

DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE

AGENDA

**Meeting to be held in Committee Room No. 2 on
Tuesday, 22nd February, 2011 at 5.00 p.m.**

| ITEM | | PAGE |
|-------------|--|-------------|
| 1. | Receipt of Declarations of Interest (if any) | |
| 2. | Apologies for Absence | |
| 3. | Applications made under the Town and Country Planning Acts and Regulations made thereunder Report of the Deputy Chief Executive (copy herewith). | 1 |
| 4. | Town and Country Planning Act 1990 – Appeals Report of the Deputy Chief Executive (copy herewith). | 10 |

**E. WAUGH,
Head of Law and Governance.**

Civic Centre,
SUNDERLAND.

10th February, 2011

REPORT ON APPLICATIONS

REPORT BY THE DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

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

LIST OF APPLICATIONS

Applications for the following sites are included in this report.

1. Site of 55 to 59 Dundas Street

COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or the Technical Manager (Development Control) (561 1552) email address dc@sunderland.gov.uk

DEVELOPMENT PLAN

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

Unitary Development Plan - current status

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

STANDARD CONDITIONS

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

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

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

1.

North
Sunderland

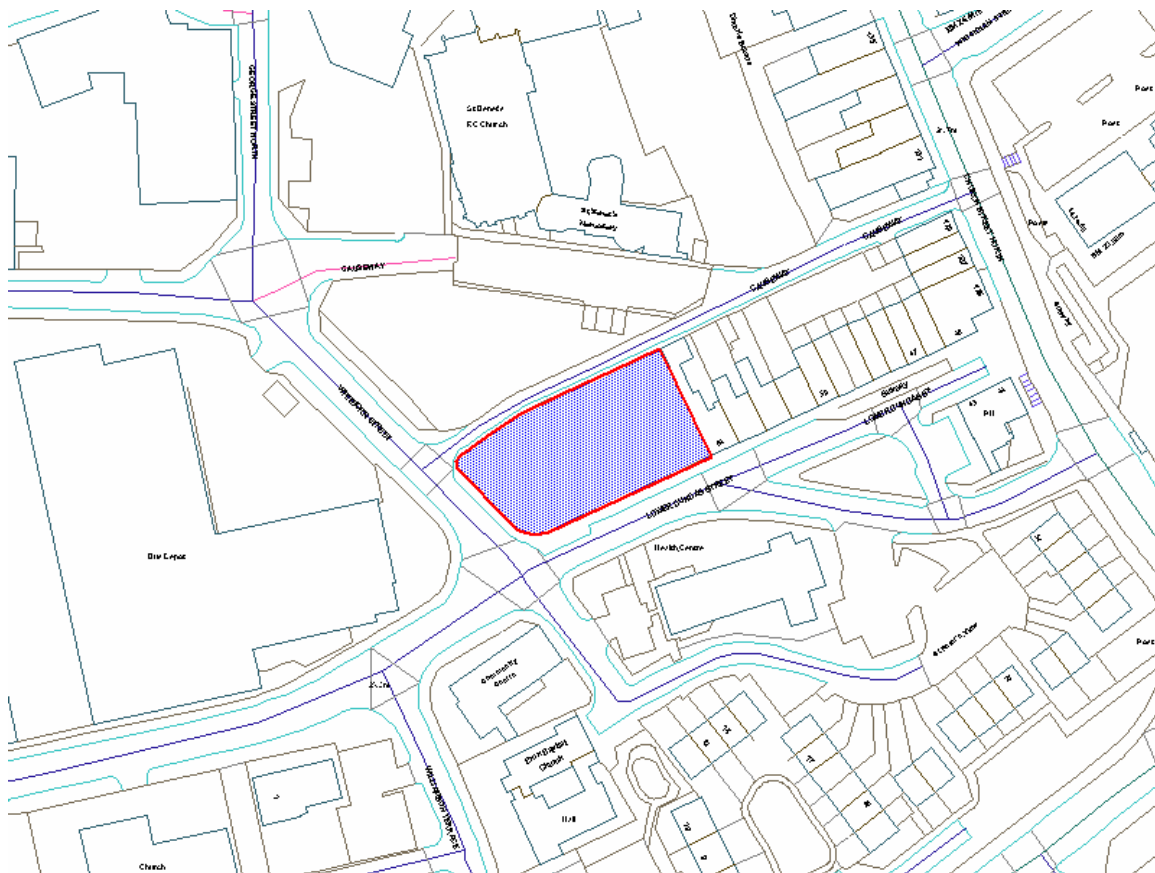
Reference No.: 10/04017/FUL Full Application

Proposal: **Erection of a three storey student accommodation building and associated access and car parking**

Location: Site Of 55 To 59 Dundas Street Sunderland

Ward: St Peters
Applicant: Leah Properties Limited
Date Valid: 21 December 2010
Target Date: 22 March 2011

Location Plan



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PROPOSAL:

The proposal is for the erection of a 3 storey student accommodation block with associated access and the provision of 12 car parking spaces with cycle and refuse store on the site of 55 to 59 Dundas Street. The proposal will create a total of 55 bedrooms over the three floors and be arranged with 17 bedrooms on ground floor level and 19 at both first and second floor levels. The proposal will

have an external footprint of 716m² and internal floor area of 2010m² on a site of approximately 0.135 hectares.

The proposed building will occupy two third of the site and be situated close up to the southern boundary with parking located to the rear.

NOTE: The student accommodation currently being applied for is classified as Sui Generis use. Such uses do not benefit from the usual permitted moves between classes of a similar nature, as is currently possible between dwelling houses (Use Class C3) and houses in multiple occupation (Use Class C4). In this regard should the current application be granted consent, then planning permission would be required should the owner wish to change the use of the building in the future.

South East Elevation

The main entrance to the building will be via the south-east (Lower Dundas Street) elevation with a secondary access located within the north-west elevation. The proposed south-east elevation will measure approximately 36.8m and incorporate two book-end features at either end. A series of uniformed window openings are proposed across the whole of this elevation.

North-West Elevation

The north-west elevation of the proposed building will measure approximately 36.8m with a centrally located rear access and uniformed fenestration arrangement.

The main body of the roof will slope from north to south reflecting the gradient of the site and be lower than the height of the book-ends which will have a fall from west to east.

Materials

In respect of the front and rear elevations it is proposed that the external material schedule will include red coloured facing brick at ground floor level, through colour white render at first and second floor level with aluminium framed curtain walling system, stone windows surrounds and aluminium window and door systems.

Note - The materials named on the external schedule may however be subject to change should consent be forthcoming and as such a condition would be imposed which would require such information to be submitted for consideration prior to development commencing on site.

North-East Elevation

The north-east elevation will comprise of one of the two book-end features of the building and measure 16.7m. Within this elevation will be windows serving the lounge / kitchen areas of the student units along with an emergency fire escape door at ground floor level.

South-West Elevation

The south-west elevation of the building will measure approximately 16.5m and have windows positioned at ground, first and second floor levels along with a second emergency fire escape door at ground floor level.

Materials

With reference to both the north-east and south-west external elevation treatment it is proposed that at ground floor the building will appear as red facing brick with through colour white render at first and second floor levels. The window treatment will be the same as that proposed for both the front and rear elevations.

General Arrangement

The site is a rectangular shaped parcel of land, occupying a corner site within an area which is made up of commercial and residential units. The proposed building has been positioned so as to respect the building line of existing properties to the east as well as taking account of the physical constraints of the site. 12 parking spaces (which includes one disabled bay) are proposed to extend along the northern boundary of the site with access to be taken from the rear lane. A bin store is proposed immediately outside the north-west elevation access door with a bicycle store proposed in between the north-east corner of the building and parking bay 1. A small parcel of planting is proposed around the north-west corner of the site.

Ground Floor:- The ground floor of the proposed development will house a ground floor lobby, common room, laundry, plant room, four lounge / kitchen areas to be located at the four corners of the building with 17 student bedrooms sub divided into four unit areas (units1-4).

First Floor:- At first floor level the development will accommodate four kitchen / lounge areas, again positioned at either corner of the building, with 19 student bedrooms sub-divided into four unit areas (units 5-8) all connected to the upper and lower levels by a centrally located stairwell and lift.

Second Floor:- The second floor arrangement will be the same as that proposed at first floor level.

Site

The site is rectangular in shape and covers an area of approximately 0.135 hectares. At present the site is an overgrown parcel of grassland that does not appear to have been maintained for some time. Beyond the northern boundary of the site is St Bennets Church whilst to the south is a single storey medical practice with two storey residential dwellings beyond. Immediately to the east of the site is a terrace of two storey properties that are or have been in commercial and residential use, whilst to the west is a large scale operational bus depot.

Notification Procedure

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

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

County Archaeologist
Steet Scene (Environmental Service)
Fire Prevention Officer
North Gas Networks
Force Planning And Police Architectural Liaison Officer
City Services - Transportation
English Heritage

Final Date for Receipt of Representations: **31.01.2011**

REPRESENTATIONS:

Three letters/e-mails of objection and one letter/e-mail of support have been received. Full details and justification of the representation will be set out in a 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
B_14_Development in areas of potential archaeological importance
NA_43_Encourage the revitalisation of the environment in Monkwearmouth Improvement Area
NA_47_Environmental improvements around St.Benet's Church, including redevelopment

COMMENTS:

The application is currently pending further consideration and it is therefore anticipated that a detailed assessment of the proposal along with all representations will be made on a supplement report.

RECOMMENDATION: Deputy Chief Executive to Report

ITEMS FOR INFORMATION

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

| APPLICATION NUMBER AND WARD | | ADDRESS | APPLICANT/DESCRIPTION | DATE SITE VISIT REQUESTED | LAST ON AGENDA | COMMENTS |
|-----------------------------|-------------------------------|--|--|---------------------------|----------------|-------------------------------|
| 1 | 10/03918/FUL Southwick | Jennings Riverside Road Sunderland SR5 3JG | Terrace Hill LTD And Sainsbury's Supermarkets LTD The erection of a foodstore (class A1 Retail) with associated petrol filling station, parking, servicing, trolley bays, recycling facilities, new access road and hard and soft landscaping. | N/A | N/A | Pending Consideration |
| 2 | 10/04046/FUL Southwick | Dixon Peugeot Newcastle Road Sunderland SR5 1JS | Addison Motors Ltd Development of site to provide two car showrooms with associated facilities and car parking, including stopping up of public highway (amended description) | N/A | N/A | Pending Further Consideration |

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| | | | | | | |
|---|--------------------------------|---|---|-----|-----|-------------------------------|
| 3 | 10/04073/EXT1 Southwick | Former Austin Pickersgill Office Low Southwick Sunderland | Dulay Limited Application for a new planning permission to replace an extant planning permission (05/04697/SUB & 07/04768/VAR) in order to extend the time limit for implementation. | N/A | N/A | Pending Further Consideration |
| 4 | 11/00271/EXT1 Southwick | Land Adjacent To Riverside Road Sunderland | Harrison Properties Ltd Application for a new planning permission to replace an extant planning permission 08/00785/FUL (Redevelopment of a disused haulage yard for use as 21 industrial starter units (Use Class B2 and B8) | N/A | N/A | Pending Further Consideration |

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| | | | | | | |
|---|----------------------------|---|---|-----|-----|----------------------------------|
| 5 | 11/00288/FUL Castle | Land Bounded By North Hylton Road Castletown Way Riverbank Road Southwick Industrial Estate Sunderland | Verum Victum Limited And Penmarric Plc Proposed new local centre development comprising foodstore (class A1), retail units (class A1), commercial units (class A1-A5), offices / non residential institutions (class B1a / D1) and restaurant (class A3 / A5) : associated parking, landscaping, servicing and access arrangements. | N/A | N/A | Pending Further Consideration |
|---|----------------------------|---|---|-----|-----|----------------------------------|

Appeals Determined North Sunderland

Between 01/01/2011 and 31/01/2011

| Team | Ref No | ADDRESS | Descriptio | Appeal Decision | Date of Decision |
|------|--------|---------|------------|-----------------|------------------|
|------|--------|---------|------------|-----------------|------------------|

N

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|--------------|--|--|--------|------------|
| 10/00029/REF | 116 Brandling Street Sunderland SR6 0LL | Change of use from hairdressers (use class A1) to 1no. residential dwelling (use class C3), including replacement of shop front with domestic frontage. | DISMIS | 18/01/2011 |
|--------------|--|--|--------|------------|



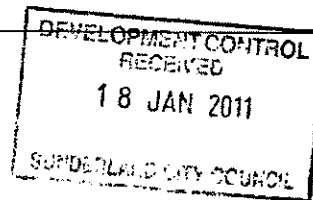
Appeal Decision

Site visit made on 20 December 2010

by John L Gray DipArch MSc Registered Architect

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

Decision date: 18 January 2011



Appeal Ref. APP/J4525/A/10/2137416

116 Brandling Street, Roker, Sunderland, SR6 0LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr James Atkinson against the decision of Sunderland City Council.
- The application, ref. 10/02344/FUL, dated 8 July 2010, was refused by notice dated 2 September 2010.
- The development proposed is the change of use from a shop to a dwelling including the removal of the shopfront and alterations to the building.

Decision: I dismiss the appeal.

Main issue

1. There is no objection to the proposed external alterations to the building. The main issue is whether the proposed dwelling would offer an appropriate level of amenity in relation to room sizes, the absence of external open space and the likelihood of noise and disturbance from the adjoining commercial garage.

Reasons

2. The living room scales about 3.7m x 3.3m, 12.2sqm. That is not necessarily too small but suffers the disadvantage of the front door opening directly into it off the street. The kitchen area scales about 2.4m x 1.8m, 4.3sqm, which is very small but could work as an alcove off the living room. There appears, however, to be no prospect of effective extraction/ventilation from the kitchen area, which could be to the detriment of the living room. The bedroom scales 3.3m deep and varies from 4.5m wide at the back of the room (including the fixed wardrobe) to just 2.0m at the front, where the proposed bin store eats into the space. The floor area is around 10.2sqm but, as planned, it is difficult to see how it could be used effectively, especially with a double bed. The shower room varies between 1.6m and 1.7m wide; with the shower occupying half of that, it could not really be narrower. Its window looks on to the adjacent property but did so when the shop was in use and, subject to ventilation, the proposed use need not cause any new problem. All things considered, I find the internal layout on the borderline of adequacy.
3. There is no private external space with the proposed dwelling. The question of bin storage space has been resolved by a self-contained internal space which ought to be acceptable if provided with ventilation through and/or above its external door. There would, though, be no external space for the enjoyment of the occupiers or for practical purposes such as hanging out washing. This counts against the proposal, though perhaps not itself a compelling objection.

4. Lastly, there is the neighbouring commercial garage. I noted at my site visit that there appeared to be office or storage space for the garage between the working area and the proposed dwelling. That, however, would be unlikely to act as an appropriate baffle for all noise from works on vehicles, especially as some would likely be structure-borne. It may also be that noise and disturbance would largely be restricted to normal working hours, giving reasonable peace and quiet in the evenings and on Sundays; that, however, cannot be assured.
5. In conclusion, I find that it is a combination of things – the relatively small and cramped nature of the internal layout, its limited outlook (in effect, a single aspect), the lack of any private open space to the front or rear and the potential for noise and disturbance from the neighbouring garage – that renders this a proposal that would fail to offer potential occupiers an acceptable standard of living conditions. That puts the proposal in conflict with the thrust of saved UDP Policy H18 and the adopted supplementary guidance.
6. I note the references to shared water supply and drainage but these are matters capable, one way or another, of technical resolution. Neither they nor any other matters raised in the representations, for or against the proposal, can influence or outweigh my conclusion on the main issue.

John L Gray

Inspector