

## Development Control (South Sunderland) Sub-Committee

19 April 2011

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### REPORT ON APPLICATIONS

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#### REPORT BY 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.

##### South

1. Edward Thompson Group, Sunderland Paper Mill, Ocean Road, Sunderland
2. Asda, Leechmere Road, Sunderland
3. Pallion Health Centre, Hylton Road, Sunderland
4. Land at 3 The Glen, Sunderland
5. Bishopwearmouth Cemetery, Fordfield Road, Sunderland

##### City Centre

6. 194 – 197 High Street West and 1 -2 Norfolk Street, Sunderland
7. Rear of 32 West Sunnyside/The Place/Athenaeum Street, Sunderland
8. 4 Saint Thomas Street, Sunderland
9. 4 Saint Thomas Street, Sunderland

##### 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 on 0191 561 1182 email address [dc@sunderland.gov.uk](mailto: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/](http://www.sunderland.gov.uk/online-applications/)

Janet Johnson  
Deputy Chief Executive

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**Reference No.:** 10/02291/OUT Outline Application

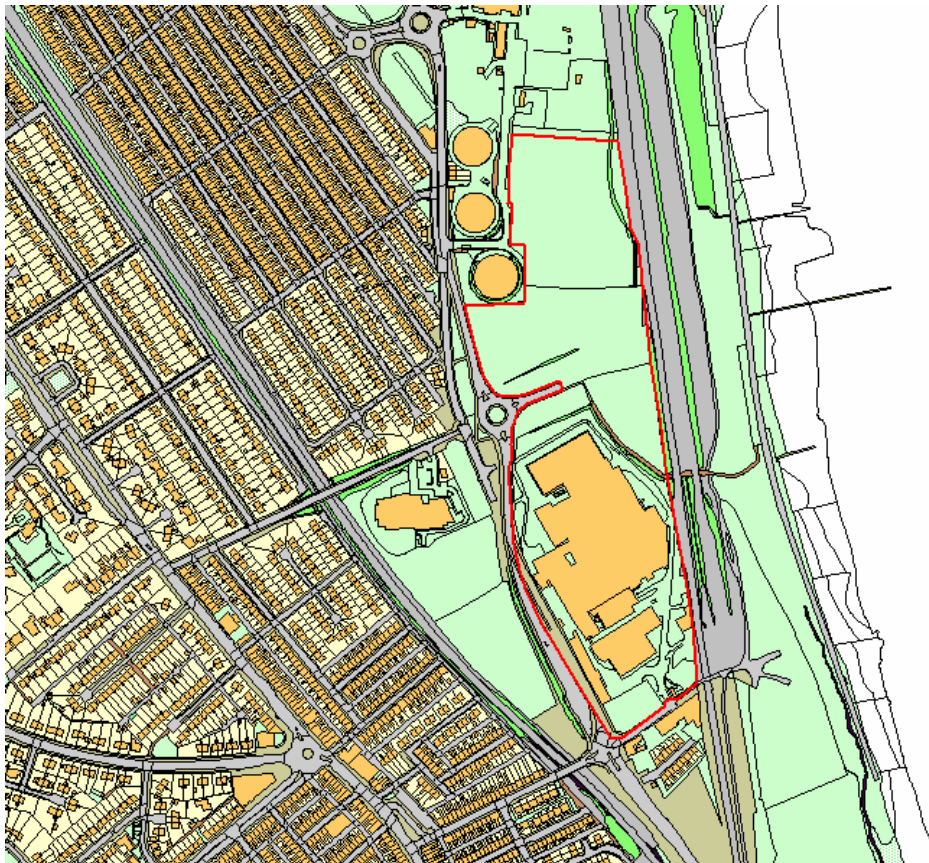
**Proposal:** **Redevelopment of 10.62 hectares of previously-developed land for a mix of uses including up to 300 residential dwellings and up to 6,000 sqm of commercial/industrial floorspace, the provision of open space and associated engineering works and stopping up of highway.**

**Location:** Edward Thompson Group Sunderland Paper Mill Ocean Road Sunderland SR2 9RY

**Ward:** Hendon  
**Applicant:** Edward Thompson Group Ltd  
**Date Valid:** 6 July 2010  
**Target Date:** 5 October 2010

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### Location Plan



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## **PROPOSAL:**

### Development Site

The proposed development site comprises an area of 10.62 ha (25.69 acres) and is situated within the Hendon area of Sunderland. The application site occupies the area of Edward Thompson Paper Mill. The Paper Mill and adjoining land front directly onto Commercial Road (B1522) to the west which links with the A1018. To the east the site fronts onto a former railway line and in turn the coast line.

The immediate surrounding area is characterised by a combination of commercial and residential uses, in addition to a public house adjacent to the southern boundary of the site. Abutting part of the western boundary of the site are a number of gas storage cylinders, one of which is a Grade II listed structure.

To the north of the site is land associated with the gas works beyond which are further works buildings. Land 210 metres to the north east comprises an oil depot adjacent to the coast.

The former Paper Mill ceased the majority of its production in December 2005. The larger production buildings are currently vacant whilst a range of buildings to the north of the site, in addition the former engineering workshops are utilised for minor printing operations.

The site comprises two sections; the southern area of the site containing buildings and infrastructure of the former paper mill with open land, remnants of concrete hardstanding and tarmacadam roadways to the northern area. Site access is gained to the southern part of the site via Ocean Road to the south. The northern part of the site can be accessed off the roundabout at the point where Spelter Works Road meets Commercial Road.

### Proposed Development

Outline planning approval is sought for the development of up to 300 dwellings on the southern area of the site. The proposals also include provision of up to 6000sqm of commercial/industrial floorspace on the northern part of the site.

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Environment Agency  
One North East  
North Gas Networks  
Network Rail  
Northumbrian Water  
Health & Safety Executive  
City Services - Transportation  
Street Scene (Environmental Service)

Business Investment  
County Archaeologist  
ARC  
Director Of Children's Services  
City Services - Parks

Final Date for Receipt of Representations: **10.09.2010**

**REPRESENTATIONS:**

No neighbour representations have been received.

**POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
H\_21\_Open space requirements in new residential developments (over 40 bed spaces)  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_8\_The needs of pedestrians will be given a high priority throughout the city.  
EC\_4\_Retention and improvement of existing business and industrial land  
SA\_1\_Retention and improvement of existing employment site  
SA\_50\_Implementation of new roads / road improvements

**COMMENTS:**

The main issues to consider when assessing this planning application are:

- Principle of Development.
- Site Layout.
- Highway Access and Car Parking
- Archaeology
- Impact upon Habitat and Wildlife

Following requests for further information all matters as set out above remain under consideration. It is anticipated that these considerations will be concluded prior to the meeting of the Development Control (South) Sub and reported on a supplementary report accordingly.

**RECOMMENDATION: Deputy Chief Executive to Report**

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Reference No.: 11/00117/FUL Full Application

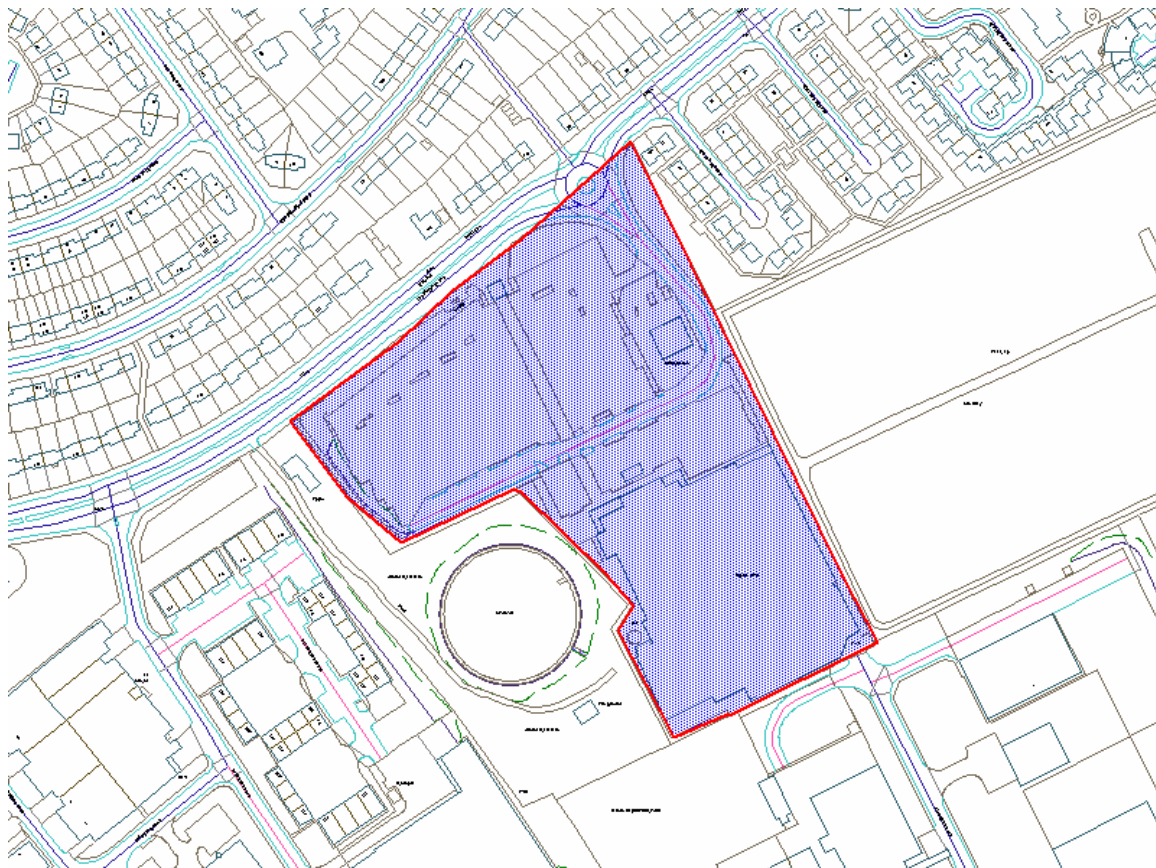
**Proposal:** Variation to previously approved application for the installation of a retail mezzanine floor, replanned Back of House mezzanine floor and provision of new Back of House storage mezzanine floor (08/04691/FUL) including the provision of a customer cafe, external fire escape stair case and lift shaft (Amended Description)

**Location:** Asda Superstore Leechmere Road Grangetown Sunderland SR2 9TT

**Ward:** Ryhope  
**Applicant:** ASDA Stores LTD  
**Date Valid:** 1 March 2011  
**Target Date:** 31 May 2011

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### Location Plan



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## PROPOSAL:

Members may recall that back in 2009 an application relating to the provision of a new internal sales mezzanine floor, creation of a proposed warehouse mezzanine and extension to the existing storage mezzanine with associated access facilities with lift shaft and external fire escape was presented before them for consideration. At the meeting of 8 September 2009 Members resolved to approve the application subject to the conditions listed in the report and also the completion of a Section 106 Agreement for payment of £20,000 to be used towards any necessary mitigation works to the local highway network.

Following the completion of the Section 106 Agreement, planning permission for the above development was granted on 4 December 2009.

The current proposal again seeks permission for the above development, albeit a different layout, with the addition of a new customer café. The revisions to the above previously approved scheme include:-

1. An increase to the retail floor area
2. Reconfiguration of the internal 'sales' mezzanine to include customer cafe
3. Replanned 'Back of House' mezzanine
4. Provision of new 'Back of House' storage mezzanine (previously referred to as warehouse mezzanine)
5. Erection of new external lift shaft
6. Erection of new external fire escape staircase
7. Minor alterations to customer car park to include designated staff parking area

The proposed new 'retail' mezzanine floor will provide an additional 17,418 sq.ft (net), previously 15,500 sq.ft, of new retail floor space whilst the proposed extension to the replanned 'Back of House' mezzanine will provide a further 2854 sq.ft (265.18m<sup>2</sup>) of space with an additional 1587 sq.ft (147.41m<sup>2</sup>) of warehouse storage space to be created following the erection of the proposed warehouse mezzanine (previously 5,400 sq.ft - approximate). The proposed customer café will create in the region of 318 sq.m of floor area.

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 134,907 sq.ft gross with 62,348 sq.ft net sales area, a net increase of 1,918 sq.ft from the 2008 application.

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 amendments sought as part of this application are in order to improve circulation and movement around the store.

The application is accompanied by a Design & Access Statement, Planning & Retail Statement, Transport Assessment and Statement of Community

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Northern Electric  
City Services - Transportation  
Street Scene (Environmental Services)  
Northumbrian Water  
Environment Agency

Final Date for Receipt of Representations: **30.03.2011**

## **REPRESENTATIONS:**

Environment Agency - The proposal is considered to be of low environmental risk and therefore no further comments are offered in this regard.

Northumbrian Water - No objection to the proposal.

City Services (Environmental Health) - No objections to the proposal subject to the imposition of a series of conditions relating to hours of working, use of machinery, measures to ameliorate dust, noise, odour etc and suitable provision for the disposal of refuse, in particular food waste.

## **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

S\_1\_Provision of enhanced shopping service, including local provision, based on existing centres.

S\_2\_Encouraging proposals which will enhance / regenerate defined existing centres.

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 design and appearance of the external works.
- Traffic, parking and access implications.

The suitability of the proposal in the context of national and local planning policy.

As part of the previous submission, a full retail assessment was provided in support of the quantum of floor space to be created. Following the grant of the previous consent back in 2009, national planning policy has been revised, in particular Planning Policy Statement 6 'Planning for Town Centres' has been replaced by Planning Policy Statement 4 'Planning for Sustainable Economic Growth'. Taking the above policy change into account, the current proposal has been considered against the following National and Local Planning Policies.

### Planning Policy Statement 1 (PPS1)

PPS1 sets out the Government's main objectives for the planning system, which are in the main based on the principles of sustainable development. The Statement sets out the Government's 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 4. The overarching objective of this policy is to promote sustainable economic growth and regeneration whilst reducing the need to travel. The issue of deprivation is also a key consideration of this policy.

PPS4, to a large extent, reaffirms much of the policy guidance as set out by the now superseded PPS6. A fundamental addition to the current policy is set out in Policy EC10 of this document. This policy states that 'Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably'.

In this regard all planning applications for economic development must be assessed against the following impact considerations:-

1. whether to proposal has been planned over the lifetime of the development to limit carbon dioxide emissions and minimise vulnerability and provide resilience to climate change,
2. the accessibility of the proposal by a choice of means of transport,
3. whether the proposal secures a high quality and inclusive design,
4. the impact of the proposal on economic and physical regeneration in the area,
5. the impact on employment.

Having assessed the proposal in light of the above considerations the LPA is of the opinion that the degree to which the development could limit carbon dioxide emissions is significantly constrained owing to the fact that the proposal largely relates to internal works within the existing building as opposed to if it were a proposal for a new build store. Therefore, the weight that can be attached to this aspect of the policy is limited.

Moving on to the issue of accessibility, it is considered that the current store which is situated on Leechmere Road, is within easy walking distance of a large number of residential properties. However the evidence provided within the Transport Assessment (TA) suggests that the majority of 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 and customer café is not predicted to be significant.

Furthermore, it is not considered that the store is well served by public transport, in particular bus routes, given that only 4 buses per hour pass by the store.

With regards to cycle parking there is currently no provision made for such use at the existing store, however the previous proposal did attempt to remedy this situation by proposing to erect 20 cycle stands for customer use with a further 10 racks designated for use by Asda employees. In this regard it is anticipated that similar provision will be made for the current proposal, details of which will be addressed by way of a suitably worded condition should planning permission be granted.

In addition, a Travel Plan has been submitted as part of the current application in an attempt to heighten peoples awareness of the need to use non car bourne modes of transport such as walking, cycling, public transport.

To this end it is recognised that the current proposal does attempt to bring about welcomed improvements to the accessibility of the store by transport modes other than the private car and as such is considered to satisfy this criteria.

As referred to earlier in this report, the vast majority of the proposal relates to internal works only, with only a small element of external works proposed, those being the erection of a fire escape and lift shaft. Both elements are small scale and have been sympathetically designed so as to blend in with the existing fabric of the store. In this regard it is not considered that the issue of design raises any significant issues for consideration.

Turning to the issue of regeneration Asda state that they fully endorse and encourage regeneration and reinvestment within the City and in this regard they do not consider that the proposals for the Leechmere store will prejudice the aims and objectives of the Sunderland Economic Master plan. This view is accepted.

Finally with regards to the issue of employment it is envisaged that the proposed development will result in the creation of 40 new jobs (35 as a result of the mezzanine extensions and 5 as a result of the cafe), which supports the final aim of Policy EC10.

### Sequential Assessment

Policy EC14 of PPS4 requires a sequential site assessment to be undertaken for planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan. This requirement also applies to retail extensions where the gross floor space of the proposed extension exceeds 200 square metres.

In addition, Policy EC16 requires planning applications for retail developments over 2500 sq.m gross floor space not in an existing centre and not in accordance with an up to date development plan to be accompanied by an impact needs assessment.

With regard to the requirements of the above policies it is not considered that either a sequential site assessment or impact needs assessment is required for the current proposal owing to the fact that the site is considered to be in accordance with the provisions of the development plan (insofar as it is not allocated for any specific use - white land) and the resulting floor area to be created falls below the 2500 sq.m threshold.

Notwithstanding the above, the LPA is satisfied that the issue of need and impact were fully considered as part of the previous application. At this time the LPA were satisfied that the 'need' for the proposal had been satisfactorily demonstrated through both the sequential and impact tests. In this regard, it is not considered that the current proposal significantly differs from that of the previous scheme and therefore the LPA are satisfied that the 'need' for the proposal has previously been established.

### The design and appearance of the external works

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 majority of the works relate to extensions to the interior of the building, with the exception of the external fire escape staircase and lift shaft, it is considered that the resulting impact on the external fabric of the building will be minimal. In this regard the application raises no urban design concerns.

### Traffic, parking and access implications

Concerns were initially expressed during the 08/04691/FUL application regarding highway safety matters. These concerns related to the utilisation of the car park (in particular the under utilisation of the north-west corner of the car park and resulting parking on the adjacent highway network - Leechmere road), service

vehicle deliveries (no in-curtilage provision for HGV and home delivery vehicles to park clear of the highway and highway verge) and impact of the proposed increase in retail sales area on the adjacent highway network.

Consequently a revised highway layout was submitted as part of the 2008 planning application which designated the north-west corner of the car park for use by employees of Asda only in an attempt to free up spaces closer to the main entrance of the store for use by customers. By revising the usage of the car park as detailed above it is considered that adequate parking provision would be created within the site to prevent customers from parking on Leechmere Road or the adjacent residential streets. In addition, Asda have agreed to enter into a Section 106 Agreement with the Council in respect of suitable highway control on Leechmere Road, should these be considered necessary i.e. customer parking take place on Leechmere Road. Specifically, the legal agreement requires Asda to pay the Council a sum of £20,000 prior to the first use of the retail mezzanine floor for the purposes of implementing parking restrictions on the highway network in the immediate vicinity of the store if these are deemed necessary.

Finally, in response to the issue of service vehicle deliveries, Asda provided information relating to the anticipated use of HGVs in association with the store following the completion of the mezzanine floor and also undertook a noise assessment on Leechmere Road. The findings of the report concluded that HGV movements make up only a small percentage of the overall traffic activity on Leechmere Road. These movements are not anticipated to increase as a result of the development owing to the nature of the floor space to be created (non-food goods). In this regard it was not considered that the proposed development would pose any new significant issues in terms of highway implications or residential amenity and as such was deemed to be acceptable in this regard.

Therefore given that the highway layout and service / access arrangements remain the same as those previously approved, it is considered that there are no objections on the grounds of highway safety to refuse this application subject to the completion of the above detailed Section 106 Agreement. As such, the proposal is still considered to accord with Policies T14 and T22 of the UDP.

## **Conclusion**

In conclusion it is considered that given the current application proposes only a slight increase in the total gross floor area to be created from that of the previously approved scheme, and due to the fact that there have been no significant material changes in circumstance or policy since the grant of the previous permission, then the proposal raises no policy concerns. Likewise, given that the works proposed are largely contained within the interior of the existing building no urban design concerns are raised. Finally, with regards to highway matters it is considered that the revisions made to the previous scheme, those being amendments to the operation of the car park, working practices in relation to service deliveries and payment of £20,000 for suitable highway control works that may be necessary to Leechmere Road, remain acceptable solutions and raise no highway safety issues. It is therefore recommended that Members Delegate the Decision to the Deputy Chief Executive who is minded to:-

## **RECOMMENDATION:**

**(i) Grant Permission subject to the conditions listed below and subject to completion of a Section 106 Agreement by 31 May 2011, or such other date as agreed by the Deputy Chief Executive subject to the conditions set out below;**

**Or**

**(ii) Refuse permission should the Agreement not be completed by 31 May 2011, or such other date as agreed by the Deputy Chief Executive on grounds related to adverse impact on highway safety.**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Location Plan ref: PL06 received 25 January 2011  
Site Location Plan received 25 January 2011  
Existing Site Plan ref: EX01 received 17 January 2011  
Proposed Site Plan ref: PL01 received 17 January 2011  
Existing Ground Floor ref: EX02 Rev 2 received 24 January 2011  
Existing First Floor ref: EX03 Rev 2 received 24 January 2011  
Existing Elevations ref: EX04 Rev 2 received 24 January 2011  
Proposed Ground Floor ref: PL02 received 24 January 2011  
Proposed First Floor / Mezz Level ref: PL03 Rev 1 received 24 January 2011  
Proposed Elevations ref: PL05 Rev 1 received 24 January 2011

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 During the construction of the mezzanine extension hereby approved no deliveries shall be taken at or despatched from the site outside the hours of 07:00 and 19:00 Monday to Friday, 07:30 and 14:00 Saturdays, nor at any time on Sundays, Bank or Public Holidays to ensure that nearby properties are not adversely affected by the development and that highway safety is not compromised and to comply with policy EC12, EC13 of the UDP.

- 4 No external noise generating construction works required for the development hereby approved shall be undertaken outside the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy EN5 and B2 of the UDP.
- 5 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy EN5 of the UDP.
- 6 Notwithstanding the plans hereby approved and submitted information the mezzanine floor extension shall not be brought into use until a management plan which identifies the relocation of staff parking to the north-west corner of the car park has been submitted to and approved in writing by the Local Planning Authority. The car park shall then be laid out in complete accordance with the agreed details and shall remain thereafter, in the interests of highway and pedestrian safety in accordance with policy T14 of the UDP.
- 7 Notwithstanding the plans hereby approved and submitted information the mezzanine floor extension shall not be brought into use until a scheme of improvements for the area adjacent to the internal service access/egress point on Claymere Road has been submitted to and approved in writing by the Local Planning Authority. The improvements shall then be completed in full accordance with the agreed details and implemented prior to the mezzanine extension being brought into use, in the interests of highway and pedestrian safety and ensure a satisfactory highway arrangement, in accordance with policy T14 of the UDP.
- 8 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheel ash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 9 Before the development commences a Travel Plan to reduce the number of employees arriving by car and increase the number of employees using public transport, walking and cycling as a means of travelling to/ from their place of work shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented in complete accordance with the agreed details, in the interests of traffic mitigation and environmental sustainability and to comply with policy T14 of the UDP.

- 10 The internal service area to the rear of the store shall be laid out in complete accordance with a plan to be submitted to and approved in writing by the Local Planning Authority prior to the mezzanine floor extensions hereby approved being brought into use. The revisions to the service area are required in order to improve circulation, in the interests of highway safety and to ensure a satisfactory form of development in accordance with policy T14 of the UDP.
- 11 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 12 Before the development hereby approved is commenced, the details of the space and facilities for bicycle and motor cycle parking shall be submitted to and approved in writing by the local planning authority. The facilities shall be laid out in accordance with the approved details before any part of the building is occupied, in order to ensure that adequate provision is made for cycle and motor cycle parking and to comply with policies T14 and T22 of the UDP

3.

South  
Sunderland

Reference No.: 11/00410/VAR Variation of Condition

**Proposal:** Variation of condition 2 (approved plans) attached to planning application 10/00158/FUL "Erection of 3 storey medical facility with associated car parking and landscaping".

**Location:** Pallion Health Centre Hylton Road Sunderland SR4 7XF

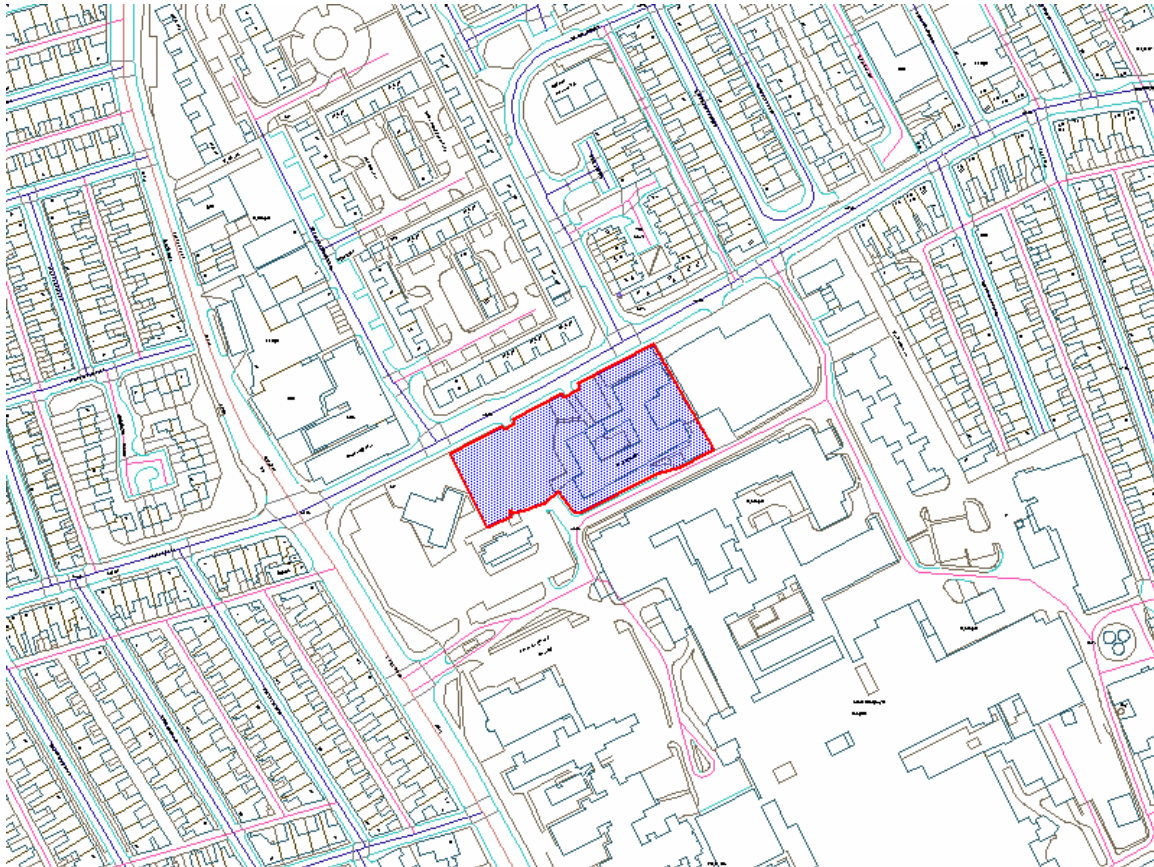
**Ward:** Millfield

**Applicant:** Sunderland Teaching Primary Care Trust

**Date Valid:** 10 February 2011

**Target Date:** 12 May 2011

### Location Plan



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### PROPOSAL:

Proposal is for the variation of condition 2 (approved plans) attached to planning application 10/00158/FUL "Erection of 3 storey medical facility with associated car parking and landscaping" at the Pallion Health Centre, Hylton Road, Sunderland.



Members may recall that planning application 10/00158/FUL was approved by Development Control (Sub) Committee at the 30 March 2010 meeting.

The relevant minor material amendments sought involve;

- increasing the depth of the North and South West fascias of the building by 600mm,
- removing a pedestrian access ramp to the main entrance,
- increasing the width of the vehicle access route from Hylton Road to the staff car parks,
- removing the upper level delivery access ramp to the rear and re-configuring the adjacent bin store area with a low brick wall with railings above,
- incorporating southern access gates to the staff car park for fire tender egress, and
- installing a free standing tensile membrane canopy to the main entrance.

The application has been supported by a Design and Access Statement and relevant plans and elevations.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Transportation  
Street Scene (Environmental Service)  
Northumbrian Water  
Director Of Health, Housing And Adult Services  
Fire Prevention Officer

Final Date for Receipt of Representations: **22.03.2011**

#### **REPRESENTATIONS:**

Neighbours

No letters of representation have been received.

Consultees

Northumbrian Water - has no objection to the variation.

## **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  
T\_22\_Parking standards in new developments  
CN\_17\_Tree Preservation Orders and replacement of trees  
R\_1\_Working towards environmentally sustainable development  
R\_4\_Incorporation of energy saving measures  
CN\_18\_Promotion of nature conservation (general)  
CN\_22\_Developments affecting protected wildlife species and habitats

## **COMMENTS:**

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

- Principle of development
- Design considerations
- Highway considerations
- Residential amenity considerations

### Principle of development

As established by the initial 10/000158/FUL approval the use of the site as a Health Centre is considered to be in accordance with the main land use policy associated with the site, i.e. Unitary Development Plan (UDP) policy SA18. This policy requires development proposals within the Sunderland Royal Hospital complex to provide adequate on-site parking and servicing provision. Given the minor amendments proposed and in view of the fact that the level of parking and servicing remains as previously approved the principle of development remains acceptable.

### Design considerations

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

Considering the proposed minor amendments, particularly the increase by 600mm of the fascia to the north and south west elevations, it is not considered that they raise any significant design concerns and will have a limited impact on the overall development, while the proposed entrance canopy is considered to be an interesting addition which will enhance the visitor experience.

In view of the fact that the design, layout and appearance of the proposed development remains largely as previously approved the minor alterations sought are considered to be acceptable, in accordance with policy B2 and should therefore be approved accordingly.

## Highway considerations

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

A consultation response was received from City Services (Transportation) requesting minor modifications to the positioning of a collapsible bollard at the entrance to the visitor car park and the associated traffic plates. The requested amendments have been agreed with the agent and suitably amended plans are awaited.

Regarding the increase in the width of the vehicle access route this amendment is considered to be acceptable, while the removal of the pedestrian access ramp has been made possible as staff can access the building via the under-croft car park and therefore the upper floors via a lift located within this entrance foyer.

The amendment of the rear delivery access ramp is being proposed as the agent considers that what was previously approved is no longer required and will increase the depth of the delivery bay and ensure that all vehicles parked within it will be clear of the hospital road which runs adjacent. The introduction of the gates to the south eastern boundary is also considered acceptable as it will allow fire tender egress to the benefit of health and safety.

Therefore in light of the above and as the pedestrian and vehicular layout of the development remains largely as previously approved the proposal is considered to be acceptable and in accordance with policy T14.

## Residential amenity considerations

Policy B2 of the UDP requires new development to retain acceptable levels of privacy and relate harmoniously to adjoining areas.

In this respect it is important to recognise that the layout and height of the proposed development is the same as shown on the previous application, 10/00158/FUL. It is therefore considered that the issues relevant at that time remain pertinent and that no conceivable material considerations exists which support refusal of planning permission.

In conclusion, as the proposed scheme is similar in design, scale and layout as previously approved and given the limited visual impact of the proposed alterations the development is considered to be acceptable and in accordance with UDP policy B2.

## Conclusion

The proposed development is considered to be acceptable in terms of design, layout, highway and residential amenity and is therefore recommended for approval subject to the conditions as set out below.

**RECOMMENDATION: Approve subject to the following conditions:**

## Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which the 10/00158/FUL permission was granted (9.04.2010) to ensure that the development is carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Site Location Plan, dwg. no. 1573 P 90 001 received 21 February 2011,  
Existing Site Topographical Survey, dwg. no. 1573 P 90 002 Rev A received 21 January 2010,  
Proposed Site Sections, dwg. no. 1573 P 90 005 Rev A received 10 February 2011,  
Proposed Site Plan, dwg. no. 1573 P 90 004 Rev B received 10 February 2011,  
Proposed Roof Plan, dwg. no. 1573 P 22 007 Rev A, received 10 February 2011,  
Proposed Elevations - sheet 1, dwg. no. 1573 P 20 002 Rev B, received 10 February 2011  
Proposed Elevations - sheet 2, dwg. no. 1573 P 20 003 Rev B, received 10 February 2011,  
Proposed Ground Floor Plan, dwg. no. 1573 P 22 004 Rev A, received 22 March 2010,  
Proposed First Floor Plan, dwg. no. 1573 P 22 005, received 15 January 2010,  
Proposed Lower Ground Floor Plan, dwg. no. 1573 P 22 003, received 15 January 2010,  
Proposed Second Floor Plan, dwg. no. 1573 P 22 006, received 15 January 2010,  
Existing First Floor Plan, dwg. no. 1573 P 22 002 received 15 January 2010,  
Existing Elevations, dwg. no. 1573 P 20 001, received 15 January 2010,  
Existing Ground Floor Plan, dwg. no. 1573 P 22 001, received 15 January 2010,  
Existing Site Sections, dwg. no. 1573 P 90 003, received 15 January 2010,  
Landscape Strategy, dwg. no. 604/01 Rev A, received 15 January 2010.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 No demolition or re-development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.

(Condition 3 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01693/DIS).

- 4 Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

(Condition 4 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01720/DIS).

- 5 The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.

- 6 No part of the development shall be open to the public until the off street parking provision has been constructed, surfaced, sealed and made available in accordance with the approved plans. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policies T14, T22 and B2 of the UDP.

- 7 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

(Condition 7 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01720/DIS).

- 8 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.

(Condition 8 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01693/DIS).

- 9 Notwithstanding the approved details, prior to development commencing on the site, precise details (and samples where necessary) of all hard landscaping materials to be used throughout the development, (including details and location/layout of all proposed hard surfacing, means of enclosure, lighting columns, bollards and any other street furniture) shall be submitted to and approved in writing by the Local Planning Authority, and used as agreed in such details In the interest of highway safety and to achieve a satisfactory form of development on site and to comply with the requirements of Policies T14 and B2 of the Unitary Development Plan.

(Condition 9 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01720/DIS).

- 10 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.

- 11 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for any proposed works within an area designated as a tree root protection zone has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification/Method Statement, in the interests of visual amenity and to comply with policy CN17 of the approved UDP.

- 12 Before the tree(s) which are the subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.

(Condition 12 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01721/DIS).

- 13 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.

- 14 If within a period of 5 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.

- 15 Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor and a BRE Final Code Certificate shall be submitted to and approved in writing by the LPA. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to at least the BREEAM 'Excellent' standard, unless otherwise agreed in writing with the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the UDP.

- 16 Unless otherwise agreed in writing with the Local Planning Authority, details of the renewable energy measures should be submitted to and agreed in writing with the Local Planning Authority for consideration prior to the completion of the building. For the avoidance of doubt, such details shall include a justification for the type of measures chosen, including estimations of energy created by such measures. Following the approval of such details, the agreed measures shall be implemented prior to the occupation of the building, in the interests of sustainable development and in order to comply with policy R1 of the UDP.

(Condition 16 discharged as part of application 10/00158/FUL on the 9 August 2010, Ref. 10/01722/DIS).

- 17 Before development, hereby approved, commences a scaled plan showing bat and bird box locations shall be submitted to and approved in writing by the Local Planning Authority and thereafter the agreed scheme shall be implemented in accordance with the scheme as agreed, in the interest of nature conservation and to achieve a satisfactory form of development on site and to comply with requirements of policies CN18 and CN22 of the UDP.

(Condition 17 discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01723/DIS).

- 18 The development hereby approved shall implement the measures and monitoring strategy as set out in the Travel Plan, dated 8 October 2009 (prepared by JMP Consultants Ltd) on first occupation of the Primary Care Centre to ensure that the Travel Plan targets are being met and subsequently reviewed. In the interests of reducing the impact of the development on the highway network and to accord with policy T14 of the approved UDP.

- 19 Before the development, hereby approved, is commenced a parking management scheme for the development both on completion and during the phased construction shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in order to ensure that adequate car parking facilities remain available throughout the course of the development and the permanent places shall be retained thereafter, unless otherwise first agreed in writing by the Local Planning Authority, in the interests of highway safety and to comply with policies T14 and T22 of the UDP.

(Condition 19 discharged as part of application 10/00158/FUL on the 9 August 2010, Ref. 10/01724/DIS).

- 20 No part of the development shall be open to the public until the access control measures have been submitted to and agreed in writing by the Local Planning Authority and so implemented in accordance with the agreed details. The access control measures shall then be retained thereafter, unless otherwise agreed in writing with the Local Planning Authority, in the interests of highway safety and to comply with policy T14 of the UDP.

- 21 Prior to the first occupation of the development hereby approved precise written details of an area for the storage of refuse on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented in accordance with the approved plans and retained as such for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In the interest of achieving a satisfactory form of development on site and to comply with the requirements of policy B2 of the adopted UDP.

(Condition 21 was discharged as part of application 10/00158/FUL on the 13 July 2010, Ref. 10/01693/DIS).



- 22 The felling of any tree, shrubs or other tree works as a consequence of the development, hereby approved, shall be undertaken outside the bird nesting season, (i.e. not during the period mid-February to end of August). If this is unavoidable, a nesting bird survey must be undertaken on the day before demolition is to commence in order to ensure no breeding bird will be disturbed. If nests are found, demolition works shall not commence until any dependent chicks have fledged, in order to comply with recommended actions as detailed in the submitted Ecology Survey (October 2009) and to comply with policy CN22 of the UDP.

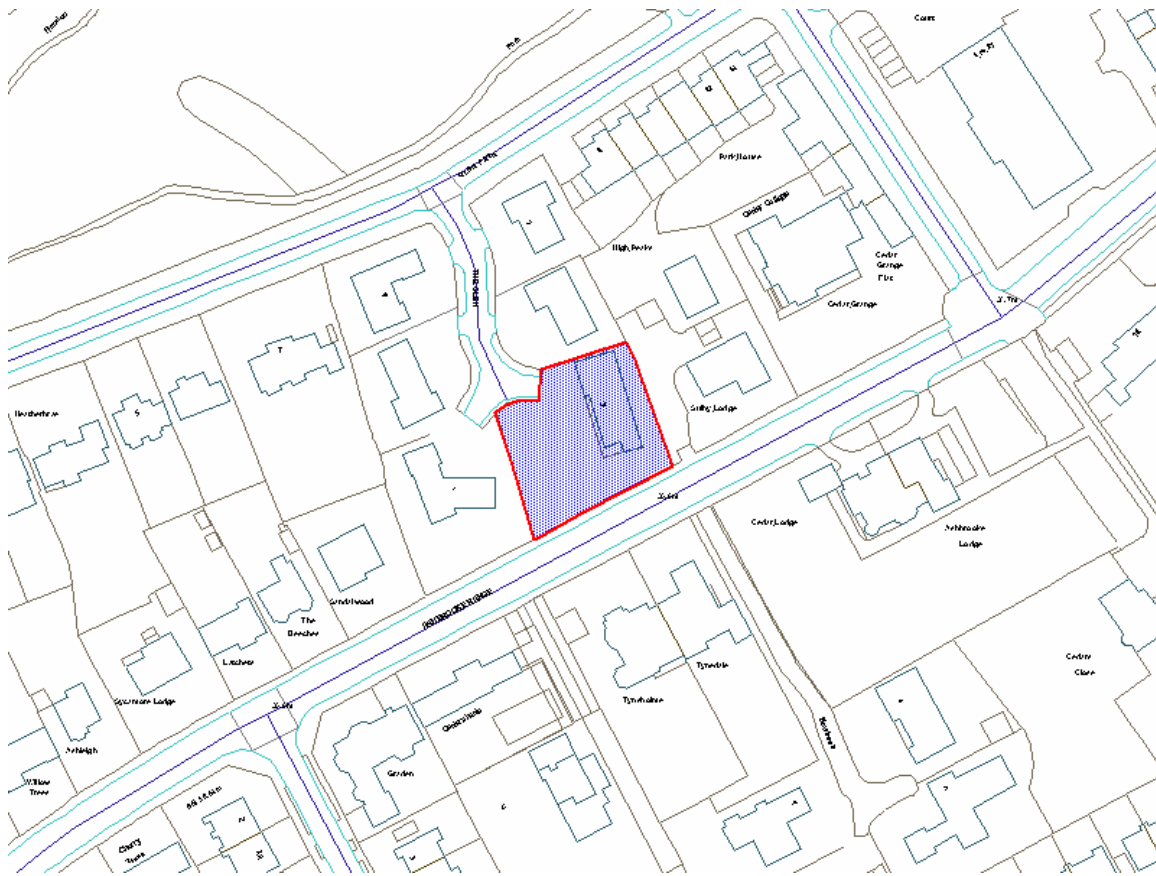
Reference No.: 11/00589/FUL Full Application

Proposal: **Erection of 2 storey dwelling with all associated external works.**

Location: Land At 3 The Glen Sunderland SR2 7TX

Ward: St Michaels  
 Applicant: Miss Angela Gamblin  
 Date Valid: 28 February 2011  
 Target Date: 25 April 2011

### Location Plan



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### PROPOSAL:

The application relates to the erection of a detached dwelling house in the garden of 3 The Glen. The Glen is a small cul de sac development of 6 detached dwellings, which is situated between The Cedars and Ashbrooke Conservation Areas. The front gardens are open plan with the large front garden of no. 3 providing an open green feel to the head of the cul de sac. The properties are a mix of single storey, two storey and split level dwellings in response to the variation in ground levels in the area. No. 3 is a split level two storey property

with a room in the roof space and a basement level. A patio area sits to the front at the raised ground floor level with steps down to the lawned front garden, which sits approximately 2m lower than the street level to the rear at Ashbrooke Range. An application to erect a two storey extension in the front garden was approved in February 2009 (ref 08/04652/SUB).

The proposed dwelling is a flat roofed two storey building with a basement. It is proposed to be constructed within the front lawn area that is at a lower ground level than the two adjacent dwellings, nos. 3 and 4, which determines that its roof level will be slightly less than that of no. 3 and slightly higher than that of no.4, which is single storey. The ground floor will accommodate three bedrooms and three bathrooms with an entrance hallway opening onto the front of the property. From the hallway, stairs will lead down to a cinema room, utility and storage area within the basement, and up to the first floor. The first floor will be cantilevered over the front entrance and will provide the living accommodation; lounge, kitchen/dining room, and rear sun lounge, which will open onto a decking area formed as a result of the existing difference in ground levels. A new access will be formed to the front leading to parking for two vehicles and a new boundary enclosure is to be provided between the new and the existing properties at the level of the retaining wall to the existing patio area.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Transportation  
Northumbrian Water  
Street Scene (Environmental Service)  
City Services - Parks

Final Date for Receipt of Representations: **21.04.2011**

#### **REPRESENTATIONS:**

Neighbours

To date, three letters of objection have been received. The objectors' main concerns relate to;

- inappropriate design,
- overshadowing and loss of amenity,
- adverse impact upon the adjacent conservation area,
- inappropriate development of a greenfield garden site,
- introduction of obtrusive element into the street scene,
- impact of the development upon the existing landscaping,
- increased traffic to and from the site.

## Consultees

Northumbria Water - has confirmed that it has no objections to the proposal.

## **POLICIES:**

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

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
B\_2\_Scale, massing layout and setting of new developments  
B\_4\_Development within conservation areas  
CN\_17\_Tree Preservation Orders and replacement of trees  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments

## **COMMENTS:**

The main issues to consider in this case are;

- the principle of the use,
- the highway safety implications of the development,
- the impact of the development upon trees in the area,
- the impact of the development upon the amenities of the nearby residential properties,
- the impact of the development upon the visual amenities of the area.

In determining the application the LPA had regard to policies within the adopted UDP that are on the list of 'saved' policies submitted to the Secretary of State via Government Office for the North East. Confirmation of the saved policies and the direction provided by the SoS was received on the 4th September 2007. All the policies referred to in the following assessment have been saved.

### Principle of the Use.

A revision of PPS3 'Housing' in June 2010 removed gardens from the category of previously developed land and deleted the national indicative minimum density of 30 dwellings per hectare. Together these changes emphasise that it is for local authorities and communities to take the decisions that are best for them, and decide for themselves the best locations and types of development in their areas. The proposal must therefore be determined with regard to national and local policies as well as any other material considerations. In this case, the proposal is considered to be of a minor nature and raises no strategic planning issues.

Policy EN10 provides that, where the plan does not indicate any proposals for change, the existing pattern of land use should remain and that proposals for development in such areas will need to be compatible with the principle use of the neighbourhood. The proposal is for a new dwelling within an established residential area. It is therefore considered that the principle of the proposed development is acceptable subject to the consideration of all other material considerations.

## Highway Safety Implications.

Policy T14 of the UDP relates to the accessibility of developments and their impact upon highway safety and states that new development should not cause traffic problems on existing roads. Policy T22 relates to the level of parking required depending upon the type and location of the proposed development.

It is not considered that the development would lead to such a significant increase in vehicular traffic to and from the site that could not be accommodated by the existing highway network. The proposal satisfies the requirement to provide a safe access and incurtilage parking for at least one vehicle, therefore, there are no objections from a highway safety point of view and the proposal is considered to comply with policies T14 and T22 of the UDP.

## Impact of the Development upon the Amenities of nearby Residential Properties.

Policy B2 of the Council's UDP states: "the scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy."

The Supplementary Planning Document 'Household Alterations and Extensions' (SPD) adopted in July 2010 has been subject to public consultation and is a material consideration when determining planning applications. This will become part of the Local Development Framework and will replace section 3 of the 'Development Control Document'. The guidance amplifies the City's adopted UDP policy B2.

The 'Residential Design Guide' was adopted as Supplementary Planning Guidance in October 2008. This will also form part of the Local Development Framework and will be used by the LPA in the determination of planning applications for residential development. Chapter 10 details the minimum distances that would be expected to be maintained between dwellings.

The dwelling will be positioned towards the rear of the site next to the gable end of the neighbouring property at no. 4. There are no windows in this gable to be adversely affected. In addition, none of the windows to the front of no. 4 will directly face the proposed dwelling. Consequently, the development will not raise any issues of overshadowing or loss of privacy to this property.

The rear of no. 3 has a garden room window to the front which will face the property at a distance of approximately 6m. However, there are other windows that serve this room and this window could be classed as secondary. Further, the drawings indicate that this window will be removed or obscured in order to remove the impact upon it. A lounge window will also face the property, but at an obscure angle so that, although the property will be visible from it, most of the outlook from this window will be over the front garden area of the proposed dwelling. It is therefore considered that the impact upon the amenities of no. 3 will be minimal.

Given the above, it is not considered that the proposal will adversely affect the amenities of nearby residential properties and the proposal complies with policy B2 of the UDP in this respect.

## Impact of the Development upon Trees in the Area.

Policy CN17 seeks to encourage the retention of trees that make a valuable contribution to the character of an area through the use of tree preservation orders (TPOs) and the provision for the retention of trees, hedges and landscape features in all new development where possible.

The proposal is accompanied by a tree survey and report of recommendations. The site is not within a conservation area but is subject to TPO no. 4. The only protected tree remaining on site is T8, an Ash (identified as tree 27 of the submitted drawings). This is not within the immediate vicinity of construction works and should not be affected by the development. The report recommends tree protection measures within the vicinity of trees to be retained.

Other trees and planting on the site are identified to be removed to facilitate construction. These are mainly coniferous or young garden type species or shrubbery. None of these are considered to offer a level of amenity to the area that would merit their protection through the making of a TPO or refusal of the proposal.

## Impact of the Development upon the Visual Amenities of the Area.

Policy B4 of the UDP requires that all development within and adjacent to conservation areas will be required to preserve or enhance their character or appearance. The Cedars Conservation Area extends up to the southern side of Ashbrooke Range to the rear of the site. Due to the differences in ground levels, only approximately the top 1.2m of the dwelling will be visible above the high boundary wall to the rear. This limited visual impact is not considered likely to adversely affect the character or appearance of the conservation area and the proposal is considered to be acceptable in the context of policy B4.

An application for the erection of a large extension to no. 3 was refused in July 2008 for reasons relating to overlooking, loss of privacy and scale, massing and position (ref 08/02016/FUL). The amended application which was approved in 2009 addressed the scale, massing and positioning issues by reducing the length by 1m and angling the extension back away from the head of the cul de sac. The principle of erecting a structure within the front garden was therefore established through the approval of the amended application for the extension.

The neighbouring dwelling, no.4, has an existing footprint that projects into the front garden, but due to its angled projection, it sits towards the rear of the site and the impact upon the openness of the cul de sac is limited. Similarly, the current scheme sees the positioning of the dwelling set back towards the rear of the site in line with the single storey projection of no. 4. retaining an open area of front garden. It is therefore considered that the positioning of the dwelling reflects the existing housing layout of the street and retains the openness of the head of the cul de sac.

The contemporary design and materials of the proposed dwelling reflects that of the approved extension. The design and architectural styling proposed is considered to be acceptable when viewed in the context of the individual character of the adjacent dwelling, no.3. The ground levels determine that the height of the property will be in line with that of the existing properties in the area.

The dwelling will occupy a similar footprint to the existing properties and it is therefore considered that the design, size and scale of the proposed dwelling is in keeping with, and appropriate to, the existing character of the area.

Given the above, it is considered that the proposed dwelling will not constitute an obtrusive element in the street scene. Its design, positioning, size and scale are in keeping with the character of the area. The proposal is not considered likely to adversely impact upon the visual amenities of the area and complies with policy B2 of the UDP.

## **Conclusion**

For the reasons given above, the proposal is considered to be acceptable in terms of the principle of the use of the site and highway safety. The proposal is not considered likely to be detrimental to the visual amenities of the street scene or the residential amenities of adjacent properties. It complies with the policies within the UDP and is considered to be acceptable.

The period for the receipt of representations does not expire until 21 April 2011, after the date of the Sub-Committee Meeting. Any representations received before the meeting will be reported orally to Members at the meeting. Consequently, Members are requested to Delegate the decision to the Deputy Chief Executive, who is minded to approve the application subject to the conditions listed below and subject to the receipt of no objections. This will allow the application to be determined within the statutory 8 week period. Should any objections be received following this meeting, the application will be reported back to the next available Sub-Committee meeting.

## **RECOMMENDATION: Delegate to Deputy Chief Executive**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawings numbered AL (0) 0010, -0020, -0030, -0050, -0060, -0100, -0200, -0300, -0400, AL (90) 0002, -0003, -0300, TPP-A, EX1-A,

in order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted UDP.

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the UDP.
- 4 Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 5 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.
- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policies B2 and CN17 of the UDP.
- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policies B2 and CN17 of the UDP.
- 8 Notwithstanding the provisions of the current Town and Country Planning General Permitted Development Order, no extensions or other development shall be undertaken to the dwelling hereby permitted without the prior written consent of the Local Planning Authority, in order that the Local Planning Authority may retain control over the development and to comply with policy B2 of the UDP.
- 9 No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.



- 10 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 11 If within a period of two years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 12 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the plans and particulars to be submitted to and approved by the Local Planning Authority, before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 13 Before the development commences a method statement shall be submitted to the Local Planning Authority detailing the method of construction for any works to be undertaken within the crown spread of any trees on the site. Such details to include methods of excavation. All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP.

5.

South  
Sunderland

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Reference No.: 11/00612/LAP Development by City(Regulation 3)

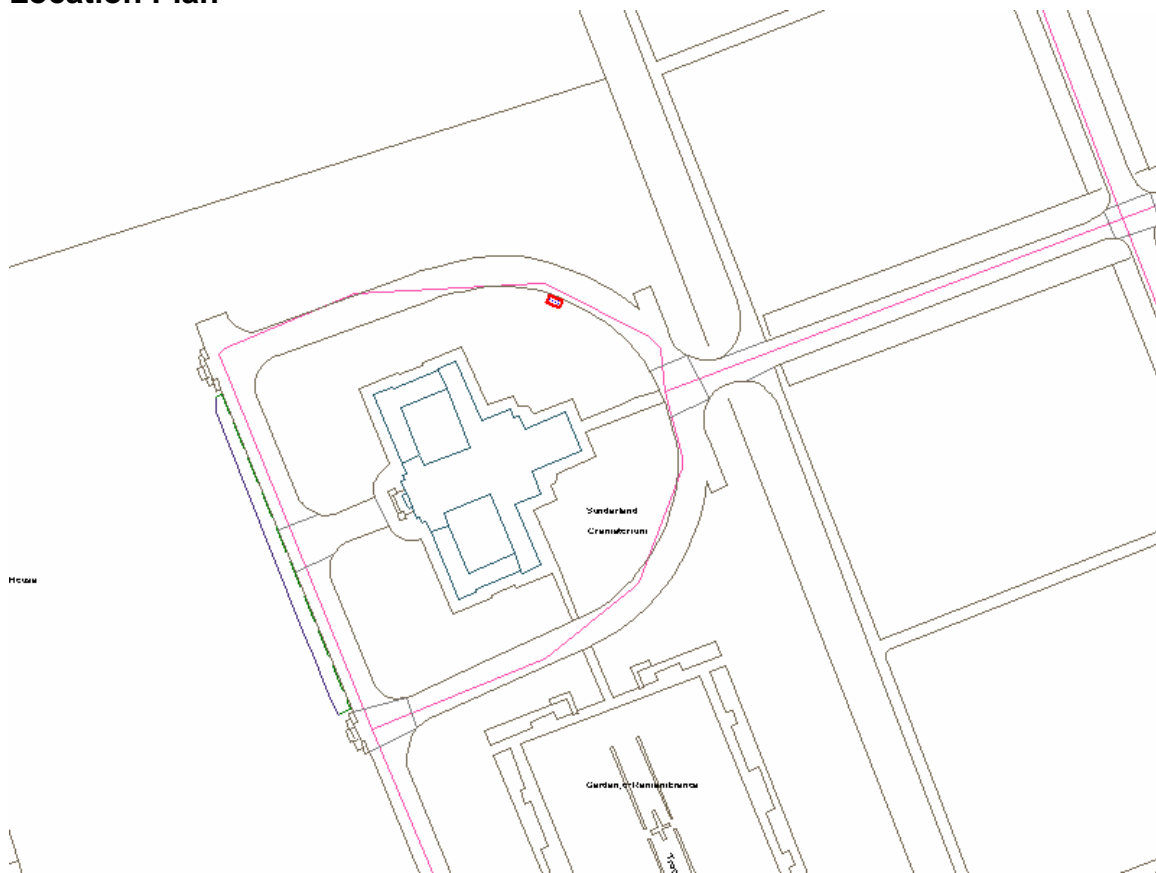
Proposal: **Erection of a 10m high pole mounted CCTV column.**

Location: Bishopwearmouth Cemetery Chester Road Sunderland

Ward: Pallion  
Applicant: City Services  
Date Valid: 7 March 2011  
Target Date: 2 May 2011

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### Location Plan



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### PROPOSAL:

Planning permission is sought to erect a 10 metres high pole mounted column to accommodate a CCTV camera within the grounds of Bishopwearmouth Cemetery. The exact siting of the proposed column is to the north east of the existing crematorium building, on a piece of grassed landscaping which includes a number of semi-mature trees. The majority of the column measures 150mm in width and incorporates a 400mm wide section, 1.5 metres in height to the base and would be supported above a concrete base plate and attached using anchor bolts.

The proposed column and camera are to be painted matt black.

The submitted information indicates that the camera location, specifications and capabilities have been discussed and agreed by the Council's Security Team and is considered likely to prove most effective in relation to crime prevention and detection.

**TYPE OF PUBLICITY:**

Site Notice Posted

**CONSULTEES:**

City Services - Transportation  
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **22.04.2011**

**REPRESENTATIONS:**

No representations received to date.

**POLICIES:**

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

L\_1\_General provision of recreational and leisure facilities

L\_7\_Protection of recreational and amenity land

B\_3\_Protection of public/ private open space (urban green space)

B\_23\_Design of street furniture, surface treatments, traffic signs and road markings

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

T\_22\_Parking standards in new developments

**COMMENTS:**

The main issues to be considered in determining this application are:-

- Principle of the development
- Design, siting and appearance
- Highway issues

## Principle of the Development

The area of land subject to the proposal forms part of the larger cemetery and is allocated as open space to be protected from inappropriate development by Policies B3, L1 and L7 of the adopted Unitary Development Plan (UDP). These policies aim to protect public and private open space from development which would have a serious adverse effect on its amenity, recreational or nature conservation value.

In this regard, given the siting of the camera column, is to the rear of the crematorium building, it is considered that the form of development is acceptable and would not lead to the loss of any trees or areas of open space. The proposal is considered to accord with the requirements of UDP policies B3, L1 and L7 representing small scale columns and cameras, ancillary to the existing building to allow its continued safe operation.

## Design, Siting and Appearance

Policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy, whilst policy B23 relates to street furniture and requires equipment to be both designed and located to be sympathetic to the environment.

In this regard, the need for the CCTV in the interests of security is noted, and it is considered that the siting in relation to the nearest residential properties which are located approximately 130 metres to the west, is sufficient to be out of the field of vision of the proposed camera. Furthermore the design of the pole and camera is consistent in terms of colour and height with other street furniture which forms part of the immediate cemetery and the adjacent street network, namely lamp posts and telecommunication masts and as such accords with the requirements of policy B2.

## Highway Issues

Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met. In addition, policy T22 seeks to ensure that the necessary levels of car parking will be provided.

In this regard, the proposed siting of the camera column on an area of open space to the rear of the crematorium would not result in any loss of parking provision or turning facilities and thus, it is not considered that their installation would cause any detriment to highway safety. The proposal is therefore considered to accord with UDP policies T14 and T22.

## **Conclusion**

It is considered that the proposed column is of an appropriate design and scale, sited to minimise its visual impact and would not lead to a reduction in the levels of residential amenity currently afforded neighbouring dwellings.

Accordingly, it is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members grant consent for the proposal subject to the conditions listed below.

## **RECOMMENDATION: Grant Consent In Accordance with Regulation 3 of the Town and Country Planning General Regulations 1992**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawing No. 101, Location Plan received 25.02.2011.

Drawing No. 302, Site Plan received 25.02.2011.

Drawing No.SK1, Elevational Detail received 25.02.2011.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding the submitted plans, the installation hereby approved shall be removed from the site when no longer required, in order to achieve a satisfactory form of development and to comply with policy B23 of the adopted Unitary Development Plan.

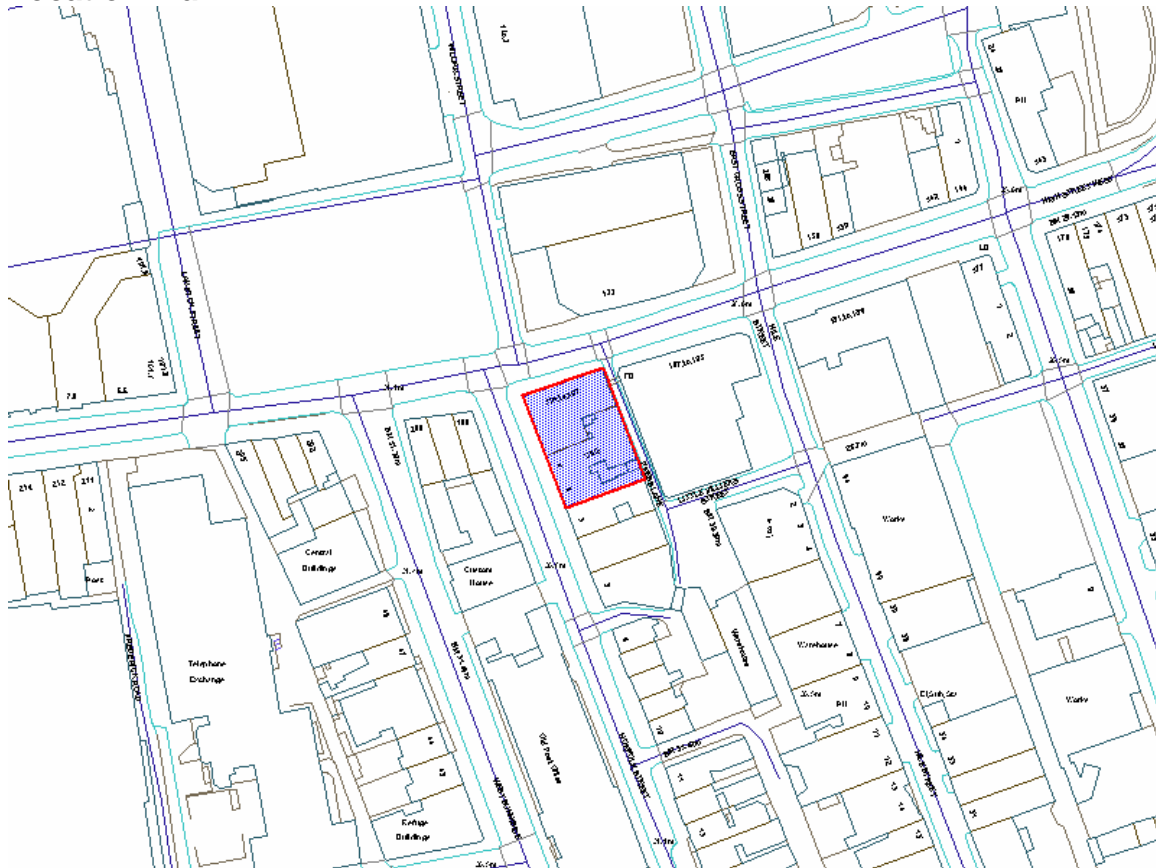
Reference No.: 11/00507/SUB Resubmission

**Proposal:** Change of use to provide 2 office units (Use Class A2) at ground floor and 12 residential units (Use Class C3) on ground, first and second floors, to include external alteration (Resubmission).

**Location:** 194 - 197 High Street West And 1-2 Norfolk Street  
Sunderland SR1 1UG

**Ward:** Hendon  
**Applicant:** Mr D S Pannu  
**Date Valid:** 16 February 2011  
**Target Date:** 18 May 2011

### Location Plan



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### PROPOSAL:

The application is a resubmission of a scheme which was previously approved by the Development Control (South and City Centre) Sub- Committee at the meeting held on 5th October 2010 (application reference number 10/02455/FUL). The proposal involves the change of use to provide two office units (Use Class A2) at ground floor and a total of 12 residential units on the ground, first, second and third floors, to include external alterations at 194 - 197 High Street West and 1 - 2 Norfolk Street, Sunderland.

Members should note that the current proposal is a result of findings on site that have required structural alterations to be made to the rear off shoot of the building, that has allowed modification to finished floor levels and introduced an additional floor within the existing envelope of the structure. Whilst the total number of units remains as previously approved, the introduction of a further floor requires the complete modification of the pattern of fenestration which faces onto Press Lane.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Sunniside Partnership  
Northumbrian Water  
Street Scene (Environmental Service)  
Director of Children's Services  
English Heritage  
City Services - Transportation  
ARC  
County Archaeologist

Final Date for Receipt of Representations: **22.03.2011**

#### **REPRESENTATIONS:**

No letters of representation have been received to date.

#### **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
B\_4\_Development within conservation areas  
B\_6\_Measures to preserve and enhance conservation areas  
B\_10\_Development affecting the setting of listed buildings  
B\_11\_Measures to protect the archaeological heritage of Sunderland (general)  
H\_4\_Density of housing development to at least reflect that of the locality  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

## COMMENTS:

To consider the resubmitted proposal, the following matters have been examined:-

- The Principle of Development.
- Revisions to the Design and Layout.
- Highways and Parking.
- Impact on the Archaeology of the Site.

### The Principle of Development.

The previous application explained the policy background to the site, however in summary, the site is located within an area which forms part of the Sunnyside Area Regeneration Strategy and is covered by Policy SA55B.1 of the Unitary Development Plan Alteration No.2 (Central Sunderland) which states that housing and office units are acceptable in this location. Further to the previous approval, there is no change in the number of units of accommodation being provided, nor have there been any material changes to planning policy / guidance considered at that time.

As such the principal of redeveloping the site for a mix of office and residential purposes remains unchanged and acceptable in principle and in accordance with SA55B.1 of the UDP.

### Revision to the Design and Layout

Notwithstanding the principle of the development, due consideration has been given to the overall density of the proposal and its impact upon the host property, neighbouring properties and the wider conservation area. The proposed changes to the internal layout and building facades are considered to be acceptable, having been discussed throughout the ongoing redevelopment of the property with the Planning Implementation Conservation Officer.

The front elevation details are considered to be satisfactory, and the applicant has agreed to remove the notation that refers to the application of a Tyrolean finish to the Norfolk Street property. In addition the removal of the existing render to the High Street /Norfolk St. properties is welcomed, however a cautionary condition shall be attached, should members be minded to approve, requiring any future application of a render and colour to be agreed by the Local Planning Authority in writing. The submitted drawings showing details of the timber sliding sash windows to be employed to the front elevations and the sections through the shop front showing the pilaster details etc are all considered to be acceptable.

A sample of the material to be used in the manufacture of the rear windows has been submitted; this being a coloured uPVC in grey/blue. Whilst there are issues around the use of PVC that have been discussed with the developer, the finish does appear to be acceptable and similar in appearance to the aluminium frames suggested. Given that this building has been "at risk" for some considerable time and has not been picked up by developers previously; and having regard to the good quality of the design being achieved on the main public face of this



prominent group in the Conservation Area, there are grounds to make a concession in this respect. Accordingly, the use of the coloured PVC is considered satisfactory.

To conclude issues relating to design, further details of rainwater goods, render finishes and colour applications have all been provided in a schedule of materials and all are considered to be satisfactory in order to complete the appearance of the proposed refurbishment works. Should members be minded to approve the application a condition shall be imposed requiring the materials to be used on site to conform with those submitted within the materials schedule.

The proposed alterations are considered to be in accordance with the aims of the Sunnyside Conservation Area Strategy and Planning Framework Supplementary Planning Document and in general compliance with policies B2, B4, B6 and B10 of the adopted UDP.

#### Highway Access and Parking.

As the site lies within the City Centre, there is a commitment to sustainable development through the reduction in travel demand by limiting car parking provision; such a measure can be a means of encouraging travellers to change their travel mode. In this particular instance has identified and incorporated five parking bays located to the rear. The resubmitted proposal retains the previously approved parking layout, subsequently following consultations with the Executive Director of City Services (Streetscene : Highway Engineering) the scheme raises no concerns with no observations or comments to report.

#### Impact on the Archaeology.

Following the granting of the original planning approval, the applicant has provided an acknowledgement of the need to provide an archive record of the roof trusses should they require removal. In light of this ongoing situation, it is considered that should members be minded to grant consent the additional work can be conditioned.

#### **Conclusion.**

In summary, the proposal has been assessed in line with policies H4, B2, B4, B6, B10, B11 and T14 of the UDP and SPD and is considered to be acceptable in principle. Furthermore by bringing back into use a building which has remained vacant and dilapidated for a substantial period of time, with a scheme designed to respect both the appearance of the host group of buildings and the Conservation Area, the proposal is considered acceptable from both an urban design and conservation perspective. The resubmitted proposal is not considered likely to have an adverse impact upon the amenities of the area and nearby residential properties or highway safety and is therefore considered to be acceptable. Members are recommended to approve the proposal, subject to the conditions set out below.

#### **RECOMMENDATION: Approve subject to the following conditions**

## Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Location Plan received 16.02.2011.

Site Plan received 16.02.2011.

Drawing No. DP01, received 16.02.2011, Existing Elevations (North and West).

Drawing No. DP02, received 16.02.2011, Existing Elevations (East and South).

Drawing No. DP03, received 16.02.2011, Existing Elevations (North and South).

Drawing No. DP04, received 16.02.2011, Existing Sections.

Drawing No. DP05, received 16.02.2011, Existing Basement and Ground Floor Plan.

Drawing No. DP06, received 16.02.2011, Existing First and Second Floor Plan.

Drawing No. DP07 Rev B, received 16.02.2011, Proposed Elevations.

Drawing No. DP08 Rev C, received 16.02.2011, Proposed Elevations.

Drawing No. DP09 Rev A, received 16.02.2011, Window Details.

Drawing No. DP10 Rev C, received 16.02.2011, Proposed Plans.

Drawing No. DP11 Rev C, received 16.02.2011, Proposed Plans.

Drawing No. DP12 Rev B, received 16.02.2011, Proposed Sections/Plans.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those indicated within the detailed schedule received 26.03.2011, 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.
- 4 Sample panels of brickwork, demonstrating the colour, texture, face bond and pointing to be built at the site and approved by the Local Planning Authority before the relevant parts of the work are commenced and the approved works so implemented, in the interests of the visual amenity of the area and to comply with policies B2, B4 and B6, of the UDP.

- 5 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 6 Before the development hereby approved is commenced details of the means of demolition shall be submitted to and approved by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policy B2, B4, B6 and EN1 of the UDP.
- 7 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP
- 8 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 9 No development shall take place until a programme of archaeological building recording has been completed of the roof trusses in Nos. 194 - 197 High Street West, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved by the Local Planning Authority prior to any development or demolition work taking place. In order to provide an archive record of the historic building or structure and to accord with Planning Policy Statement 5 : Historic Environment.

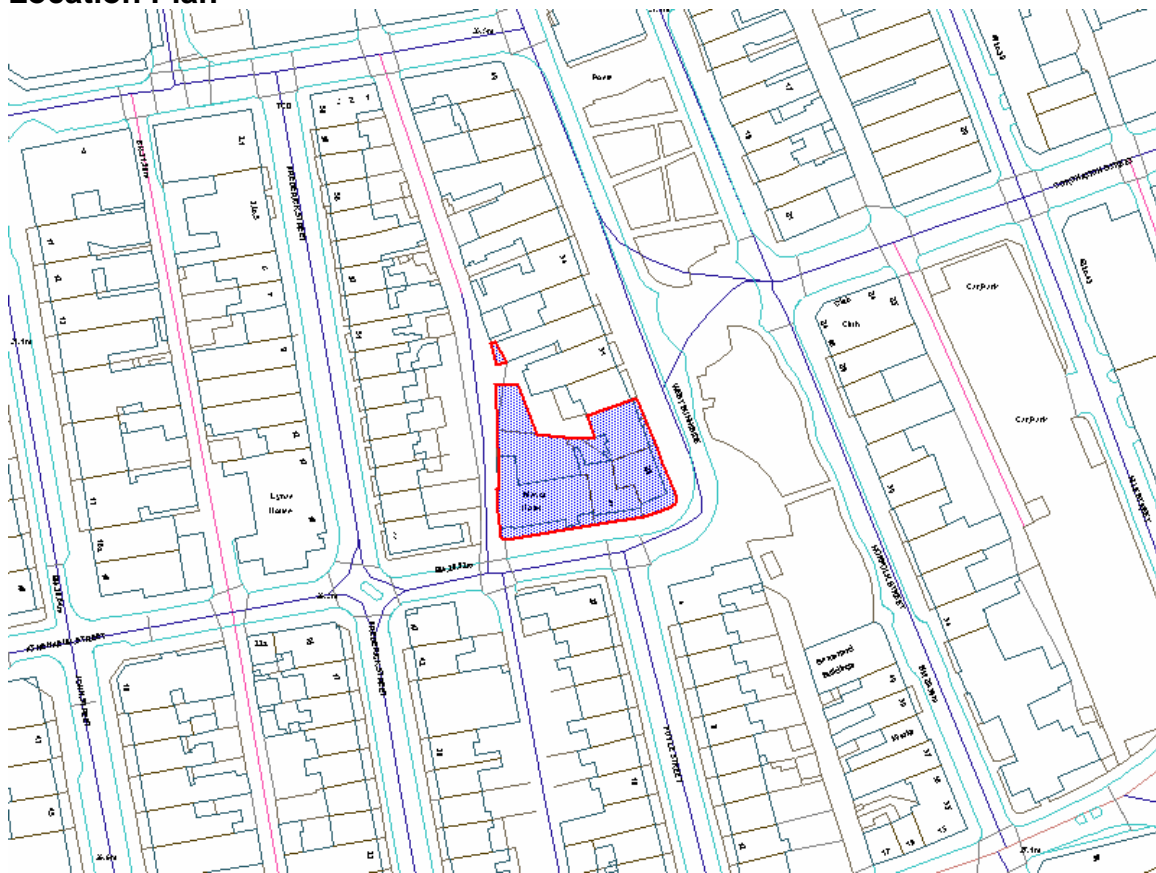
**Reference No.:** 11/00782/LAP Development by City(Regulation 3)

**Proposal:** **Installation of roller shutter door to rear lane elevation to form access to bin store.**

**Location:** Rear Of 32 West Sunnyside/the Place Athenaeum Street Sunderland SR1 1QX

**Ward:** Hendon  
**Applicant:** Office of The Chief Executive  
**Date Valid:** 17 March 2011  
**Target Date:** 12 May 2011

### Location Plan



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### PROPOSAL:

The application relates to the installation of a new roller shutter door within the existing boundary wall to the rear of 32 West Sunnyside, The Place, Athenaeum Street, Sunderland. The purpose of the installation is to re-locate the entrance to the existing bin store to provide more proficient access to the store on the day of the refuse collection.

It is proposed to cut a section of the wall away and install the roller shutter door to the internal side of the 225mm thick masonry wall. The roller shutter door is proposed to be finished in white powder coated aluminium

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

City Services - Transportation

Final Date for Receipt of Representations: **21.04.2011**

**REPRESENTATIONS:**

To date, no representations have been received

**POLICIES:**

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

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

B\_4\_Development within conservation areas

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

**COMMENTS:**

The main issues under consideration in the assessment of this application relate to:

- the impact of the development upon the setting of the Grade II Listed Building and
- the impact the development would have within the context of the Sunnyside Conservation Area.

Within the Unitary Development Plan (UDP) policy B2 is relevant when considering the application. Policy B2 is concerned with ensuring that any new form of development is in keeping with the host building and surrounding built form and via careful sensitive control of development, seeks to protect and enhance those features of the built environment which contribute towards the determination of character.

Policy B4 of the UDP refers specifically to development within conservation areas and requires that:

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

Policy HE7 of Planning Policy Statement 5, published in March 2010 requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and positive contribution that the conservation of heritage assets can make to the establishment and maintenance of sustainable communities and economic vitality. Policy HE9 states that there should be a presumption in favour of the conservation of designated heritage assets.

Furthermore the Sunnyside Conservation Area Management Strategy is also relevant to the proposal.

With regards to the above policy framework, the proposal is considered have a minimal impact within the context of its setting and would not unduly impact on the setting of the Listed Building. The proposed alteration to the bin storage access would be within a section of recently built boundary wall and all mechanisms are to be located internally. It is however considered that the rollershutter door should be finished in powder coated black to match the existing gates. A condition to this effect would be attached the decision notice should members see fit to approve the application.

In light of the above and given that the roller shutter installation would be sited within a relatively sheltered location, it is not considered that the proposed works would be detrimental to the host building or the wider Conservation Area.

Therefore the proposal is considered to accord with policies B2 and B4 of the UDP.

## **Conclusion**

The period for the receipt of representations does not expire until 21 April and subject to no objections being received, it is anticipated that a recommendation for approval will be made. Should any representations be received during the consultation period these will be set out on the supplement.

## **RECOMMENDATION: Deputy Chief Executive to Report**

8.

City Centre

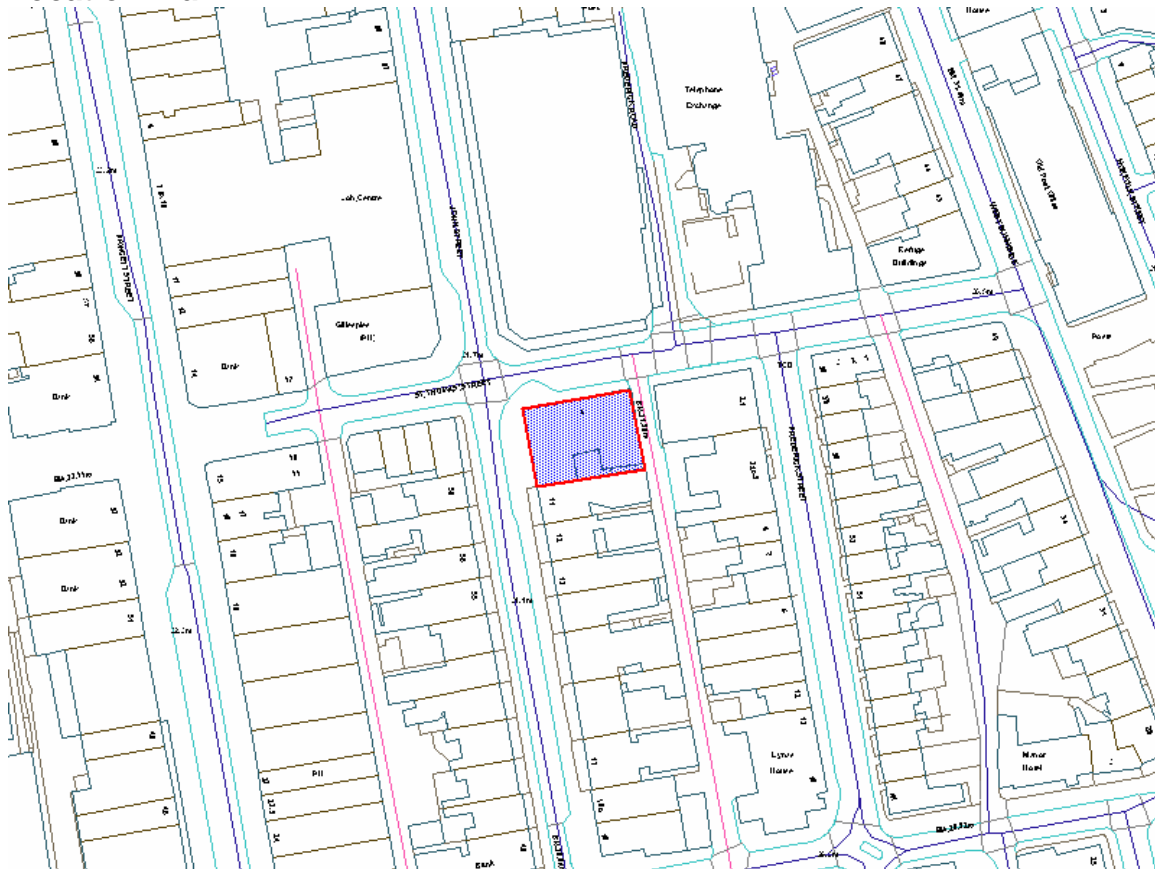
Reference No.: 11/00783/LAP Development by City(Regulation 3)

Proposal: **Installation of a raised platform to provide a bin storage facility within courtyard.**

Location: 4 Saint Thomas Street Sunderland SR1 1NW

Ward: Hendon  
Applicant: Office Of The Chief Executive  
Date Valid: 29 March 2011  
Target Date: 24 May 2011

### Location Plan



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### PROPOSAL:

Full planning consent is being sought for the installation of a raised platform to provide a bin storage facility within the courtyard at 4 Saint Thomas Street, Sunderland. A Listed Building Consent application has also been submitted for determination which is reported elsewhere on this agenda (see ref. 11/00787LAL).

The host building is Grade II listed and located within the Sunnyside Conservation Area. Pre-application discussions were undertaken to identify the most appropriate option to meet the needs of the business operation whilst safeguarding the integrity of the host property.

The proposed option requires some small alterations / loss of original railing to a walkway located within the service courtyard of the building. At present the refuse bins to the premises are being stored in the walkway through to the rear exit door of the back lane. , This arrangement hinders the means of escape from the premises, particularly at time of emergency, and as such necessitates the current application on health and safety grounds. The proposed increase in floor space (1.68 sq m) covers an area measuring 800 mm in width by 2.1 metres in overall length which is sufficient to house three large bins and incorporates the realignment of the existing handrail around the perimeter.

The alterations proposed, involve the removal of a section of the existing coping stone and wall in order to provide a level access approach to the bin platform storage area. The platform is to be constructed of 10 mm thick tactile steel and welded on to a 70 mm square tubular steel frame supported using three tubular galas (knee) brackets. The brackets are to be fixed into position with 3No.20mm expanding bolts on each bracket. On top of the platform a 1100 mm high balustrade is to be provided. The handrail is to be 45 mm wide and 5 mm thick flat bar to match the existing and is to be welded to the existing and fixed to the wall of the existing building with bolts. To attach the balustrade to the platform, supporting shoes are to be provided welded to the platform and the balustrade.

The Design and Access statement submitted with the application indicates that the development option chosen was the most practical from the standpoint of the users of the building while having limited impact upon the fabric of the listed building and retaining the main courtyard area.

The building is in the local authority's ownership.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Transportation  
County Archaeologist  
English Heritage

Final Date for Receipt of Representations: **26.04.2011**

#### **REPRESENTATIONS:**

Neighbours

No representations have been received to date

Consultations

The views of the County Archaeologist and English Heritage are awaited.



## **POLICIES:**

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

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

B\_4\_Development within conservation areas

B\_8\_Demolition of listed buildings

## **COMMENTS:**

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

- The form of the development; and
- The impact upon the character and appearance of a Grade II Listed Building.

### The Form of the Development

Within the Unitary Development Plan (UDP) policy B2 is relevant when considering the application. The policy seeks to ensure that any new form of development is in keeping with the host building and surrounding built form and via careful sensitive control of development, seek to protect and enhance those features of the built environment which contribute towards the determination of character.

The proposed works were discussed during pre-application meetings with council officers. As indicated above the works are of a relatively minor nature affecting only the rather utilitarian area of the service courtyard of the building. The scheme proposes to fit a platform bin store by cutting back a section of the wall construction of the existing landing on the steps leading from the building to the courtyard and form a steel platform. Two other options were discounted: the first involved the storage of the bins at the bottom of the courtyard with the provision of a ramp; the second was to keep the bins in the courtyard and wheel them up and down the steps. The first was discounted on grounds of its impact on the appearance of the courtyard; while the second was considered to have major issues for the health and safety of occupants moving the bins.

It is considered that the proposed solution to the problem of refuse bin storage is acceptable as it has limited impact and the form of the proposed railing while of a bulkier section than the existing railing does not detract from the features of the courtyard, thereby complying with policy B4 of the UDP.

### The Impact on the Listed Building and the Conservation Area

As indicated above the site is within the West Sunnyside Conservation Area and the building is classed as Grade II on the list of buildings of special architectural and historic interest. Consequently it is necessary to consider the requirements of policies B4 and B8 of the adopted Unitary Development Plan (UDP)

Policy B4 of the UDP refers specifically to development with conservation areas and requires that:

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

Policy B8 of the UDP refers specifically to Listed Buildings and states in part that: "There will be a presumption in favour of retaining listed buildings. Demolition in whole or substantive part will only be given consent when all other avenues for retention (including preservation in charitable or community ownership) have been explored and found not to be feasible or it is considered that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition."

Whilst this proposal does not involve the complete removal of the existing steps and raised platform area, modifications of the wall will be required and hence the policy is applicable in this instance.

Policy HE7 of Planning Policy Statement 5 (Planning for the Historic Environment), published in March 2010 requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and positive contribution that the conservation of heritage assets can make to the establishment and maintenance of sustainable communities and economic vitality. In addition, policy HE9 states that there should be a presumption in favour of the conservation of designated heritage assets.

Whilst it is acknowledged that the form of works proposed is minor in detail, the proposal does provide the most pragmatic solution to the refuse storage and emergency egress problem. The works have limited impact upon the Grade II listed building, maintaining the openness of the courtyard. As the works are to the rear of the building and not open to general public view they do not have an adverse impact upon the West Sunnyside Conservation Area

The proposed works are therefore considered to be acceptable and to accord with the requirements of policies B2, B4 and B8 of the UDP.

As the application relates to a local authority listed building the associated application for Listed Building consent has to be referred to the Secretary of State for Communities and Local Government.

## **Conclusion**

The period for the receipt of representations does not expire until 26th April. It is anticipated that a report setting out the main points from any representations received during the consultation period together with a recommendation to Members will be set out on the supplement.

## **RECOMMENDATION: Deputy Chief Executive to Report**

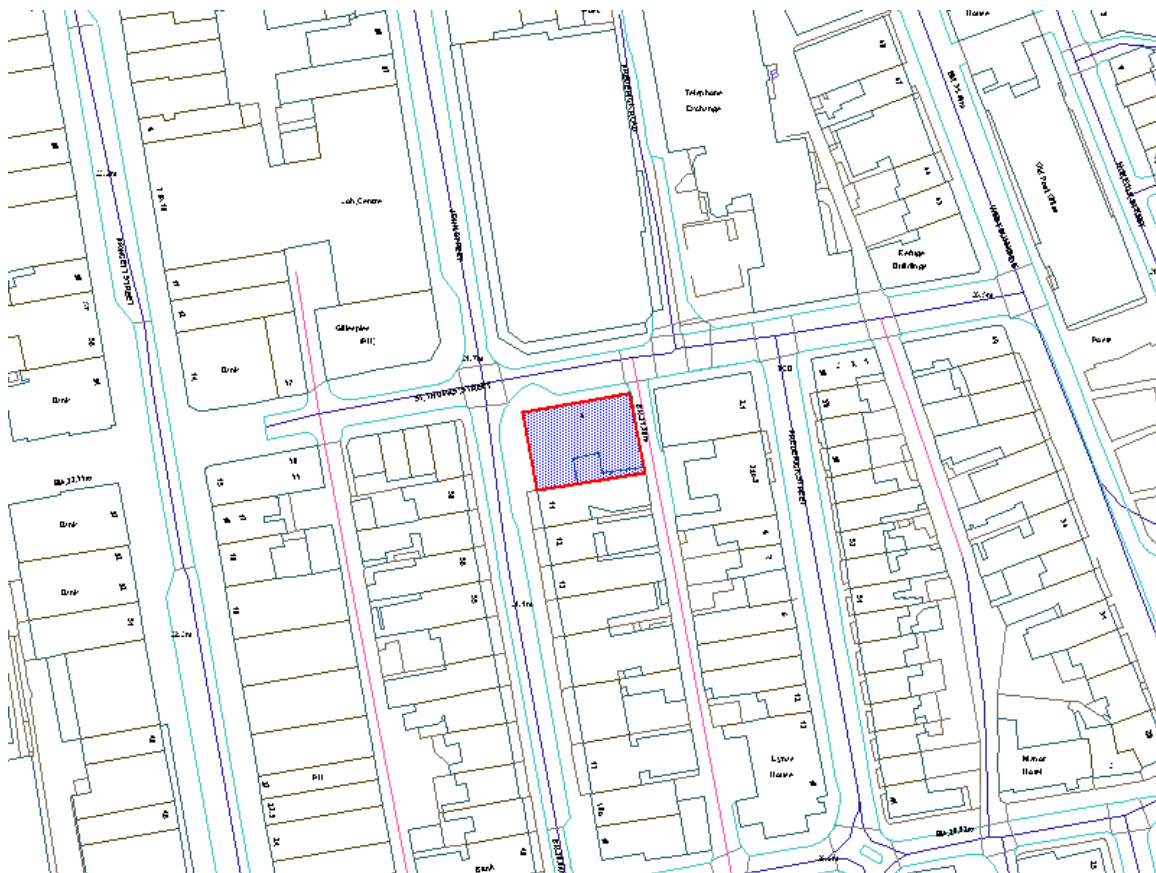
Reference No.: 11/00787/LAL LAP Listed Building

Proposal: **Installation of a raised platform to provide a bin storage facility within courtyard.**

Location: 4 Saint Thomas Street Sunderland SR1 1NW

Ward: Hendon  
 Applicant: Office Of The Chief Executive  
 Date Valid: 15 March 2011  
 Target Date: 10 May 2011

### Location Plan



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### PROPOSAL:

Listed Building Consent is being sought for the installation of a raised platform to provide a bin storage facility within the courtyard at 4 Saint Thomas Street, Sunderland. A full planning application has also been submitted for determination (See ref. 11/00783/LAP).

The host building is Grade II listed and located within the Sunnyside Conservation Area, pre-application discussions were undertaken to identify the most suitable option which meets the needs of the business operation whilst safeguarding the integrity of the host property.

The proposed option requires some small alterations / loss of original railing to a walkway located within the service courtyard of the building. At present the refuse bins to the premises are currently being stored in the walkway through to the rear exit door of the back lane, this situation has been identified as hindering the means of escape from the courtyard of the premises and as such provides the need for the current application. The proposed increase in floor space covers an area measuring 800mm in width by 2.1 metres in overall length which is sufficient to house three large bins and realigns the existing handrail around the perimeter.

The alterations proposed, involve the removal of a section of the existing coping stone, in order to provide a level access approach to the bin platform storage area. The platform is to be constructed of 10mm thick tactile steel and welded on to a 70mm square tubular steel frame supported using three tubular galas (knee) brackets. The brackets are to be fixed into position with 3No.20mm expanding bolts on each bracket. On top of the platform a 1100mm high balustrade is to be provided. The handrail is to be 45mm wide and 5mm thick flat bar to match the existing and welded to the existing and fixed to the wall of the existing building with bolts. To attach the balustrade to the platform, supporting shoes are to be provided welded to the platform and the balustrade.

As the structure is in the local authority's ownership the application is one which under regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990, will need to be referred to the Secretary of State for determination in the event of Members being minded to approve the application.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Transportation  
County Archaeologist  
English Heritage

Final Date for Receipt of Representations: **13.04.2011**

#### **REPRESENTATIONS:**

No representations have been received to date.

#### **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
B\_4\_Development within conservation areas  
B\_8\_Demolition of listed buildings

## **COMMENTS:**

The main issues under consideration in the assessment of this application relates to the impact of the development upon the character and appearance of a Grade II Listed Building.

The proposed works have been discussed during pre-application meetings and are of a relatively minor nature affecting only the rather utilitarian area of the service courtyard of the building.

Within the Unitary Development Plan (UDP) policy B2 is relevant when considering the application. Policy B2 is concerned with ensuring that any new form of development is in keeping with the host building and surrounding built form and via careful sensitive control of development, seek to protect and enhance those features of the built environment which contribute towards the determination of character.

Policy B4 of the UDP refers specifically to development within conservation areas and requires that:

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

Policy B8 of the UDP refers specifically to Listed Buildings and states in part that: "There will be a presumption in favour of retaining listed buildings. Demolition in whole or substantive part will only be given consent when all other avenues for retention (including preservation in charitable or community ownership) have been explored and found not to be feasible or it is considered that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition."

Whilst this proposal does not involve the complete removal of the existing steps and raised platform area, modifications of the wall will be required and hence the policy is applicable in this instance.

Policy HE7 of Planning Policy Statement 5, published in March 2010 requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and positive contribution that the conservation of heritage assets can make to the establishment and maintenance of sustainable communities and economic vitality. Policy HE9 states that there should be a presumption in favour of the conservation of designated heritage assets.

Upon receipt of a consultation response from Planning Implementation Conservation Section it is noted that the proposal has been discussed at pre-application site meetings with the general details agreed.

Whilst it is acknowledged that the form of works proposed is minor in detail, the proposal does provide the most pragmatic solution and as such the alterations proposed to remedy the health and safety issues are considered to be acceptable.

Therefore the proposal is considered to accord with policies B2, B4 and B8 of the UDP.

As the application relates to a local authority listed building the application is subject to a deemed call in for the Secretary of State.

In light of the above it is recommended that Members resolve that they are minded to grant the application and to refer the application to the Secretary of State for Communities and Local Government under Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990, subject to the imposition of relevant conditions.

Set out below are the conditions which it is considered should be applied to any consent.

**Conclusion:**

The application be referred to the Secretary of State for Communities and Local Government in accordance with Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990.

**RECOMMENDATION: That Members resolve to be Minded to Grant Listed Building Consent and refer the application to the Secretary of State.**

**Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawing No. 002/STTS, Existing and Proposed Elevations received 14.03.2011.

Drawing No. 0000, New Bin Store Platform received 14.03.2011.

Location Plan received 14.03.2011.

in order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 The external materials to be used, including walls, railings, supports shall be of the same colour, type and texture as those indicated within the supporting specification document received 14.03.2011, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policies B2 and B4 of the Unitary Development Plan.

# 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	10/03151/FUL  St Chads	Middle Herrington Farm Foxcover Lane Sunderland SR3 3TQ	<b>Smith Marston LLP</b>  Erection of two storey house, detached double garage and barn	Site Visit 21.01.11	01.02.11	Pending Consideration
2	10/03941OUT  Ryhope	Land to the Rear of Bevan Avenue, Sunderland	<b>Persimmon Homes North East</b>  Outline planning permission with all matters reserved except for access for 150 residential dwellings at Rushford Phase 2.	Site Visit 25.02.11	29.03.11	Pending Consideration

# 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**

3	11/00631/FUL  Pallion	Former Felstead School Fordfield Road Sunderland SR4 0DA	<b>Housing 21</b>  Demolition of existing school building and caretakers cottage. Construction of 176 extra-care apartments with communal facilities and associated parking, access and landscaping.	N/A	N/A	Pending Consideration
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# 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**

5	11/00982/REM  Millfield	Land At Lisburn Terrace/Pallion New Road Sunderland SR4 6PT	<b>St Mowdens/Persimmon Homes</b>  Reserved matters application for approval of details relating to scale, layout, appearance and landscaping of planning application 10/01549/OUT for the erection of 212 dwellings.	N/A	N/A	Pending Consideration
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## Items Delegated to the Deputy Chief Executive

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**1. Outline application for B1, B2 and B8 uses with all matters but access reserved.**

**10/02555/OUT Land East Of Prospect Row Hendon Sunderland**

27/07/10 Dahlia Property (Jersey) Ltd

**Decision:** Approved

**Date of Decision:** 31st March 2011

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## Appeals Received South Sunderland

Between 01/03/2011 and 31/03/2011

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Ref No	Address	Description	Date Appeal Lodged
11/00002/REF	Malcolm Graham Transport Pallion New Road Sunderland SR4 6UA	Retrospective change of use to non-ferrous waste transfer station and garden centre, involving proposed subdivision of existing building, erection of portacabin and construction of new access to the eastern end of the site.	22/03/2011

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## Appeals Determined Sunderland South

Between 01/03/2011 and 31/03/2011

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TEAM	Ref No	ADDRESS	Description	Decision	Date of Decision
	11/00001/REF	59 The Broadway Grindon Sund erland SR4 8NR	First floor extension to side / front	DISMIS	16/03/2011
	10/00036/REF	23 And 23 And A Half Fawcett Street Sunderland SR1 1RH	Installation of new shop fronts.	DISMIS	03/03/2011

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## Appeal Decision

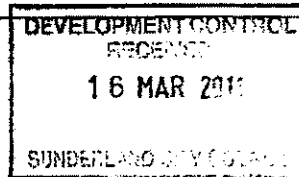
Site visit made on 3 March 2011

by **Chris Checkley BA(Hons) MRTPI**

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

Decision date: 16 March 2011

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**Appeal Ref: APP/J4525/D/11/2144805**

**59 The Broadway, Grindon, Sunderland, SR4 8NR**

- 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 Michael Connelly against the decision of Sunderland City Council.
  - The application (Ref 10/03147/FUL) dated 14 September 2010, was refused by notice dated 10 November 2010.
  - The development proposed is two first floor bedrooms, an en-suite and a new bathroom.
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### Decision

1. I dismiss the appeal.

### Main Issue

2. The main issue is the effect of the development upon the street scene.

### Reasons

3. The appeal site includes a two-storey semi-detached house with a pitched roof that is gable-ended. It is half of a semi-detached pair at the eastern end of a series of 3 semi-detached pairs of similar design fronting The Broadway, a main distributor road within the urban area. Each pair is separated by single-storey garages or extensions at the side. In each case the side extensions are subservient in scale to the main house. The appeal property already has a single-storey side extension which is wider and deeper than others in the series, its pitched roof also projecting forward of the main elevation and continuing above a porch.
  4. Nevertheless, the present side extension still manages to appear subordinate to the main structure. Also, all six houses are sufficiently similar to present the pleasing appearance in the street scene of a coherent series of largely symmetrical pairs, the end pairs being set slightly forward of the middle pair. This coherence is noticeable despite the variety of other building types along The Broadway.
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5. The Council's Unitary Development Plan (UDP) has been supplemented by a recently adopted Supplementary Planning Document: Household Alterations and Extensions (SPG).
6. The proposal would in effect involve the construction of a first floor above the single-storey side extension. It would create a two-storey gable projecting forward about 1.3m from the original main front elevation of the semi-detached pair, its roof tying into the existing main ridgeline at the same height. There would be a projecting pitched gable roof at the front and a hipped roof at the rear. This full height projecting gable would dominate the frontage. It would be contrary to the SPD guidance that 2-storey side extensions should generally have roof designs matching the main roof, should be set back from the main front elevation and set down from the main roof in order to create a subservient effect.
7. The first extension would also be relatively wide in relation to the proportions of the main house, much wider than the 50% maximum guideline within the SPD. The large two-storey gabled extension, standing forward of the other main front elevations, would be an unduly obtrusive feature in the street scene and would unbalance the pleasing symmetry of the linked pairs of houses that forms the visual context.
8. I conclude that the scale, form and forward projection of the extension would result in a development out of character with the pairs of semi-detached houses and would be harmful to the street scene. These effects would be contrary to the provisions of Policy B2 of the UDP and the guidance in the SPD.
9. I have taken account of the appellant's desire to provide accommodation for his elderly mother. However, I find this benefit is outweighed by the permanent visual harm that would be caused. I am also mindful that the Council does not object to an extension in principle, only to the detailed scale, form and position of this particular scheme.

*C J Checkley*

INSPECTOR

DHR 10/00036/REF.

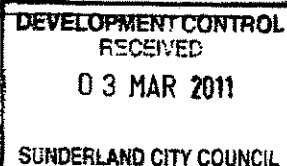
## Appeal Decision

Site visit made on 22 February 2011

by **John L Gray DipArch MSc Registered Architect**

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

Decision date: 3 March 2011



**Appeal Ref. APP/J4525/A/10/2142395**  
**23 and 23½ Fawcett Street, Sunderland, SR1 1RH**

- 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 Rocquaine Property Holdings Limited against the decision of Sunderland City Council.
- The application, ref. 10/02973/FUL, dated 26 August 2010, was refused by notice dated 1 November 2010.
- The development proposed is the installation of new shop fronts.

**Decision: I dismiss the appeal.**

### Main Issue

1. This is the effect the proposed shop fronts would have on the character and appearance of the host building and the Sunnyside Conservation Area.

### Reasons

2. I agree with the appellant that the existing shop front is of poor quality but I disagree that the host building has no architectural merit. It may lack the exuberance of the two buildings immediately to its north or the classical or civic dignity of some of the other buildings in Fawcett Street – but it was clearly designed as a pair with no. 24 (albeit somewhat asymmetrical) and nos. 23-26 appear, from their common architectural style, to have been built together. In my opinion, their more reticent style makes an important contribution to the street scene, as a setting for the more individual architectural statements.
3. That said, most of the ground floor shop fronts in the vicinity pay scant regard to the architectural style of the façades above. No. 24 is almost an exception to that – because the shop front is contained between pilasters which might be thought to afford some sort of visual support for the façade above. In effect, though, the host building offers few design constraints and is susceptible to a well-designed shop front with either traditional or modern characteristics.
4. The proposed shop front seems to provide neither. It has broadly traditional characteristics in its stall risers, timber window frames and timber-framed glazed doors. On the other hand, the proportions of the sub-divisions are poor. The mullion spacing differs slightly between one shop front and the other – enough for them to look uncomfortable side-by-side, not enough to look like separate but related shop fronts. The transoms are conspicuously not aligned with the height of the adjacent door heads – though that is perhaps less of a problem with the left-hand shop front, where the doorway is recessed between solid piers. And the doorways are all different widths – one has no side-light



- and the other two (one being the door giving access to the upper floors) have narrow side-lights of different widths.
5. What the fascia would look like I find impossible to judge accurately from the application plans. The shop fronts would be contained by what are annotated as pilasters and a fascia. However, the use of the word pilaster implies a measure of detail that is absent from the drawing (a pilaster is a supporting pier, usually projecting, and normally, however minimally expressed, has a base, shaft and cap). The only annotations are "flush timber fascia" on the section and "flush timber fascia and pilasters painted 00 A 09" on the elevation. I deduce that the fascia and pilasters would be flush with each other rather than with any other building element, except perhaps the roller shutter box. The section annotates a "semi recessed shop sign" but shows a slightly projecting one. What is annotated as a "concealed roller shutter box" appears on the drawing itself to be flush with the fascia. Quite simply, it would be wrong to grant permission on the basis of the submitted detail because a condition seeking to control the details of the design could only be based on what appears to be conflicting information.
  6. I cannot avoid coming to the conclusion that the proposed shop fronts fail to provide what is sought by way of saved UDP Policies S8 and B4 and Proposal 6b of the Sunnyside Conservation Area Character Appraisal and Management Strategy. Firstly, the submitted elevation does not exhibit the quality of design to be expected in a Conservation Area; secondly, the information on the drawings is insufficient to give any certainty about some aspects of that design.
  7. I tend to agree that numerous shop fronts in Fawcett Street are of poor design quality for their Conservation Area location. That, however, cannot condone an inadequate standard of design for a new shop front. The character and appearance of a Conservation Area is to be preserved or enhanced. Simply to preserve what is assessed as poor quality should be insufficient. That is evident from paragraph 34 of PPS1 (Planning Policy Statement 1: Delivering Sustainable Development), which says that "design ... which fails to take the opportunities available for improving the character and quality of an area ... should not be accepted". In essence, the Conservation Area Strategy conveys the same message. Accordingly, my conclusion on the merits of the proposed design cannot be set aside because of the perceived poor quality of other nearby shop fronts.

*John L Gray*

Inspector