- Design and Access Statement.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services
Force Planning And Police Architectural Liaison Officer
One North East
North East Regional Assembly
Business Investment
Environment Agency
Director Of Health, Housing And Adult Services
Director Of Community And Cultural Services
Northumbrian Water
Nexus
Northern Electric

Final Date for Receipt of Representations: **14.01.2009**

REPRESENTATIONS:

NEIGHBOURS.

Two letters have been received concerning the following issues:-

The road is extremely busy already, and if planning went ahead this would only make the road even worse.

There have been numerous accidents on this road and as there are no signs to indicate traffic speed the road is very dangerous.

The proposal appears a done deal. Residents living in close proximity were not given enough time to look over the plans which could not be found whilst navigating the website.

The applicant has submitted plans and consulted with nearby properties over the festive period while many people will probably either ignore them or be away on holiday.

CONSULTEES

Northumbria Police

The police would prefer to consider crime prevention issues before planning permission is granted) in order that crime and the opportunities for crime are reduced. This is considered a large development and the applicant should contact Northumbria Police in order that crime prevention can be discussed. This will also satisfy the requirements of S17 of the Crime and Disorder Act 1998 and be seen to be working together to reduce the opportunities for crime.

Nexus -

In principle has no objections to this application but has made the following observations to make.

The Transport Assessment is accurate in respect of bus services in the area and it would appear to imply that the development will have minimal impact on traffic movement in the area, It is however considered that the mention of the Leamside rail line is misleading as it is unlikely to be reopened in the near future and will therefore have no impact on the travel choices of residents of the proposed development.

With regards to the layout of the proposed development it is considered that it would have been better for residents if it was laid out so that walking distances to the bus stops for the least mobile were as short as possible. It is suggested this could be achieved by appropriate location of the proposed care home and sheltered units as well as providing direct and safe footpaths (in addition to the proposed vehicular entrance from Sedgletch Road) to the closest bus stops for service 71. These provide for buses to Chester le Street. The bus stop on Murray Avenue provides for buses towards Sunderland along with the stop on the east side of Sedgletch Road between the junctions with Avenue Vivian and Mulberry Way. The latter stop (Nexus stop reference number 28069) currently has no shelter and it is suggested that the applicant provide funding for a shelter at this location along with the provision of a safe walking route (including safe crossing points) from the proposed development.

North East Assembly.

Although the redevelopment of the site for B2 and B8 employment use is consistent with RSS objectives the proposal is not in general conformity with RSS because it proposes B1 office outside of a town centre location, residential uses on an employment site when there is a defined employment land shortage in Tyne and Wear; and incorporates no energy efficiency standards or renewable energy generation proposals.

Environment Agency

-

The proposed development would only be considered acceptable if planning conditions are imposed on any granted planning permission ensuring:-

1) Sustainable drainage and management techniques including soak ways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site.

2) Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the LPA. Roof water shall not pass through the interceptor.

3) The sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution. Should a main connection not be possible, EA would wish to be reconsulted.

4) It is recommended that the requirements of PPS23 and the Environment Agency guidance on requirements for land contamination reports should be followed.

5) It is considered that a planning application of this scale should incorporate Sustainable Construction and Renewable Energy Generation principles and have embedded within it a minimum of 10% energy supply from renewable resources.

One North East (ONE)

It is noted that the application site is allocated as employment land in the City Council adopted Unitary Development Plan. Therefore those uses falling outside of the employment land allocation represent a departure from the adopted Development Plan.

Whilst ONE welcomes the private investment and potential employment opportunities offered by the redevelopment and conversion proposals relating to employment land uses on this site, it also recognise that proposals relating to other non-employment uses such as housing require a sequential approach to ensure that appropriate justification is provided. The LPA should carefully consider the case made for the loss of employment land and should assess the application in the context of the LPAs overall employment land allocation. The LPA should be satisfied that the applicants have provided sufficient evidence to justify the loss of employment land to these other uses and to demonstrate that the regeneration benefits cited by the applicants outweigh the loss in this instance.

Also, in line with the Government objective to generate 10% of electricity from renewable energy sources by 2010 the application should also provide details regarding the provision of renewable energy measures within the scheme.

Director of Adult Services -

In relation to the provision of the 70 place residential care home; there is overcapacity in the City. In this respect the Director of Adult Services could not support this part of the development because it is considered it would adversely affect other similar businesses in the City. It would be helpful if the applicant would contact Adult Services for a briefing regarding the state of the market before progressing with this plan.

Economic Development

With regard to the outline proposals, whilst there are positive aspects to the proposal, it is not considered that the normal position in relation to the loss of employment land has been overcome. The applicants are suggesting the development was necessary to include housing in order to facilitate the industrial component, although it appears the owners would be in line for a substantial windfall (at least in a normal housing market). It is considered the City Council should expect more in terms of community benefit and equally, the owners should not expect to do more than cover their costs overall.

POLICIES:

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

EC_4_Retention and improvement of existing business and industrial land

EC_5_Sites for mixed uses
CN_15_Creation of the Great North Forest
HA_1_Retention and improvement of established industrial / business areas
HA_2_New sites for business and industrial uses
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
EN_10_Proposals for unallocated sites to be compatible with the neighbourhood
H_1_Provision for new housing
H_6_Considerations in area based housing distributions
EC_2_Supply of land and premises for economic development purposes
EC_9_Locations for Hotels and Conference centres.
EC_15_Development or extension of bad neighbour uses
S_13_Resisting retail development on land allocated for industry
B_1_Priority areas for environmental improvements

COMMENTS:

The application is a departure from the adopted UDP and has been advertised as such.

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

- The principle of the development.
- -Housing policy issues.
- -Infrastructure issues.
- -Highway issues.
- -Wildlife issues.
- -Amenity issues.
- -Children's play.
- -Sustainability.
- -Noise.

A pre-application enquiry was responded to on 31 October 2008 negatively on the grounds that the proposal was contrary to the adopted Development Plan which specifically excluded residential use from land allocated for employment use and that such allocated sites should be retained and enhanced particularly in the Coalfield area where there is a perceived shortage of such land.

CONCLUSION

The proposal is receiving further consideration in relation to the main issues identified above. It is anticipated that these considerations will be completed in time to enable a recommendation to be made on the supplement to this report.

RECOMMENDATION: Dir.of Dev. and Regeneration to Report

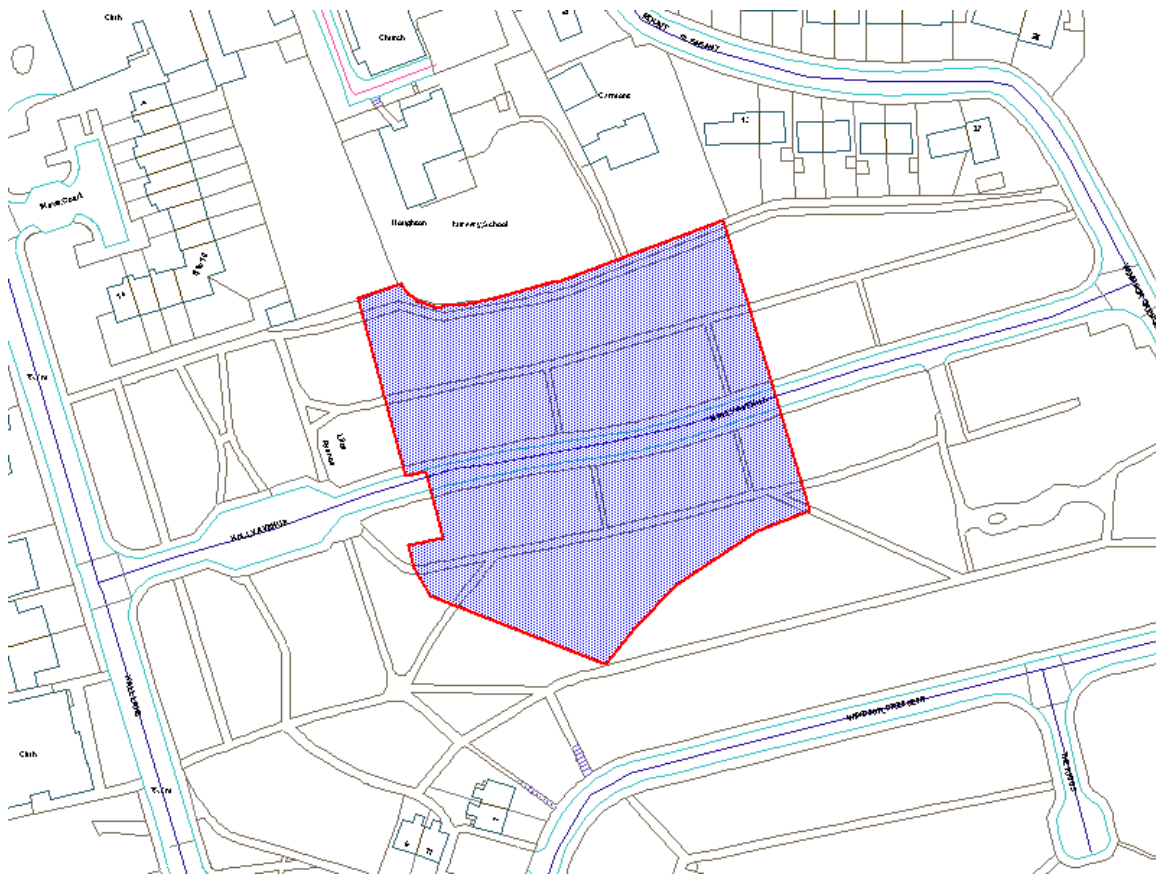
Reference No.: 08/04694/FUL Full Application

Proposal: **Erection of an extra care facility comprising of 40no. 2 bed apartments, staff and communal areas with associated parking and landscaping works,including stopping up and realignment of existing highway.**

Location: Land To The East Of Hall Lane Houghton Le Spring

Ward: Copt Hill
Applicant: Gentoo Homes
Date Valid: 18 December 2008
Target Date: 12 February 2009

Location Plan



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PROPOSAL:

The Application has been submitted to replace part of a previously approved application for Phase 1 of the Racecourse Estate (Application no 07/01859/FUL). The proposal involves the erection of an extra-care facility, with ancillary services, which will be available to the public. An overall total of 40 no. 2

bedroomed self-contained apartments will be created by the proposal, which have been identified as being evenly split 50:50 between rentals and for sale. These are located in 2 wings which centre around a full-height glazed entrance area, which provides a direct through-link for pedestrians from the courtyard area onto Windsor Crescent. The scheme will provide a number of services available to the public, which in particular may be attractive / beneficial to occupiers of the 28 bungalows from Phase 1a, such as physiotherapy, chiropody, hairdressing, assisted bathing and restaurant facilities.

Vehicular access is proposed to be taken from a new access road which has already been approved under the previous Phase 1a scheme (08/03952/FUL). This road links into (the re-aligned) Windsor Crescent and leads to a split level courtyard area which houses car parking and outdoor seating / garden areas for residents. The building itself is at a split level to accommodate the falls in level across the site, with the elevation that fronts onto the main estate spine road, (Windsor Crescent) having a 2-3 storey appearance. The ground floor of the development is dug into the site, creating a 4th story which is only apparent when viewed within the inward-facing courtyard.

Background

The current proposals result from a revised brief issued by Gentoo Homes for all phases, which has arisen following the introduction of the Code for Sustainable Homes by Central Government, which confirmed a mandatory rating for new homes from 1 May 2008 and a requirement for all Registered Social Landlords to build to at least Code level 3 (or higher) from April 2008.

The scheme is referred to as the 'Racecourse Estate - Phase 1b' and is the second phase of the intended redevelopment of the entire Racecourse Estate site. Members will recall that an application for 28 bungalows on Phase 1a (application ref 08/03952/FUL) was approved subject to the signing of a Section 106 legal agreement in lieu of children's playspace at the Development Control Sub-Committee meeting held on 03 February 2009.

The Racecourse Estate itself is located to the east of the A690 in Houghton Le-Spring and lies between Hall Lane to the west and Queensway to the south with Kirknewton Close to the east of the site. Overall the whole of Phase 1, including 1a, 1b and 1c, covers an area of 2.5 hectares, of which the central portion now being considered, Phase 1b, accounts for 0.66 Hectares.

The Phase 1b site lies to the east of the recently approved phase 1a bungalow scheme, while to the south / east lies the proposed re-aligned section of Windsor Crescent. To the immediate north lies the rear of the Houghton Nursery School development. To the east lies cleared land which is the site of Phase 1c. At the time of writing it is anticipated that an application for this remaining phase will be submitted shortly and will comprise of semi detached residential dwellings. There are two bus stops nearby on Hall Lane, one opposite the junction with Kingsway and one at the junction with Holly Avenue.

Following the clearance of the site to make way for its redevelopment, the site is currently very permeable to pedestrians, with a network of paths across large sloping green public spaces. There is a considerable fall across the whole of phase 1 of approximately 11 metres from the east side down to Hall Lane on the west. Across phase 1b the fall is in the region of 4 - 5 metres

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

County Archaeologist
Director Of Community And Cultural Services

Final Date for Receipt of Representations: **14.01.2009**

REPRESENTATIONS:

Neighbours

No responses have been received as a result of neighbour consultations.

Consultees

County Archaeologist - advises that the archaeological desk based assessment which has been submitted previously for the Phase 1 site has been submitted in support of the application. The report concludes that the site was probably in use as farmland during the medieval period as it lies on the outskirts of Houghton le Spring medieval village, which is designated as a site of potential archaeological importance. The earliest documentary reference to the village is AD 1112. Archaeological evidence of medieval ridge and furrow, field or property boundaries may survive. Consequently the imposition of an appropriate condition has been requested.

Pre-Submission Community Involvement.

The applicant has undertaken a series of consultation exercises amongst residents regarding the renewal of the Racecourse Estate going back to 2004. The most recent consultations were undertaken as part of the Neighbourhood Renewal Assessment undertaken on behalf of Gentoo and Sunderland City Council by PPS in 2006 & 2007. A summary of feedback compiled through a combination of the resident surveys, steering group meetings and drop-in events is as follows:-

92% (45) strongly agreed or agreed that housing conditions on the estate need improving.

90% (44) felt that empty properties are a big problem.

59% (29) that obsolete housing needs clearing.

There was strong support overall for improving housing conditions on the estate, and a high level of support (69%) for the clearance of obsolete housing. Over 75% of residents supported the Group's renewal proposal to some extent, but there were mixed views about the best way of achieving this, with equal numbers of residents saying that they wanted demolition and new build and retention and modernisation of properties.

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_14_Development in areas of potential archaeological importance

CF_11_Ensuring adequate range and distribution of social, religious cultural buildings

CF_14_Standards of design in community facility development

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

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

R_1_Working towards environmentally sustainable development

R_4_Incorporation of energy saving measures

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

T_23_Provision of public parking

COMMENTS:

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

- The Principle of Development.
- Design and Layout.
- Materials and details.
- Public Realm / Landscaping.
- Highways and Parking.
- Archaeology.
- Sustainability.
- Play Space Provision.

The Principle of Development.

There is a growing awareness of the increasing average age and life expectancy of the population, which is creating a greater need for specialist accommodation for older people to be available. Extra Care Housing is the term given to such housing that provides independence and choice to those with varying care needs whilst enabling them to remain in their own home. Extra Care Housing should be able to provide most residents, if they so desire, with a home for the remainder of their life, regardless of changes in their care needs.

Services are provided in a purpose built, housing environment with care and support delivered to meet the individual resident's needs. This type of housing provides 24-hour support, meals, domestic help, leisure and recreation facilities and a genuinely safe environment to its residents. It can provide a base for out of hours or outreach services to the local community. Intermediate care facilities, to prevent avoidable admission to hospital or to help people return from hospital to their own home more quickly, can also be based at Extra Care Housing schemes.

The Department of Health Extra Care Housing Fund aims to encourage Local Authorities in England to provide greater housing choice to older people and other people with disabilities who may have support and/or care needs. An Extra

Care Housing Fund Grant of £80 million has been made available by the Department of Health for 2008 - 2010 to act as a stimulus for the further development of a range of Extra Care Housing.

Extra care facilities fall within use class C3 of the Use Classes Order 2004 and are therefore assessed as a form of residential development. The site is brownfield in nature and is identified in the UDP for housing improvements under policy HA5.1, which states that 'the City Council will seek to carry out restructuring improvements to its housing stock with associated environmental works at Racecourse Estate, as it is important to the regeneration of Houghton. Policy H1 iii) states that new housing will be provided which assists in the regeneration of existing residential areas which the proposal is considered to do.

It should be noted also that as the site is part of the wider overall phase 1 area which has a valid planning consent for 83 dwellings and community buildings, (07/01859/FUL) the principle of residential use has been established and helps to create a mix of housing types in a sustainable location in relation to its proximity to Houghton Centre.

As such the principal of redeveloping the site for residential purposes remains unchanged and acceptable in principle and in accordance with H1 iii and HA5.1 of the UDP.

Design and Layout.

A series of pre application meetings have taken place with the applicants to discuss and amend the scheme prior to formal submission. The design and access statement that has been submitted with the application provides useful information in relation to the design concept and justification for the proposed design approach.

For an effective and efficient use of land, any proposed residential scheme should aim to be achieving at least a density of 30 dwellings per hectare. The whole of the phase 1 site is 2.54ha in size and as such a minimum of 76 dwellings would need to be built upon this site, providing a mix of housing types. Whilst the net site density for Phase 1a fell below this at approximately 28 dwellings per hectare (based upon its site area of 0.98ha). The density of Phase 1b is much higher at 60 dw/ha. Additionally, early indications suggest that phase 1c will be in the region of 40 dw/ha, thus ensuring that an acceptable overall density for Phase 1 will be achieved.

In general terms, the proposed layout is considered to overcome any possible problems that may occur with regard to the change in levels across the site, due to the split-level design approach that has been taken. Such an approach effectively aids the accommodation of the massing of the building across the site, by placing the lower level partially underground on the Windsor Crescent elevation, reducing the height to three stories in this location, which is considered to be acceptable. The opposite side of Windsor Crescent in this location has been cleared for future redevelopment and as such the requisite 26 metre separation distance for a 3 storey building as required by the Council's adopted Supplementary Planning Guidance will be able to be achieved. The approach taken to work with the difficult site topography is encouraging and the design of the building is considered to make good use of the terrain, allowing access both

from the front and rear which provides a good standard of existing pedestrian permeability throughout the whole site.

Materials and details.

In terms of the external appearance of the building. The materials proposed are similar to those within phase 1a. Encouragingly, timber framed windows are shown as being used instead of uPVC. Should Members be minded to approve the application, a condition can be imposed ensuring that the specification and samples of all external materials to be used are submitted to and approved in writing prior to the commencement of development.

Public Realm / Landscaping.

The applicant has identified that an important area to consider is the semi public courtyard area to the rear of the site. However a detailed landscaping scheme has not been submitted and at the time of writing and there is no certainty over the finished quality of the landscaping. Ideally an indicative planting scheme with plant sizes, stock numbers and species list should be submitted for consideration. The applicant has been advised of such and it is anticipated that a submission will be made in this respect prior to the Sub-Committee meeting. Due to the loss of existing trees across the wider scheme, a semi-mature planting scheme is expected to be implemented and the applicant has been advised of this, which should be included in any submitted details. Notwithstanding this, in order to ensure the highest possible quality scheme is implemented, appropriate conditions can be imposed should Members be minded to approve the application.

To conclude issues relating to design and layout, the proposal is considered to be well-conceived and for the reasons given above is in accordance with policy B2 of the UDP.

Highways and Parking.

The existing road network is to remain, with the main vehicular site access taken from the realigned Windsor Crescent. This access road connects phases 1a and 1b together giving a sense of legibility and continuity. From here the access road leads to the main car parking area, which is located to the north western corner of the site, between which and the building is a large courtyard / plaza area.

A number of matters remain outstanding from the highways perspective however, including concerns relating to the number of parking spaces available, the overall operation of the car parking area and details relating to refuse collection arrangements. The applicant is confident that these matters can be resolved and it is anticipated that revised drawings / details will be submitted in due course and reported on the Supplement.

Archaeology.

As the County Archaeologist has advised that evidence of medieval ridge and furrow, field or property boundaries may survive, it is considered necessary that a programme of archaeological trial trenching is undertaken prior to the commencement of development. Such a requirement can be imposed via the imposition of conditions and will ensure that any archaeological remains are preserved and recorded, as required under UDP Policy B14.

Sustainability.

The submitted design and access statement identifies that the proposed development will be designed to meet the Code for Sustainable Homes level 3, which is the minimum sustainability requirement for social housing. The Code measures the sustainability of a new home against categories of sustainable design, rating the 'whole home' as a complete package. The Code uses a 1 to 6 star rating system to communicate the overall sustainability performance of a new home. The Code sets minimum standards for energy and water use at each level and, within England, replaces the EcoHomes scheme, developed by the Building Research Establishment (BRE). Whilst it would have been encouraging to see this phase take onboard some of the innovative "Passivhaus" design principles from phase 1a this could not be achieved due to the very stringent requirements of such a design. Nonetheless the development demonstrates a commitment to sustainability issues and a condition ensuing that at least level 3 compliance is achieved can be attached to any consent granted, should members be minded to approve the application.

Play Space Provision

As the application proposes to create accommodation for the elderly with care facilities, there is no requirement for a financial contribution to be made towards the provision of children's play equipment. Notwithstanding this, it should be noted that there is an existing Section 106 Agreement in place (£54,780) which was entered into for the previous application for 83 dwellings across the whole of Phase I (07/01859/FUL). As such, it is envisaged that the current agreement may be amended in the future once it has been established exactly how many new family dwellings will be erected in total across the whole of the Racecourse Estate. Any funds received in this respect have been identified as being allocated towards play facilities sited at the adjacent Kirk Lees Park.

Conclusion

Taking the above into consideration, the proposal is considered to be a well conceived scheme, which takes into account the change of levels across the site and provides a new form of accommodation that has been identified as being of benefit to the aging population. However, given that matters relating to highways and parking are ongoing and still to be resolved a further supplement report will be presented to the Sub- Committee.

RECOMMENDATION: Dir.of Dev. and Regeneration to Report

4.

Houghton

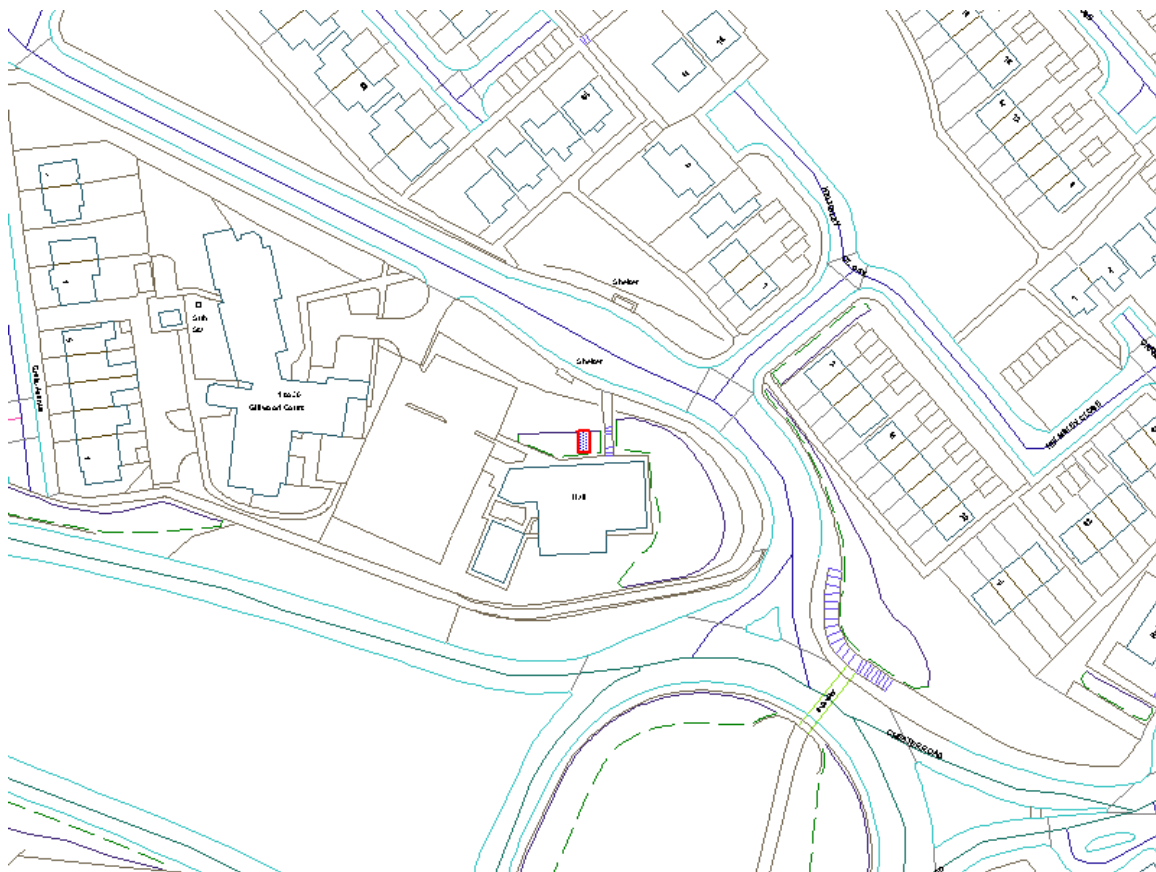
Reference No.: 09/00057/TEX Telecommunication Applications

Proposal: Installation of a 12m high monopole accommodating 3No antennas within a GRP shroud (overall height 13.6m), 1 No meter cabinet within a compound surrounded by a 1.8m high pallisade fence. (cell i.d. 46835B)

Location: Masonic Bungalow Station Road Penshaw Houghton Le Spring

Ward: Shiney Row
Applicant: Vodafone UK LTD
Date Valid: 8 January 2009
Target Date: 5 March 2009

Location Plan



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PROPOSAL:

The proposed application has been submitted following the withdrawal of a larger scheme on 24.11.2008. Application ref: (08/03810/FUL).

The proposal has now been resubmitted following a reduction in the height and width of the monopole and relates to the installation of a 12 m high monopole accommodating 3No. antennas within a GRP shroud (overall height 13.6 m) and 1No. meter cabinet within a compound surrounded by a 1.8 m high palisade fence.

The previous application was withdrawn after concerns were raised over the monopole's size, scale and potential impact on the existing streetscene. The monopole would have reached a height of 17.3 m above ground level (15 m pole and 2.3 metres 3No antennas within a GRP shroud).

The area surrounding Vodafone's telecommunication site is predominantly residential although the monopole itself would be located within the grounds of the Masonic Hall on Station Road.

The agent for the scheme has submitted the following supporting information

- -Certificate confirming ICNIRP compliance
- -Supporting Technical Information
- -Statement and maps relating to other sites considered as meeting their network requirements
- -Elevations showing the siting of the proposed street works pole from various vantage points
- -General Background Information on Radio Network Development

This application would normally be determined by officers under the Council's delegation scheme. However, a request has been made by a local Councillor to refer the application to the Sub- Committee. Members are advised that as the application has been made under the Prior Notification Procedure a decision to approve or refuse must be made by 5th March 2009. If the applicant is not notified of the decision by this date the application will be deemed to have permission.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services

Final Date for Receipt of Representations: **03.03.2009**

REPRESENTATIONS:

To date no representations have been received, however the consultation period does not expire until 03.03.2009.

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_26_Controls over telecommunications developments

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

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

COMMENTS:

The application, made on behalf of the telecommunications operator Vodafone, relates to the erection of a 12m high "slimline streetworks" monopole with 3no. antennae, (overall height 13.6 m) and 1 No. meter cabinet within a compound surrounded by a 1.8 m high palisade fence on the site of the Masonic Bungalow, Chandler Row, Station Road, Penshaw, Houghton-Le-Spring.

Telecommunications code system operators enjoy a general planning permission under Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended). This enables an operator to carry out the development permitted by Class A of Part 24 - subject to exclusions in paragraph A.1 and the conditions in paragraph A.2 and A.3 - without making a planning application to the local authority.

Certain telecommunication developments permitted under Part 24 is conditional upon the operator making an application for prior approval to the Local Planning Authority. Such an application will allow the Authority to consider, within 56 days from the date of receipt, the siting and appearance of the proposed development. The application is neither a notification nor an application for planning permission.

Members should note that there is no power to extend the 56 day period. If no decision is made, or the Local Planning Authority fails to notify the developer of its decision within 56 days, permission is deemed to have been granted.

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

- Proposed siting of the installation,
- Proposed design of the installation and associated equipment, and
- Health and safety considerations.

Policy Considerations

The application site is not allocated for any specific purpose within the UDP, however given that the proposal relates to an application for the erection of telecommunications equipment policy B26 of the UDP is applicable, as is Section 5 'Siting of Telecommunications Equipment' of the Supplementary Planning Guidance and Planning Policy Guidance Note No.8 'Telecommunications' (PPG8).

UDP policy B26 states that telecommunications development will be permitted where it would not have a serious adverse effect on residential amenity, the appearance of the area, or sites of archaeological or nature conservation value. Where such effects are considered likely, the City Council will also take into account the following factors:

1. The significance of the proposed development as part of a telecommunications network,
2. Whether any satisfactory alternative sites for telecommunications development are available,
3. Whether there is any reasonable possibility for sharing existing telecommunications facilities,
4. In the case of radio masts or towers, whether there is any reasonable possibility of erecting antennae on an existing building or structure, and
5. Whether all reasonable steps will be taken to minimise the impact of the development on local amenity.

Paragraph 15.1 of the SPG sets out the general criteria against which applications for telecommunication installations are to be determined in accordance with. The general criteria seeks to ensure that such developments are sited so as not to adversely impact on the visual amenities of adjoining occupiers, colour treatment of equipment to ensure that it is in keeping with other street furniture (lighting columns) and the surrounding area, apparatus is to be sensitively sited to the rear and side of existing buildings, a proliferation of such equipment that gives the impression of visual clutter will be avoided and landscaping around all ground based equipment will be encouraged wherever possible to assist in minimising the visual impact. In addition, any grant of consent would be subject to a condition requiring the equipment/apparatus to be removed from the site when no longer required.

Finally, PPG8 Telecommunications highlights the potential for conflict. Masts and antennae often require a particular operating height, which allows signals to clear trees and urban clutter. Telecommunications development may therefore need particular locations in order to work effectively, which can pose conflict between the needs of the operator and the Local Authority's attempt to protect high quality landscape and quality urban areas.

PPG8 places great emphasis on the need to minimise environmental and visual intrusion. In line with Government guidance, operators are required to demonstrate that they have considered using existing masts (mast sharing) before seeking new sites for installations.

Should new installations be deemed necessary then significant regard is required to be given to design of both the mast/monopole and any ancillary equipment necessary for its functional operation. A sympathetic design approach should be adopted in an attempt to minimise the impact of the development on environmental and visual quality. Developments should be designed so as to encourage appropriate design solutions, in terms not only of the structure of masts and antennas but also the materials and colour treatment. The guidance highlights the use of street furniture as being one of the innovative design solutions, which can be utilised to help limit the impact of telecommunication installations.

The application site

The proposed installation would be located within the car park of the Masonic Lodge on Station Road in Penshaw. The proposed monopole would be approximately 4m from the boundary fencing and due to the differences in ground levels would be sited on land sitting 2.1m lower than the street level on Station Road. Station Road provides a number of high lighting columns measuring 10m in height.

Station Road is accessed from the relatively busy Shiney Row roundabout which serves Chester Road, the A182 and the Washington Highway. The Masonic Lodge sits on the periphery of the roundabout and has the residential properties of Helmsley Close to the north east and Gillwood Court to the west.

A distance of approximately 48m would be created between the proposed monopole and street fronting elevation of the nearest residential dwelling to the north-west of the site with a distance of approx. 50m between the site and the fronting elevation of Gillwood Court.

Design/Siting

The applicant has indicated that for every proposed installation, a site selection procedure is undertaken to determine the most acceptable site both in terms of environmental/visual impact and technical requirements of the installation. Mast/site sharing is a further option actively encouraged and explored by Vodafone. The applicant has submitted details of other sites within the Penshaw/Shiney Row area that were considered prior to this submission. These include other street works installations and building mounted facilities, mostly located around Station Road and Chester Road. The possibility of mast sharing with the existing lattice structure located at NEDL was considered but was discounted due to the fact that there was no available space for additional equipment and no potential to increase the size of the existing mast. All of the alternative sites were discounted due to their sensitive locations, a lack of space or unsuitability for the needs of the telecommunications network. Having regard to the above, Vodafone considers that the proposed site at the Masonic Lodge is the most suitable within this area for their installation.

Having regard to the existing street furniture situated along Station Road, it can be seen that the operators have, in line with PPG 8, made considerable design alterations to the previously withdrawn scheme to ensure that the proposed monopole better reflects the appearance of the lighting columns housed within Station Road's streetscape. The alterations include an overall reduction in the height of the monopole by 3.7m, a reduction in the size of the antenna and associated shroud allowing it to sit flush with the monopole and a reduction in the circumference of the pole.

The lower ground level of the Masonic car park coupled with the significant reduction in the width of the pole helps to allow the structure to be more sympathetically viewed within the context of the existing streetscene. Both the proposed monopole and associated equipment are to be treated in a colour to be agreed by the Local Planning Authority and will be subject to a planning condition should Members be minded to approve the application. As such the proposed

monopole and associated equipment by reason of its size, design and siting is considered to be an acceptable form of development, in keeping with the existing street furniture within the area and of a sufficient distance away from residential dwellings so as not to impact on residential or visual amenity.

Health Issues

With regard to the impact of telecommunication developments on human health the Government is of a firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

The Government's acceptance of the precautionary approach recommended by the Stewart Groups report "mobile phones and health" is limited to the specific recommendations in the Group's report and the Government's response to them. The report does not provide any basis for precautionary actions beyond those already proposed. In the Government's view, Local Planning Authorities should not implement their own precautionary policies e.g. by way of imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between new telecommunications development and existing development.

The applicant, Vodafone, have confirmed that the proposal meets with the ICNIRP guidelines and therefore it is not considered that the issue of health should be considered further.

Highway considerations

The proposal is not considered to pose any highway implications in terms of vehicular or pedestrian safety.

Conclusion

In conclusion it can be confirmed that, subject to the expiry of the public consultation period, all material considerations relevant to this application have been given due regard and consideration and the proposal is considered to be acceptable..

The date for the representations expires on the day of the committee 03.03.2009. Any representations received will be reported together with a final recommendation at the meeting.

RECOMMENDATION: Director of Development and Regeneration to Report

Reference No.: 09/00152/LAP Full Application

Proposal: **Erection of single storey extension to provide a sheltered play area.**

Location: Lambton Village Primary Lambton Village Centre Washington

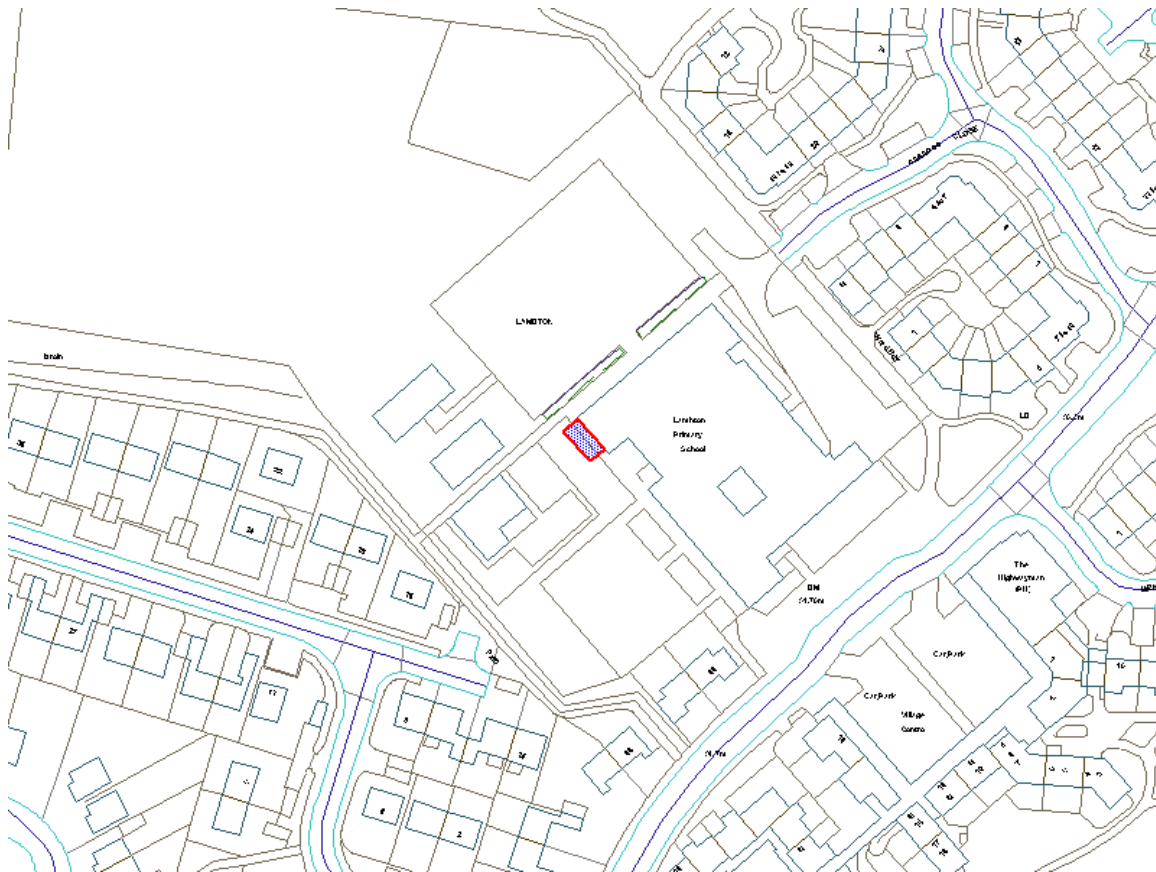
Ward: Washington South

Applicant: Director of Education and Comm. Services

Date Valid: 16 January 2009

Target Date: 13 March 2009

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a single storey extension to Lambton Primary School, Caradoc Close, Washington. The school is a modern single storey building with traditional brick and tile elevations. It is surrounded by housing, some of which is visible from the proposed application site.

The extension is shown to be located along the west elevation of the school and would provide an additional 40 square metres of accommodation to the existing sheltered play area. (The existing sheltered play area is also an extension to the original school building). The design of the building would reflect the style and features of the existing building and has brick and tile elevations with overhanging eaves, glass block windows, and electrically operated roller shutter doors. It would have a pitched and hipped roof and is shown to project 4.45 m from the existing building.

TYPE OF PUBLICITY:

Neighbour Notifications

CONSULTEES:

No Consultations Are Required

Final Date for Receipt of Representations: **12.02.2009**

REPRESENTATIONS:

No representations have been received, to date, as a result of the consultation process. Any further responses received will be reported at the meeting.

POLICIES:

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

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

COMMENTS:

The proposal does not affect the parking or access arrangements to the school and therefore the main issues to be considered are whether the proposal would adversely affect:

- _ the appearance of the building to which it relates;
- _ the surroundings;
- _ the amenities of adjoining occupiers.

1. The main school is an attractive modern, single storey brick and tile built structure. The extension has been designed so that it is subservient to the main building and it harmonises well with the surroundings.

2. The extension would be visible from some surrounding residential dwellings to the south east and south. The proposal is considered to be an attractive addition to school and is not highly visible from public land. It is therefore acceptable from a visual amenity point of view.

3. The site is 35 metres away from the nearest residential dwelling and there would be no adverse residential impact by virtue of overlooking, loss of privacy, or domination of outlook.

The proposal complies with polices B2 and CF14 in the UDP which relate to the need for good design for community facilities and that seek to ensure that all development is appropriate to its surroundings and therefore is considered to be acceptable.

Members are recommended therefore to grant consent for the development in accordance with regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out below.

RECOMMENDATION: Approve

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.