

## **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.

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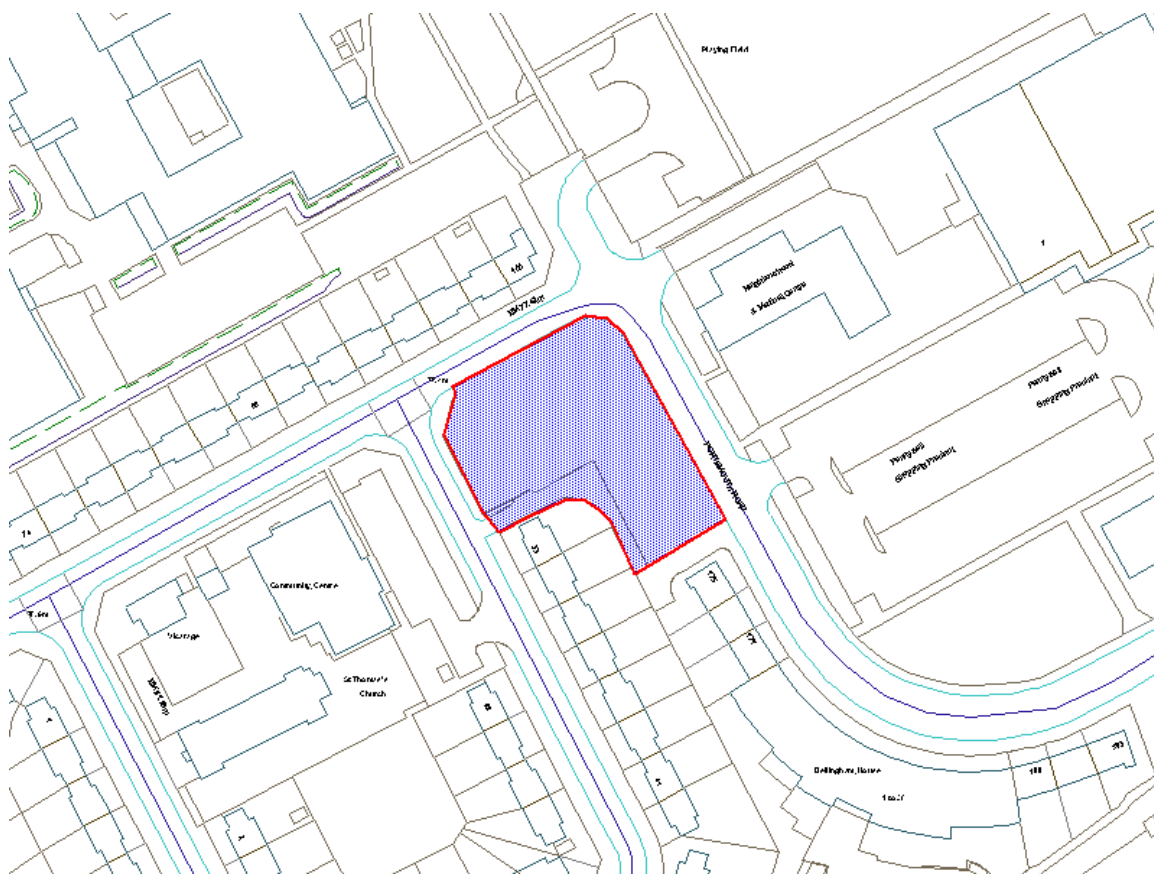
Reference No.: 08/03827/FUL Full Application

**Proposal:** **Erection of 16 Residential Units with associated parking and landscaping with stopping up of highway and change of use to private residential. (amended description).**

**Location:** Site Of Former Eagle Public House Portsmouth Road  
Pennywell Sunderland,

**Ward:** St Annes  
**Applicant:** Blue Sky Limited  
**Date Valid:** 9 February 2009  
**Target Date:** 6 April 2009

### Location Plan



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### PROPOSAL:

Members may recall that in January 2008 an application was presented before the Committee for the erection of 13 residential units. At the meeting Members resolved to approve the application subject to the signing of a Section 106 Agreement in respect of childrens equipped play, which was signed in advance of

the target date for the application and permission was subsequently granted on 30 January 2008.

The current application relates to the erection of 16no. two storey residential units with associated access, parking and landscaping with stopping up of highway and change of use to private residential.

The 16no. units will comprise of 4no. two bedroom dwellings, 8no. three bedroom dwellings and 4no. two bedroom apartments. The units will be arranged in an L shape formation concentrated along the northern and eastern boundaries of the site with the apartment block positioned on the north-east corner. The 5no.units proposed along the northern boundary will be terraced, two storey in scale and incorporate a pitched roof. The front elevations will be set back between 5.2-5.5m from the footway (Parkhurst Road) and be enclosed by a 1m high timber fence. The 7no.units proposed along Portsmouth Road will be two storey in height, be of a pitched roof design and be set back from the footway by between 3.7-4.2m. These units will also incorporate small garden areas to the front and rear being enclosed to the front by a 1m high timber fencing, whilst to the rear will be 1.8m fencing with trellis. To the rear of each of the dwelling houses will be a small garden area with refuse store which is proposed to be screened by a 1.2m high fence. The refuse store that will serve the apartment block is centrally located within the site to the rear of the existing unit 53 Petersfield Road.

Vehicular access to the site is via Petersfield Road with 16no. parking spaces are proposed within the site. The spaces (16no.) will be arranged predominantly within a parking court, with 2no. visitor spaces proposed on the southern boundary. Small areas of landscaping are along the western boundary and to the front of the apartment block.

The buildings have been arranged so as to reinforce the existing street pattern and create a safe environment by providing principle rooms/windows that front onto the street as well as overlook the car parking court within the site.

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

#### **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Director Of Community And Cultural Services  
Director Of Childrens Services  
Northumbrian Water  
Force Planning And Police Architectural Liaison Officer  
Director Of Community And Cultural Services  
Director Of Childrens Services  
Northumbrian Water  
Force Planning And Police Architectural Liaison Officer

Final Date for Receipt of Representations: **09.03.2009**

## **REPRESENTATIONS:**

Environmental Health - No comments have been made in respect of this application.

Landscape and Reclamation - Details of the planting to the front and rear of the dwellings is requested.

Third Party Representation

No objections have been received.

## **POLICIES:**

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

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

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

## **COMMENTS:**

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

The suitability of the site for residential development.

The acceptability of the siting, design, scale and massing of the proposed development.

The impact of the development on the surrounding residential area.

Traffic, parking and access implications.

Policy

The application site is subject to the provisions of UDP policy:- EN10, B2, H21 and T14. In addition, regard must also be had to Section 10C of the Residential Design Guide Supplementary Planning Document.

UDP policy EN10 states that that all proposals for new development will be judged in accordance with the policies and proposals of the plan. Where the plan does not indicate any proposals for change, the existing pattern of land use is intended to remain; proposals for development in such areas are required to be compatible with the principal land use of the neighbourhood. In this regard the area surrounding the application is predominantly in residential use and as such the current proposal is considered to accord with this land use policy.

Policy B2 is concerned with the design, size, siting and scale of new developments. These must be in keeping with the character of the surrounding

built form. Policy H21 seeks to ensure that a satisfactory level of amenity (open space) is provided within a site to enable children to play and to create an attractive living environment. Issues regarding the proposed design and scale of the development are discussed below. In respect of policy H21 given the constraints of the site the applicant has chosen to enter into a Section 106 legal agreement in respect of the provision of off site play equipment. Details of the agreement are contained below.

The final UDP policy to consider is T14. This policy seeks to ensure that all forms of new development must be readily accessible by pedestrians/cyclists, not cause traffic congestion or highway safety problems, make appropriate provision for safe access and egress and indicate how parking requirements will be accommodated.

In addition, Section 10C of the Residential Design Guide SPD sets out the spacing requirements that dwellings must adhere to depending upon the position of primary and secondary windows within the elevation. Whilst the standards are to be applied rigorously in relation to proposed and existing dwellings, flexibility may be exercised within a development where imaginative designs are proposed.

In conclusion it is considered that the proposal is acceptable in land use policy terms, the principle having already been established on the site following the previous approval for residential development on the site and given that the proposal is compatible with the principal use of the neighbourhood (housing and commercial uses). Therefore the proposed development meets the provisions of policy EN10. The outstanding detailed policy requirements relating to design and highway requirements are set out below.

## Design

Design and Access Statement - Whilst it is acknowledged that the statement does not specifically justify the 3 additional units it is considered that given the previous consent on the site for 13 units, the proposed increase to 16 units is minimal and can be satisfactorily accommodated on the site given the character of the surrounding built form.

Layout - The proposed layout will continue the existing building line of Portsmouth Road and introduce a feature that will turn the corner onto Parkhurst Road, again continuing the established building line of the street. This is considered to be a positive approach and introduces an interesting feature at the corner of the development.

Access - The vehicular access point to the development is proposed from Petersfield Road with parking situated to the rear of the development. This design solution is considered to be a welcomed approach to incurtilage parking as it will concentrate resident parking within the development away from the main streetscenes. Whilst an area, or areas, of open space within the rear courtyard would have been a welcomed addition it is accepted that there is already an under provision of visitor parking associated with the development and such additions would have further reduced the amount of space available for parking. In addition, the future maintenance of such areas can prove problematic when the parcels of open space are not owned by any one individual and therefore it is considered that the omission of such spaces is acceptable in this instance.

Elevations - The materials palette proposed, buff brick with red and grey Marley roof tiles, are considered to be very basic which benefit from the addition of timber cladding between ground floor and first floor windows (on the rear elevation of the two bedroom units, the front elevation of the three bedroom units and to both the front and rear of the apartment block) as this aids in breaking up the elevations and adds visual interest to the units. Whilst high quality materials would have been preferred given the character and make up of the surrounding built form it is not considered appropriate in this location. Full details of all external materials will however be required to be submitted before development commences on site, should consent be granted.

Sustainability - Within the Design and Access Statement it is stated that the proposal aims to achieve level 3 of the Code for Sustainable Homes. Limited information has been provided in this regard and therefore should permission be granted a condition requiring further details, of the sustainability methods to be employed, will be attached to the consent.

Conclusion - To conclude the urban design observations, it is considered that whilst there are weaknesses in the supporting documentation and a higher quality scheme would be preferable there are mitigating factors that support the development as proposed, namely the character of the surrounding built form. As such the proposal is considered to be acceptable from an urban design perspective, thus according with UDP policy B2.

#### Residential Amenity

Section 10C of the Residential Design Guide Supplementary Planning Document sets down the minimum spacing requirements that development must adhere to in order to ensure that the development maintains and creates acceptable levels of privacy, outlook and light (both daylight and sunlight) for existing and future residents. Whilst the standards are concentrated on suburban estate developments there is recognition that rigid adherence to spacing standards can stifle creativity in design and as such the Council encourages imaginative design solutions and in doing so, on occasions, will accept the need for flexibility around the standards.

In this regard the proposed development has been laid out taking full account of the relationship between existing and proposed dwellings both in terms of the established building lines and minimum spacing standards. With regard to the latter the proposal maintains a minimum distance of 21m between main elevations of existing and proposed dwellings with no such issue within the site between proposed dwellings given the orientation of the units in an L shape. As such the proposal is considered to be in accordance with Section 10C of this SPD.

#### Highways

Stopping Up - The site layout indicates that there is to be a parking area to the rear of the proposed dwellings. The area to the north of No.53 Petersfield Road is classified as public highway and as such the proposed development requires a

stopping up under Section 247 of the Town and Country Planning Act. In this regard the application has been advertised as requiring a Stopping Up.

Car Parking - The development proposes that all resident parking will be accommodated within the courtyard area to the rear with an additional 2no.parking bays proposed to the side and rear of No.171-175 Portsmouth Road. The area serving these proposed parking bays is not an adopted public highway and there may be an issue in the future in relation to right of access over private land which is in third party ownership. Clarification has been requested from the applicant and a response is awaited.

The parking bays as proposed within the courtyard measure 4.8m x 2.4m whilst the longitudinal bays to the north of No.53 Petersfield Road measure 6m x 2.4m. A 6m wide carriageway is proposed to the rear of the units which will serve the parking bays. The location and size of these spaces adhere to the requirements of the transportation section.

Visitor Parking - The scheme as submitted proposes 2 visitor parking spaces within the curtilage of the site. This falls short of the visitor parking requirement of one bay per three dwellings and as such the proposal is deficient in visitor parking by 3 spaces. In this regard it is suggested that if a pedestrian refuge be proposed on Portsmouth Road then this would mitigate against the shortfall in visitor parking as it would provide a pedestrian link between the residential units and the public car park to the east. A further mitigating factor is considered to be the fact that Petersfield Road is 6.2m wide, which could adequately accommodate any visitor parking in connection with the development. The requirement for a pedestrian refuge has been put to the applicant and he has confirmed that this would be an acceptable solution to the current shortfall.

Communal Bin Store - The communal bin store is proposed to the rear of three centrally located parking bays, however bin collection is normally taken from the edge of the public highway therefore information is required to demonstrate the arrangements that will need to be made for the collection of refuse (either by residents or by a management company). This issue was raised with the applicant who has confirmed that the units will be retained and let as affordable housing with a management company employed to deal with issue such as refuse collection.

Outstanding Highway Issue - Whilst the requirement for a stopping up has been established and the size and siting of the parking bays accepted there remains an outstanding issue that require further clarification. The issue relates to the need to identify which parking bay belongs to which residential unit as at present some of the bays appear to be remote from the unit which they may be expected to serve. This information has been requested and a revised plan is awaited. It is anticipated that this information will be made available in advance of the Committee meeting and will therefore be reported in either a supplement or report for circulation.

#### S106 Agreement

As the proposal involves 16no.units, which are to have 2no. bedrooms or more, there is a requirement under policy H21 for the provision of formal equipped play/open space. Due to the nature and constraints of the site it would be more

appropriate in this instance for the developer to make a financial contribution to the sum of £10,880 (16 x £680) towards amenity open space/formal equipped play space on a nearby site through a Section 106 Agreement. It is anticipated that the money will be spent at either Portsmouth Road play area or King George V play area.

## Conclusion

In conclusion it is considered that whilst the principle of the development has already been established and the design and layout of the scheme accepted for the location, there remains one outstanding highway issue that requires further clarification before a favourable recommendation can be made. As such it is anticipated that a supplement report will be prepared which addresses these issues.

**RECOMMENDATION: Director of Development and Regeneration to Report**



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Reference No.: 08/04526/FUL Full Application

**Proposal:** **Erection of a industrial building and installation of 9MW biomass plant to generate electricity from reclaimed timber.**

**Location:** Land At Hudson Dock East Barrack Street Sunderland, ,

**Ward:** Hendon

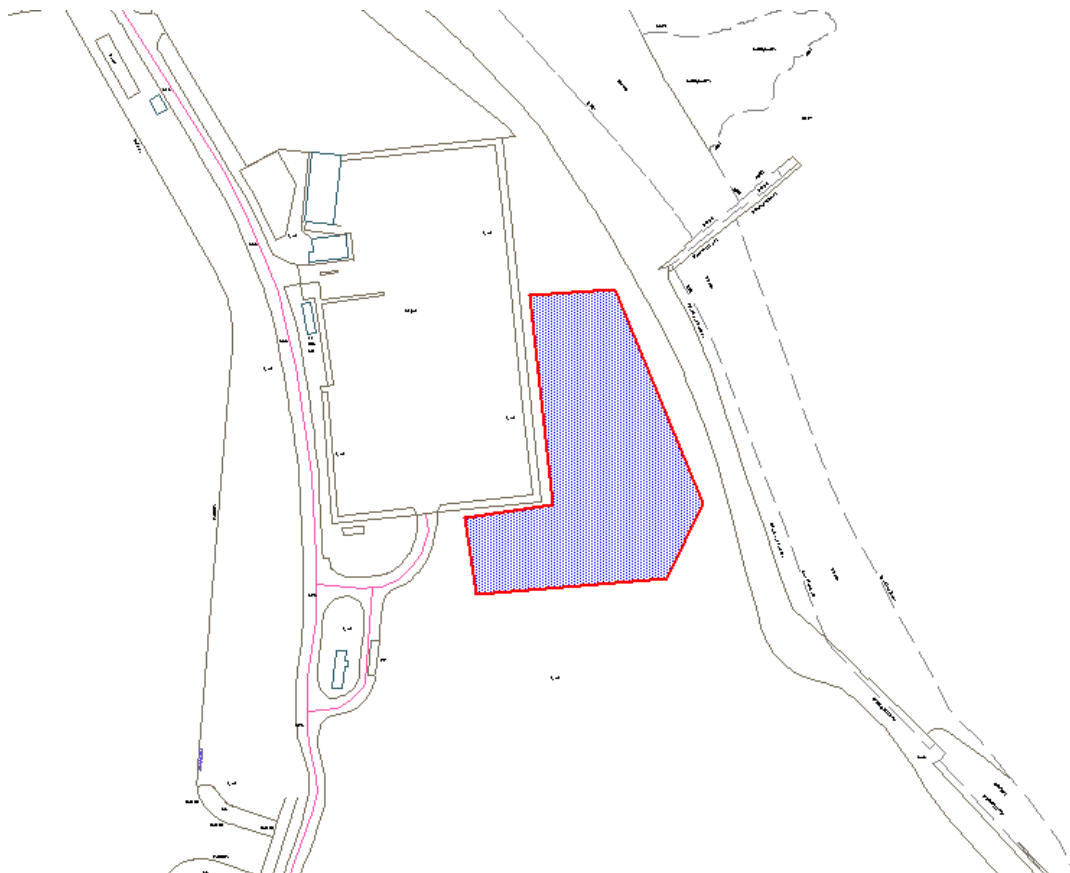
**Applicant:** Sunrise Renewables Ltd

**Date Valid:** 30 January 2009

**Target Date:** 27 March 2009

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### Location Plan



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### PROPOSAL:

Proposal is for the erection of an industrial building and installation of 9MW Biomass Plant to generate electricity from reclaimed timber on land at Hudson Dock, East Barrack Street, Sunderland.

The proposal site is 0.97 hectares in area and has been recently cleared. The Biomass Plant (BP) is located on existing industrial land at Hudson Dock. The BP

will provide a local source of renewable energy and the submitted planning statement explains that the site will be available by appointment to members of the public and educational bodies to view the facility and enhance public knowledge of recycling and biomass energy production.

The submitted Design and Access Statement (DAS) explains that the BP by using pyrolysers (a machine which makes a complex chemical substance decompose into simpler substances via heat energy) enables energy to be generated from waste wood that would otherwise be taken to landfill or burnt in the open on garden bonfires or demolition sites. The plant provides a facility to process fuel with minimal emissions and produce sustainable electricity (9MW capacity). It is anticipated that the electricity generated from this plant will be generated from up to 72,000 tonnes of wood per annum. This timber will originate from local recycling schemes under a fuel agreement. It is asserted by the agent that sufficient energy will be produced to power approximately 22,000 homes throughout the national grid.

Section 9.0 of the submitted Planning Statement explains that the applicant is aiming to unload a minimum of 20,000 tonnes of wood by boat at the dock facility, which will save over 1,333 vehicle movements over the year and represents around 28% of the wood that will be delivered. This is likely to reduce the weekly input by road by 385 tonnes, i.e. 20 - 25 vehicle movements per week. Over the entire year the inputs by road are expected to be between 50 -67 loads per week, i.e. 10 - 13 per day for a 5 day week.

The planning statement proposes that the BP will be operated during the following hours for the receipt of fuel and all other external operations, otherwise the plant will operate as a 24 hour process within the building:

Monday - Friday: 07:00 - 19:00

Saturday: 07:00 - 19:00

Sunday/Bank/Public Holidays: 08:00 - 16:00

The BP will operate and provide electricity to the National Grid for 24 hours per day. It is proposed that entrance gates will be closed upon the cessation of daily operations to ensure that there is no unauthorised access. The DAS states that the site will be manned 24 hours a day so additional security is not necessary.

The planning application was submitted with an Archaeology Desk Top Study, Planning Statement, DAS, Planning Application Waste Audit and Facilities Strategy, Environmental Noise Survey, Groundsure Environmental Data Report, Summary Flood Risk Assessment, Air Quality Assessment and Policy Review.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

#### **CONSULTEES:**

Port Manager

Environment Agency  
ARC  
Director Of Community And Cultural Services  
Health & Safety Executive  
Northumbrian Water

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

## **REPRESENTATIONS:**

Neighbours

No letters of representation have been received.

Environment Agency (EA)

The EA object to the application in the absence of any evidence to demonstrate that the flood risk Sequential and Exception Tests have been applied. The application site lies partially within Flood Zone 2 and 3, defined by Planning Policy Statement (PPS) 25 as having a medium to high probability of flooding. Paragraph D5 of PPS25 requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a 'Sequential Test'. Currently no satisfactory evidence has been demonstrated to indicate that this test has been carried out.

However, the EA has stated that should the above objection be resolved then the proposal will be considered acceptable subject to the imposition of relevant conditions. These conditions relate to the development being carried out in accordance with the approved Flood Risk Assessment (document ref. SRS-J v.1.1) and that development does not commence until a scheme for the safe emergency evacuation of the site has been submitted to and approved by the Local Planning Authority in consultation with the Emergency Services.

Health & Safety Executive (H&SE)

H&SE does not advise, on safety grounds, against the granting of planning permission.

## **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  
EN\_13\_Requirements for development within the defined coastal zone  
SA\_3\_Development of Doxford International  
EC\_2\_Supply of land and premises for economic development purposes  
EC\_4\_Retention and improvement of existing business and industrial land  
EC\_15\_Development or extension of bad neighbour uses  
SA\_33\_Development within the coastal zone

## COMMENTS:

The key issues to consider in relation to this application are:

- Planning Policy Considerations
- Residential Amenity Considerations
- Design Considerations
- Highway Considerations

### Planning Policy Considerations

- Local Planning Policy

The proposal site is located on the eastern side of the Port. The Port incorporates a large area of mostly reclaimed land east of Central Sunderland (as defined on Unitary Development Plan (UDP) Alteration No.2).

Alteration No. 2 Policy SA6A.2 refers to redevelopment within the wider area of The Port for "employment generating purposes". There is no specific guidance on appropriate land uses. There is a modest 'employment generating' element associated with this scheme (i.e. up to a minimum of 7 jobs on site) and further at local waste sources which will be created. Therefore it is considered that the proposal is in accordance with Policy SA6A.2.

- National Planning Policy

Furthermore, Planning Policy Statement (PPS) 22: Renewable Energy states that increased development of renewable energy resources is vital as it contributes to the delivery of the Government commitments on both climate change and renewable energy. Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.

PPS 22 also goes on to state that the wider environmental and economic benefits of all proposals for renewable energy projects (of which Biomass is one) are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.

Nevertheless, development proposals of this type should demonstrate the environmental, economic and social benefits, whilst also demonstrating how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures. In this respect the proposal ensures that the social impacts have been minimised by its discrete isolated location far from the surrounding residential areas, whilst the developer has stated efforts will be continuously made to prevent noticeable levels of air and noise pollution. Furthermore, the proposal satisfies environmental impacts through the generation of carbon-free electricity, whilst being built on Previously Developed Land (PDL).

- Regional Planning Policy

Policy 3.1c of the RSS (Regional Spatial Strategy) requires local authorities to increase their 'renewable energy capacities' in an effort to contribute towards

reducing UK Carbon Emissions by 60% by 2050. However, notwithstanding the significant weight that must be attributed to Climate Change benefits, it is also important to consider its overall feasibility.

In this regard Policy 40 of the RSS sets out criteria on which to assess renewable energy proposals, the criteria range from visual impacts to the effect on nature conservation sites and features, biodiversity and geodiversity, effects on Green Belt and World Heritage Sites. Given that the proposal would be located in the Port many of the criteria do not come into consideration. However, since significant proportion of the waste wood comes in by road, accessibility by road and potential affects on residential amenity needs to be considered. These are covered later in the report. Nevertheless, when assessing all the criteria contained in Policy 40 of the RSS it is considered that on balance the proposal is acceptable.

#### - Waste Management

Planning Policy Statement (PPS) 10: Planning for Sustainable Waste Management encourages the re-use of waste as an energy source, whilst the proposal is also allied with Key Principle 'a' of RSS Policy 45 (Sustainable Waste Management). Therefore due to the 'waste to energy' aspect of the proposal, i.e. the biomass (wood waste) being re-used to create energy rather than being sent to landfill, the proposal accords with national and regional planning guidance.

Therefore in conclusion the proposal is considered to be acceptable in policy terms subject to conditions which require an agreement of the flood emergency evacuation plan and suitable lorry access route.

#### Residential Amenity Considerations

The residential amenity implications arising from the proposal are being given further consideration and it is anticipated that these deliberations will be made in time for the supplement report.

#### Design Considerations

The proposed BP will have a width of 45m and a length of 60m, with a maximum height to the ridge of 14.08m (9.97m to the eaves). It is recognised that the size of the building is substantial. However, given its low lying location adjacent to the shore line it is considered that this suitably mitigates the visual incursion of the development. Furthermore, there are other similar industrial buildings within The Port which are of similar size and form. Nevertheless, it is noted that the application and other similar buildings within The Port are visible from important public vantage points, such as Roker and Seaburn Beaches. Consequently, if Members are minded to approve, it is considered appropriate to incorporate a planning condition requiring the submission and agreement of materials, including their colour, so as to limit the visual incursion of the development.

## Highway Considerations

The application site is located well within The Port. It is considered that in conjunction with the planning policy considerations of RSS Policy 40, i.e. the criteria used to assess renewable energy projects, and if Members are minded to approve the planning application, a condition should be attached to any permission which requires the agreement of the delivery vehicle route with the Local Planning Authority. Furthermore, it is also necessary for further plans to be submitted to ensure that the level and location of parking provided will meet current standards. Therefore and in recognition of the extensive nature of the site it is considered that if Members are minded to approve, it is appropriate to condition the requirement for the developer to agree in writing with the Local Planning Authority acceptable parking provision.

## CONCLUSION

It is considered that the proposal is acceptable from the perspective of planning policy, design and highway considerations. However, due to the Environment Agency objection and the need for further information in terms of the Sequential and Exception Tests, as laid out in PPS25, and in conjunction with the ongoing considerations of the residential amenity implications, it will be necessary to make a final recommendation on the application on a supplement report.

**RECOMMENDATION: Director of Development and Regeneration to Report**

3.

South  
Sunderland

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Reference No.: 08/04691/FUL Full Application

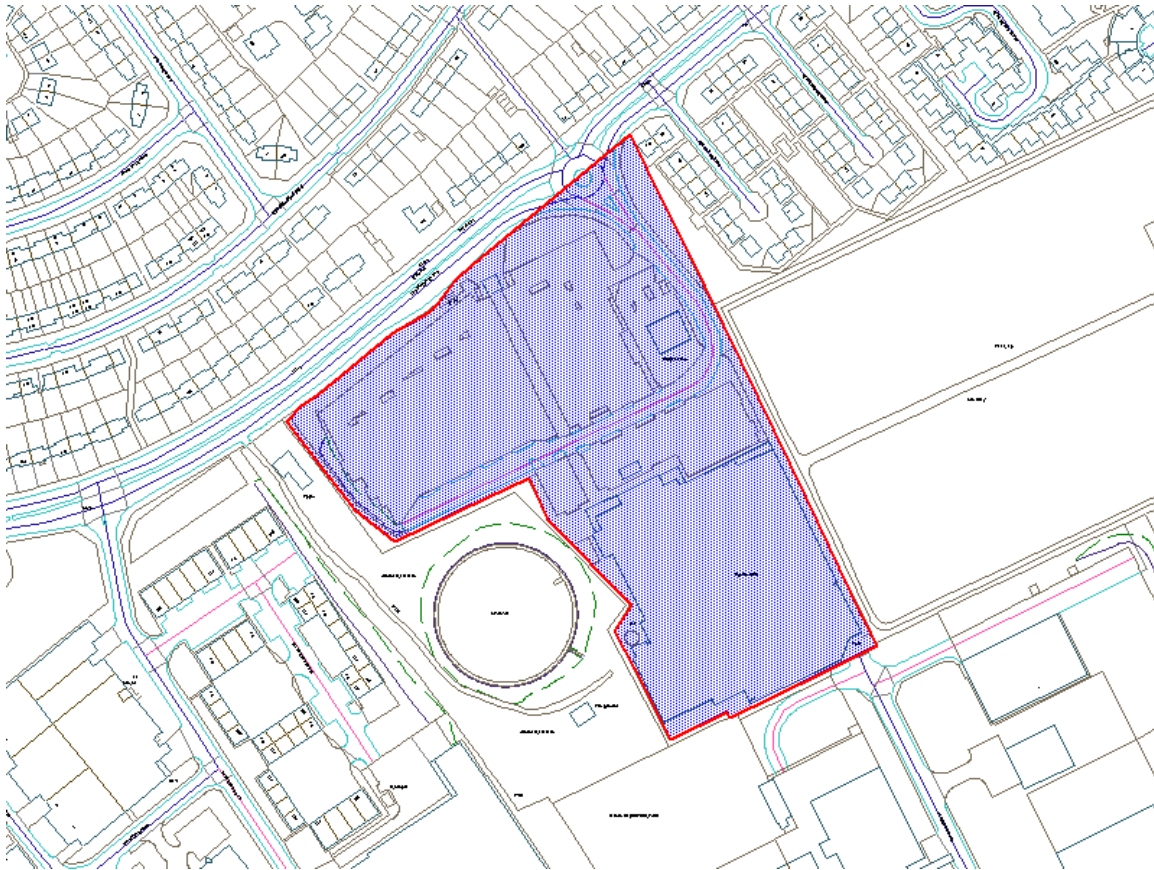
Proposal: **Installation of a mezzanine floor to the existing store.**

Location: Asda Superstore Leechmere Road Sunderland

Ward: Ryhope  
Applicant: Asda Stores Ltd  
Date Valid: 27 January 2009  
Target Date: 24 March 2009

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### Location Plan



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### PROPOSAL:

The proposal relates to the erection of an internal mezzanine floor within the existing Asda retail store at Leechmere and a small extension to the existing storage mezzanine with associated access facilities including travellators, lift and escape stairs. No external works are proposed other than the provision of an additional lift shaft and fire escape stairwell to the east elevation, however modifications may need to be made the existing car park but this is something that is currently being debated.

The proposed new mezzanine floor will provide an additional 15,500 sq.ft net of new retail floor space whilst the proposed extension to the existing storage mezzanine will provide a further 5,400 sq.ft of storage space.

Asda's existing store is in total 109,970 sq.ft gross, with a net sales area of 44,930 sq.ft. The proposed store will offer in total approximately 131,360 sq.ft gross with 59,500 sq.ft net sales area. The development is not large enough to have to comply with the Shopping Directive and will therefore not need to go to the Government Office for the North East.

The purpose of the installation is to increase the sales area for non food goods as well as improving and enhancing the environment of the store.

The application is accompanied by a Design & Access Statement, Planning & Retail Statement, Transport Assessment and Statement of Community Involvement and has been advertised accordingly by way of site press and neighbour notification.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Director Of Community And Cultural Services  
Northumbrian Water

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

#### **REPRESENTATIONS:**

Internal Representation

Environmental Services - In view of the close proximity of the proposed development to nearby residential premises it is recommended that noisy on-site operations should not commence before 07:00hrs and cease at or before 19:00hrs Monday to Friday inclusive, and 07:30 and 14:00 Saturdays. No noisy works shall be permitted to take place on Sundays or Bank Holidays at any time without prior approval from Environmental Services (Pollution Control). Approval will only be given for such working in exceptional circumstances for example on the grounds of safety and public protection.

Provision should be made for the reasonable prevention of dust generation. Where this is not possible adequate dust suppression management should be applied. As such a suitable and constant supply of water (mains supply of water bowsers in sufficient numbers) adequate for dust suppression purposes must be provided to the site.



Dust suppression by water should use a dispersal point close to the position of dust generation in order to be more effective in both dust suppression and minimising the volume of water used, and thus run-off.

Adult Services - No objection to the proposal.

Third Party Representation

3 letters of objection have been received. (See main 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

SA\_1\_Retention and improvement of existing employment site

SA\_3\_Development of Doxford International

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

## **COMMENTS:**

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

The suitability of the proposal in the context of national and local planning policy.  
The demonstration of need and impact of the proposal on other local retail centres.

The impact of the proposal on residential amenity.

Traffic, parking and access implications.

Policy

The proposal is subject to the following National and Local Planning Policies.

Planning Policy Statement 1 (PPS1)

PPS1 sets out the Governments main objectives for the planning system, which are in the main based on the principals of sustainable development. The Statement sets out the Governments commitment to develop strong, vibrant and sustainable communities that promote community cohesion in urban areas. In this regard Local Planning Authorities should seek to ensure that they have suitable locations available for industrial, commercial, retail, public sector, tourism and leisure developments that enable the economy to prosper.

In support of PPS1, policy S1 of the UDP aims to achieve a well balanced distribution of shopping facilities to meet future needs; it emphasises the need to locate development within existing shopping centres or elsewhere through the application of the sequential test. Shopping facilities should be accessible by a variety of modes of transport. Policy S2 identifies the range of main Town

Centres and Local Centres where shopping development should be focused.  
Note: policy S5 of the UDP was not saved as a development plan policy.

As an unallocated out of centre site, the proposal must be considered in the context of Planning Policy Statement 6. Chapter 3 of the guidance sets out the criteria for assessing retail proposals, namely:-

1. Assessing need
2. Identifying the appropriate scale of the development
3. Applying a sequential approach to site selection
4. Assessing impact
5. Ensuring locations are accessible

Furthermore, the guidance contains specific advice on the matter if extensions to existing development in out-of-centre locations, highlighting the requirement to carefully assess need (where additional classes of goods are proposed to be sold) and, in particular considering the impact on existing town centres.

The application is accompanied by a Planning and Retail Statement (P&RS) which addresses the issues highlighted in PPS6 in relation to assessing applications for extensions to existing development.

1. Assessing need

Quantitative Need - In line with PPS6 the P&RS highlights changes in population levels, forecast expenditure in comparison goods along with efficiency in floorspace as a baseline guide to need. The P&RS establishes that comparison expenditure will continue to rise within the catchment area from £247m to £294m by 2013, although it highlights that the population will continue to decline.

The P&RS highlights that the turnover of the proposed extension will only amount to 2.3% of available comparison goods expenditure in the Primary Catchment Area. The statement also indicates that the additional turnover (£6.9m) will be absorbed at the store through 'overtrading' and as such there should be no trade diverted from elsewhere.

Qualitative Need - This aspect relates to the improvement and enhancement of the overall shopping environment of the store.

In considering out-of-centre comparison goods development, the Council's 2006 Retail Study focuses on retail warehouses; it does not specifically refer to free-standing superstores. The Study concludes that there is no need for any additional retail warehouse floorspace throughout the City within the forecasting period i.e. to 2010.

The Retail Study indicated that whilst by 2010 there could be a need for approximately 4,800m<sup>2</sup> of additional comparison floorspace in non-central areas, existing commitments were in the region of 9,600m<sup>2</sup> and this effectively results in an 'oversupply' of comparison floorspace of 4,700m<sup>2</sup>. The Study concludes that should applications come forward, then these should be considered on their individual merits against the criteria of PPS6.

A new retail needs assessment is currently being carried out to inform the Local Development Framework and this will be reporting back in the near future.

## 2. Identifying the appropriate scale of the development

The proposed floorspace will increase the size of the store by approximately 34% (net). External changes to the physical appearance of the store will not be unduly excessive and development will take place within the footprint of the building.

## 3. Applying a sequential approach to site selection

Having considered the extent of the primary catchment area as documented in the statement it is considered that the P&RS tests only a very limited range of alternative sites; only district centres within Sunderland are considered. The advice contained in PPS6 suggested that other centres within the catchment should be examined for completeness, namely any available or suitable sites within Easington District.

In response to this issue Asda have prepared a statement which deals with this issue and conclude that based on the mapping programme used to produce the plan the postcode areas includes an entire postcode sector as opposed to individual areas within that sector. As such, the map includes centres such as Seaham, whereas in reality these could be excluded as it will only be the northern extent of the SR7 postcode that will attract customers as indeed both Seaham and Peterlee both have Asda stores that cater specifically for the needs of customers in the central and southern parts of the sector. In this regard Asda states that it is not in their interests to adversely affect the trading position of their existing stores and for this and the reasons stated above they do not consider it necessary to undertake a sequential test for sites in Easington.

In response to Asda's justification it is considered that the proposal accords with the sequential testing requirements of PPS6.

## 4. Assessing impact

PPS6 states that when considering extensions to existing development, the impact on existing town centres should be given particular weight, especially if new and additional classes of goods are proposed for sale.

The P&RS states that the actual level of trade diversion will be minimal as in the main the comparison goods will be purchased by customers who already shop at the Asda Leechmere store as the improved offer will not be so attractive as to attract those shoppers who will continue to use the City Centre for comparison purchases. This notion is justified by the information submitted which indicates the changes in transactions arising from extensions to other Asda stores around the country; the average increase being in the region of 4.5%. However it should be noted that those stores where mezzanine developments were introduced attracted a higher level of additional trade, between 5 & 10%, than those store where more conventional extensions took place (0.6% - 6.6%).

Paragraph 7.9 of the statement makes reference to the level of vacancies in the City Centre. The 2007 GOAD figure (14.5%) is highlighted as being marginally above the average UK vacancy rate of 9.2%. The Council's 2008 Annual Monitoring Report indicates that the level of vacancy is higher: 18% of units and 13% of floorspace, which is significantly above the national average. Since the preparation of the report, additional units have become vacant in the City Centre. In this regard it is important that the health of the City Centre is maintained and

that developments that could further affect its viability and vitality are carefully scrutinised, particularly in the light of the current economic climate and changes within the retailing industry.

When examining the effect on future investment, the emphasis in the P&RS is on the Vaux Brewery site, however it is unlikely that this proposal will affect this development given that it is a residential and employment led scheme. Of greater concern in this regard is the retail-led development on the Holmeside Triangle. The development of this site is a proposal in the adopted UDP Alteration for Central Sunderland (policy SA55A.1) and is a key element in the Council's strategy for the City Centre and it is vital that its implementation is secured. Guidance as set down in PPS6 refers specifically to the impact of proposed developments on existing centres and as such it is considered that the P&RS should provide detail in accordance with this requirement.

Whilst the proposal does not relate to a new retail destination, there are no significant comparison facilities elsewhere in this part of the City and it is therefore considered likely that the enhanced choice through the introduction of an expanded / enhanced range of goods will result in the store attracting additional customers over and above those who already use the convenience service.

In this regard Asda have supplied additional justification and information regarding the impact of the development on the Holmeside Triangle, in response to the above. The main points raised by Asda are that (1) their proposal does not relate to a new standalone foodstore unlike that proposed for the Holmeside Triangle, (2) Asda consider that retail space in Holmeside would be better served by the higher end niche comparison floorspace as this would complement the Council's aspirations for the area and (3) Asda's other format store 'Living' would not be viable in terms of the floorspace proposed, further Asda's George range is no longer pursued as standalone retail stores.

Turning to the wider aspirations for the City Centre, Asda state that they fully endorse and encourage regeneration and reinvestment in the City and do not consider that the proposals for the Leechmere store will prejudice these aspirations.

Again this information regarding assessing impact is accepted by the LPA.

#### 5. Ensuring locations are accessible

The issue of accessibility is not covered in the P&RS however the application is accompanied by a Transport Assessment (TA). From the TA it is apparent that the majority of the trips to the store will continue to be by private car, although the actual increase in car movements generated following the installation of the mezzanine floor is not predicted to be significant.

It is considered that the store is not well served by public transport, in particular bus routes, given that the TA claims only 4 buses per hour pass by the store. With regards to cycle parking the current makes no provision for such use however 20 cycle stands are proposed for customer use along with 10 spaces for staff use. A Travel Plan is proposed which will aim to heighten awareness of the public transport service.

In conclusion the P&RS submitted along with the additional supporting documentation addresses a range of issues highlighted in PPS6 and as such from a policy perspective the proposal is considered to be acceptable.

## Design

Design and Access Statement - The application has been accompanied by a D&A Statement, which describes the proposal in terms of context, amount, layout, scale, external appearance & landscape and access.

In terms of design and alteration to the appearance of the existing building given that the mezzanine floor will be contained fully within the building minimal changes are proposed. The works proposed relate solely to minor alterations to the external lift shaft and fire escape stairway.

Conclusion - To conclude this section given that all of the major works are to be contained within the existing building with no significant works proposed to the external appearance, the application raises no urban design concerns.

## Highways

### - Original Submission

From the information provided and observations made it is considered that the north-west corner of the car park is not fully utilised due to shortcomings in the layout i.e. the remoteness and long travel distance both from the store entrance and the site entrance.

Peak demand at the existing store already appears to be constrained by the availability of parking. There are 566 car parking spaces on site which, according to the assessment submitted, are approximately 77% full during peak trading hours. Allowing for the submitted assessment of 10.5% increase in use due to the extension, and the 3.3% increase in traffic at the design year, the car park would increase to 88% full. In this regard as there are already concerns over the layout of the car park and the utilisation of the spaces, it is likely that this level of usage would result in a risk of overspill parking being generated on the highway. Therefore it is recommended that the car parking layout is reviewed and additional spaces provided to accommodate the increase in traffic and/or rationalise its use.

The development will also undoubtedly lead to a rise in service vehicles accessing the site, however no assessment has been made on the suitability of the current access, or where the extra vehicles will be accommodated on site. Further information is therefore required as to the proposed servicing arrangements to avoid service/delivery vehicles being forced to wait on the highway to access the site.

Having regard to the above it is considered that in its current form the proposal fails to accord with policy T14 of the UDP.

- Revised Information

In response to the above the applicant has provided additional information which has been considered and the following highway observations are made.

- Car Park

The revised information would appear to agree with the Council's calculations on the current level of usage at the peak trading hour (77%). However the revised information has not dealt with the major concern that, when increased vehicle movements and traffic growth are factored in, the usage increases to 88%. It is therefore still considered that this, coupled with the poor layout of the existing car park, would result in overspill onto the highway.

This concern is further compounded by the comments from the store customer services manager that 'the only time the car park is near capacity is during the Christmas period'. If this is the case, an addition of 10.5% extra vehicles directly resulting from the extension and 3.3% from natural traffic growth would push the car park that is already 'near capacity', over it resulting in overspill onto the highway.

Whilst the relocation of staff parking to the north-west corner of the site may help the car park utilisation, no evidence base has been provided to demonstrate the number of spaces that this will 'free up', nor how they will be enforced. Therefore little weight can be attached to this argument.

In light of the above the view remains that the parking arrangements for the store are not sufficient.

- Service Vehicles

The revised information states that there will be no new deliveries to the store and that the existing deliveries are staggered to avoid more than one HGV being on site at any one time. However, from site observations it has been seen that the current arrangements for service vehicles are not acceptable.

There is frequently delivery vehicles parked on the grass verges surrounding the service entrance, as can be seen from site photographs and by looking at the damage caused to the verges. These vehicles tend to be the 'home delivery' vans rather than HGV's, but the increase in store area will no doubt lead to an increase in the use of these vehicles. To date these vehicles do not seem to have been considered but cause not only a highway safety concern, but also one of amenity to other users of the surrounding routes.

On the site visits undertaken by the highway officer it has been witnessed that HGV's park on the highway waiting to access the store while another is still being unloaded. Whilst it is acknowledge that this may be a rare occurrence, the road leading to the service entrance is not of a sufficient quality or layout to support waiting HGV's. Under normal practice it would be expected that a waiting area would be provided within the site boundaries for a store of this size.

Therefore in light of the above it is considered that the service arrangements for the store are not acceptable.

## - Conclusion

Having regard to all of the above it is considered the proposal in its current form is unacceptable and fails to comply with policy T14 of the UDP. The above comments have been forwarded to the applicant who will no doubt respond in due course. It is anticipated that further information will be made available in advance of the meeting and this will be documented in a supplement report.

## Representation

Three letters of objection have been received to date. The main grounds for opposing the development relate to unacceptable levels of noise and disturbance between the hours of 22:00 and 08:00, failure to accord with national and local planning policies in terms of retail need, quantitative & qualitative need, retail impact, sequential testing and accessibility and finally increased traffic resulting in congestion on the surrounding highway network. The concerns will be addressed as follows.

Unacceptable levels of noise and disturbance - In response to this concern Environmental Services (Pollution Control) have recommended that any grant of consent should be subject to a condition which restricts noisy on-site operations between the hours of 07:00hrs and 19:00hrs Monday to Friday and 07:30 to 14:00 Saturdays and at no time on a Sunday or Bank Holiday unless first agreed in writing by the Local Planning Authority and Environmental Services (Pollution Control). Approval for working outside of the restricted hours will only be given in exceptional circumstances. In this regard it is considered that such a condition would satisfactorily address this concern.

Failure to accord with policy - The issues raised with regards to compliance with Planning Policy Statement 6, namely retail need, quantitative & qualitative need, scale, retail impact, sequential test, scale and accessibility have not been taken into account. However in light of the Planning and Retail Statement submitted as part of the original application and additional supporting information provided in response to policy comments made to the P&RS it is not considered that this is a valid objection. A full justification of the policy position, which addresses these concerns, is contained at the beginning of this report.

Increased traffic resulting in congestion on the surrounding highway network - Following consultation with the highway engineer regarding this concern it has been confirmed that the proposed car park arrangements as existing are not suitable and therefore following the installation of the mezzanine floor there is a strong possibility that there will be an overspill of traffic onto the surrounding highway network. Therefore based on the information available to date this concern is a valid objection to the proposal. It is however anticipated that the revised information which has been requested will address the concerns relating to car park and therefore this objection.

## CONCLUSION

In conclusion it is considered that whilst the proposal raises no policy or urban design concerns there remains a number of outstanding highway concerns that require further consideration before a decision can be made on the application.

As such it is anticipated that a supplement report will be prepared which hopefully addresses the outstanding issues.

**RECOMMENDATION: Director of Development and Regeneration to Report**



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**Reference No.:** 09/00303/LAP Development by City(Regulation 3)

**Proposal:** **Erection of a new school to replace existing school. New school to have new sporting facilities, car parking and full range of educational teaching requirement. Existing school to be demolished. (Resubmission)**

**Location:** Academy 360 Portsmouth Square Sunderland SR4 9BA

**Ward:** St Annes

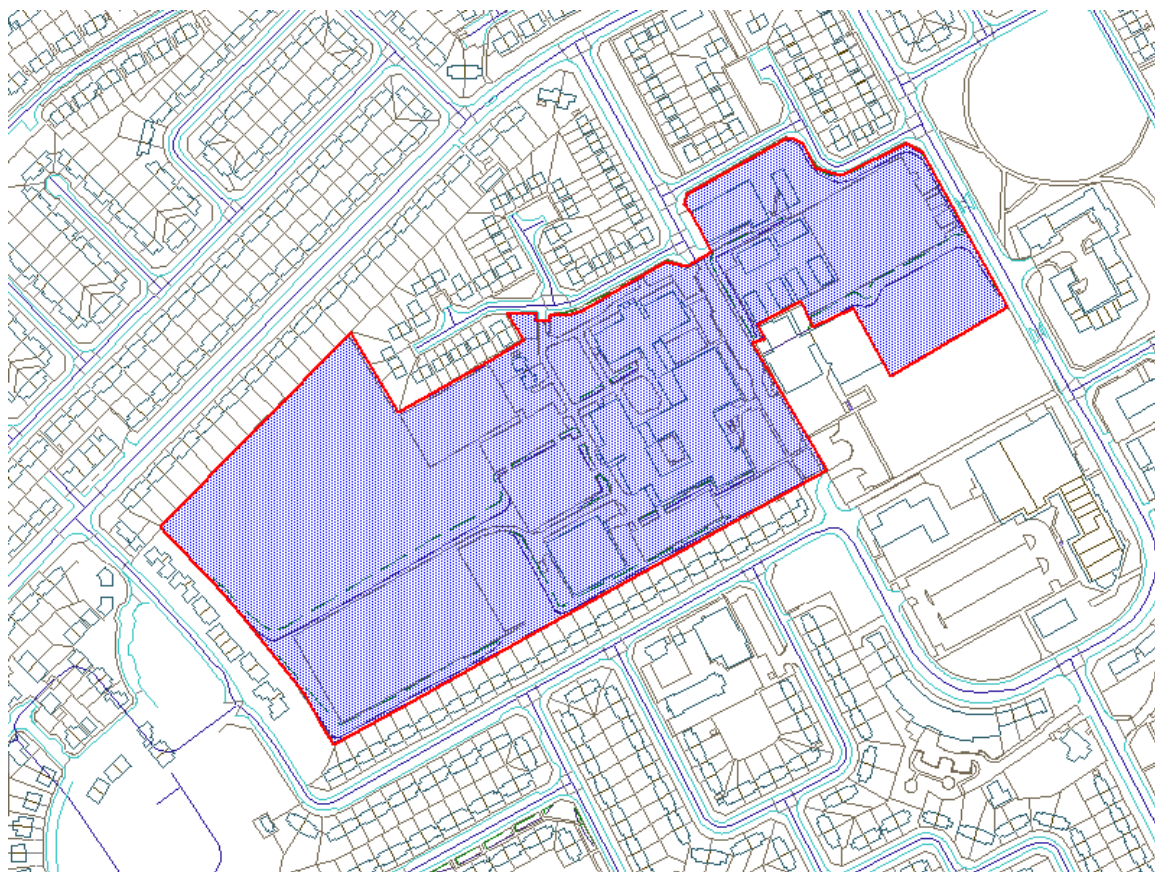
**Applicant:** Sunderland City Council

**Date Valid:** 29 January 2009

**Target Date:** 26 March 2009

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### Location Plan



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### PROPOSAL:

The proposal is for the erection of a new school to replace the existing Pennywell School, Portsmouth Road, Sunderland. The new school is to have new sporting facilities, car parking and full range of educational teaching facilities. The existing school is to be demolished.

Members may recall that a previous approval exists on the site for a new school, which was approved by Development Control (South) Sub Committee on the 5 February 2008 and approved on the 22 February 2008, ref. 07/05269/LAP. This application is a resubmission of the previous approval and there have been revisions to all main elevations of the proposed buildings. It is considered that the main alterations relate to the Assembly Hall, located on the western elevation of the new school, which has increased in height by 2.9m. The other notable amendment is the increase in height of the Transition School building by 1.7m. This building is located along the northern elevation. The impact of these changes will be considered in the residential amenity section of this report.

The replacement school, Academy 360, is part of the wider ongoing Building Schools for the Future (BSF) programme in Sunderland and represents an important opportunity to create a new school that will serve Pennywell and help regenerate the wider area. The replacement school has necessitated the relocation of the school centrally within the site ensuring minimum disruption to the pupil's education as the development progresses.

The proposed replacement school will amalgamate pupils from Quarry View Primary School and Pennywell Secondary School and as such the new school will provide education for pupils from Key Stage 1 right up to Key Stage 4, i.e. from Year 1 to 11. As a consequence pupils will effectively begin their school education in the proposed reception class, i.e. Unit 1 'Learning to Grow' campus, and evolve through the school via Unit 2 'Learning to Learn' section, culminating their school education in Unit 3, the 'Learning to Live' College Campus section.

The application was submitted with relevant plans, Biodiversity & Protected Species Report, Daylight/Sunlight Assessment, Lighting Assessment, Landscaping Details, Foul Sewage & Utilities, Parking Statement, Planning Statement, Site Waste Management Plan, Statement of Community Involvement, Tree Survey, Sustainability Statement and Refuse Disposal Details.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Sport England  
Director Of Community And Cultural Services  
Gentoo Group Ltd.

Final Date for Receipt of Representations: **23.04.2009**

## **REPRESENTATIONS:**

### Neighbours

There has been one letter of representation received. The letter stated that as the steelwork for the raised Transition School building was almost complete at the time of the application consultation period any representation would seem futile. However, the letter did suggest that there should be some landscaping to reduce the overbearing nature of this 'huge structure' at the back of their property.

### Sport England

The site constitutes a playing field, which encompasses at least one playing pitch of 0.4 ha or more, as a consequence Sport England has considered the application in light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development.

Sport England considers that the current planning application consists of substandard sport facilities that fall short of minimum dimensions required. In particular the synthetic turf pitch measures approximately 55 by 88 metres when this should be 63 by 102 metres. The safety margins around the pitch fall short of the required five metres. As such, the synthetic turf pitch is substandard and cannot be counted as replacement playing field. Furthermore, the multi use games areas do not meet Sport England technical design guidance.

Therefore in light of the above and due to the lack of evidence of any other exceptional circumstances Sport England objects to the proposal on grounds that the development will lead to the permanent loss of part of the existing playing field.

### Community and Cultural Services (C&CS)

C&CS have no observations to make to the scheme.

## **POLICIES:**

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

T\_22\_Parking standards in new developments

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

CF\_1\_Ensuring that land / buildings are available for community facilities

CF\_5\_Provision for primary and secondary schools

SA\_1\_Retention and improvement of existing employment site

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

## COMMENTS:

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

1. Principle of development
2. Design considerations
3. Residential amenity
4. Highway considerations
5. Ecological/Landscaping considerations

1. Principle of development

The proposal forms part of the first phase of the Building Schools for the Future (BSF) programme in Sunderland. The site is subject to the provisions of UDP Policy SA16.1 E, CF5 and CF8.

Policy SA16.1 E highlights the maintenance problem of the existing school and earmarks the site for a replacement school. Policy CF5 requires secondary education to be accommodated primarily on existing sites and as the application site is already a school the proposal accords with this policy requirement.

Policy CF8 requires the City Council to encourage the provision of facilities which enables wider community use of both land and buildings. In this respect the integration of the replacement school into the local community has been an integral part of the design process. The City Council's BSF & Secondary Capital Manager has stated that through its new facilities Academy 360 will look to establish a vision for PE and Sport, not only to deliver an enhanced curriculum but also to contribute to the improvement of the health of the students and the neighbouring community. Consequently it is considered that through the development of this vision the proposal is in accordance with Policy CF8.

Furthermore, it is important that the proposal supports sustainable development objectives as outlined in Planning Policy Statement 1 (PPS 1) particularly in respect to promoting a safe accessible environment for all transport mode users. Safe and convenient pedestrian/cycles routes should be provided from surrounding housing areas and the Pennywell shopping area to the school and its associated facilities. In respect of this the Design & Access Statement highlights that a key consideration in the design of the new scheme has been the location of the pedestrian entrances to the school, particularly in relation to location of bus stops, public footpaths and busy roads.

In conclusion the proposal is considered acceptable in principle as it accords with Policies SA16.1 E, CF5 and CF8 of the adopted UDP and sustainable development objectives of PPS 1.

2. Design considerations

It is considered that the overall design will provide a high quality architectural solution that will provide a landmark development and assist in the wider regeneration aims for Pennywell. Fundamentally the design of the school has not altered from the previous planning application which appeared before and was

subsequently recommended for approval by the Development Control (South) Sub Committee on the 5 February 2008, ref. 07/05269/LAP.

It is recognised that the size of some buildings have increased, however these changes have not materially altered the architectural design of the school, although there are residential amenity considerations which will be discussed in the relevant section of this report.

Therefore it remains the view that the overall design of the school successfully creates an architecturally interesting block with varying roof heights and a series of interconnected blocks that vary in scale and massing. The proposed building materials and fenestration arrangements also add to the architectural interest and quality of the scheme. The proposed school has also been positioned and designed to incorporate the principles of passive solar design and is welcomed from a sustainability (energy and resource) perspective.

It is considered that the development proposal will create a high quality building that will foster civic pride within Pennywell and create a stimulating and exciting environment in which to learn. In conclusion the proposal is considered acceptable and in accordance with Policy B2 of the UDP.

### 3. Residential amenity

The site is surrounded by residential properties and in light of the alterations to the previously approved scheme careful consideration is required to ascertain the impact of the development on residential amenity. The two main changes which could have an impact on the residential amenity of the adjacent residential properties is the increase in the 'Learning to Live' College Campus Transition school building and the Assembly Hall.

The Transition school building forms part of the northern section of the school and is directly opposite residential properties in Portsmouth Square, however the upper element of this building and as such the bulk of its elevation is 32m from the nearest residential properties, i.e. No. 43 and 44 Portsmouth Square.

Furthermore, the highest (first floor) main windows are positioned between 6m - 8m from ground floor level, equivalent to a three-storey residential dwelling, and even when factoring the gradient differences, i.e. the school building is 1.5m higher than the residential properties, the interfacing spacing distance is in accordance with the adopted Supplementary Planning Document (SPD): Residential Design Guide.

Section 10 C of this SPD requires that in order to protect the amenity of residential properties, in terms of privacy and where buildings are three-storey in nature there should be a separation distance of 26m, whilst for every 1m difference in ground level a further 2m is also required. Therefore as the ground level of the school building is 1.5m higher than No. 43 and 44 Portsmouth Square a distance of 30m is required and as the main first floor windows on the school building are 32m away the impact from the development in terms of privacy is satisfactorily mitigated.

Furthermore, an increase of 1.7m in this building's height from 10.8m to 12.5m is on balance considered acceptable. The reasoning behind this is also due to the

32m separation distance and the landscaping which is proposed along the northern boundary. These factors mitigate against the height increase and in conjunction with satisfying privacy standards this amended element of the previously approved scheme is therefore considered acceptable.

In regards to the Assembly Hall, although this building has been increased in height by 2.9m its location within the site and distance from the site boundaries satisfactorily mitigates this amendment to the previously approved building. The Assembly Hall is 51m from the nearest residential properties, No. 78 and 80 Parkhurst Road, whilst it is also 6.5m lower in terms of ground level when compared to these residential properties.

Therefore the development is considered to be acceptable from a residential amenity aspect as it complies with policies B2 and T14 of the UDP.

#### 4. Highway considerations

The highway implications of the scheme are still being assessed.

#### 5. Ecological/Landscaping considerations

The ecological/landscaping implications of the scheme are still being assessed.

### CONCLUSION

Given Sport England's objection and as the highway and ecological/landscaping issues are being given further consideration, it is anticipated that these deliberations will be assessed in time to allow a recommendation to be made on a supplement report.

**RECOMMENDATION: Director of Development and Regeneration to Report**