

## **DEVELOPMENT PLAN**

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

### **Unitary Development Plan - current status**

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

## **STANDARD CONDITIONS**

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

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

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

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION**

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the 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

**Reference No.:** 10/00472/VAR Variation of Condition

**Proposal:** Variation of condition 2 (approved plans) attached to planning application 07/00131/LEG "33 new dwellings with the stopping up of roads and footpaths on Avon and Thames Crescent"

**Location:** Avon Crescent Fence Houses Houghton-Le-Spring

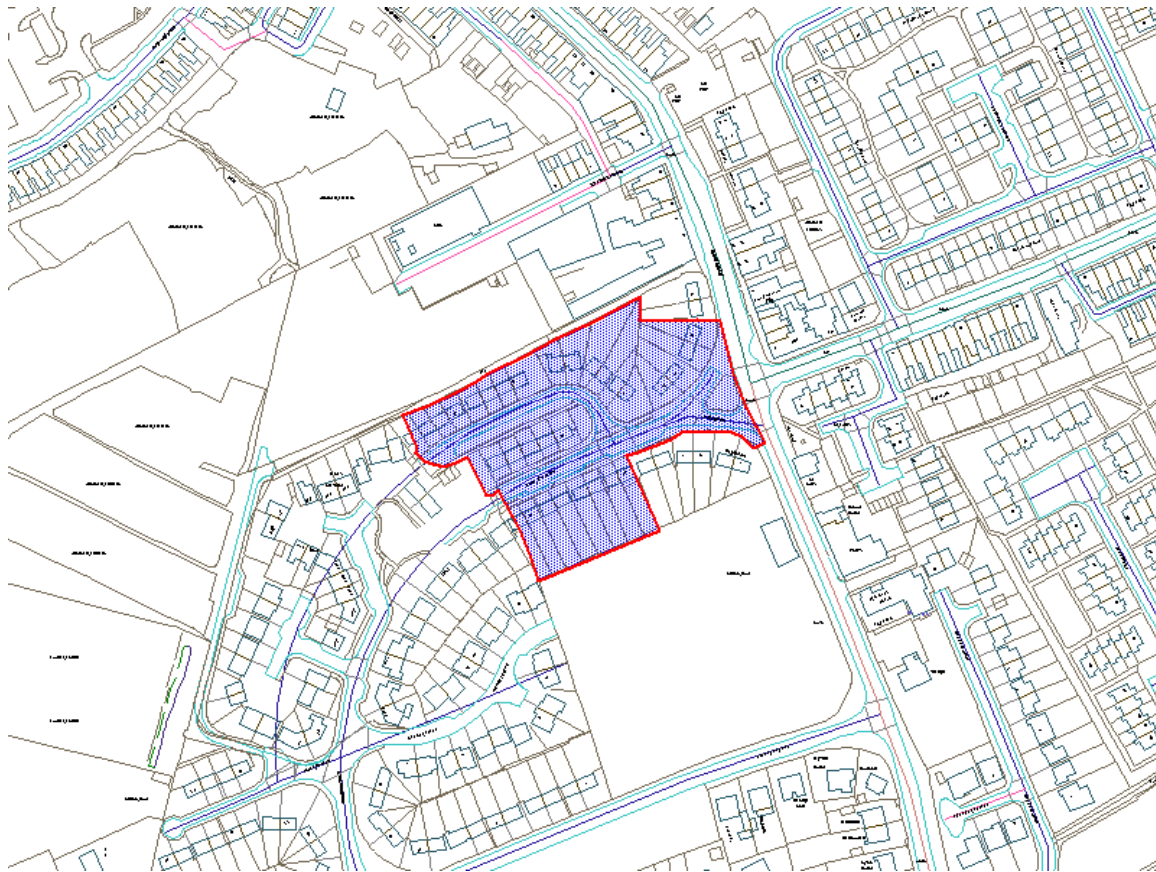
**Ward:** Houghton

**Applicant:** Gentoo Homes

**Date Valid:** 22 February 2010

**Target Date:** 24 May 2010

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2009.

### PROPOSAL:

Proposal is for the variation of condition 2 (approved plans) attached to planning consent 07/00131/LEG which is for the construction of 33 new dwellings with the stopping up of roads and footpaths on Avon and Thames Crescent.

Planning application 07/00131/LEG was submitted by Sunderland Housing Group (now known as Gentoo) and was approved in April 2007. The requirement for this variation of condition application is as a consequence of Gentoo's intention to install flat plate solar panels to the roof of each individual property in order to achieve an Eco Homes 'Very Good' rating for the overall development. The installation of the solar panels materially alters the appearance of the proposed dwelling houses and as such this application to vary condition (approved plans) has been submitted.

In addition Gentoo also wish to substitute four of the previously approved properties at the entrance to the development. The 07/00131/LEG application gained approval for one detached and three terraced properties in this location. Gentoo are now seeking consent to replace these with a block of five terraced properties. However, as the house styles are substantially different and the quantum of development is being increased by one these changes were not eligible to be considered as part of the variation of condition application. Therefore a separate planning application has since been submitted for the substitution of 4 no. new dwellings and 1 no. additional new dwelling (Ref. 10/00944/FUL), which is being determined under delegated powers.

The implication of the 10/00944/FUL application is that this variation of condition application is therefore only concerned with the remaining 29 dwellings.

This variation of condition application has been supported by relevant plans, a Design and Access Statement, Clearline Solar Panel information, a copy of a Natural England Licence for the demolition of the previous houses, An Ecological Code for Sustainable Homes Assessment of Land (Phase 3) at Chilton Moor and a copy of the proposed Section 106 Agreement.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Final Date for Receipt of Representations: **23.03.2010**

#### **REPRESENTATIONS:**

Neighbours

No letters of representation have been received.

#### **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
T\_22\_Parking standards in new developments  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

L\_9\_Retention of land used for allotments

H\_1\_Provision for new housing

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

**COMMENTS:**

The main issues which need to be previously considered are:

1. Principle of development
2. Design considerations
3. Highway considerations
4. Residential amenity considerations
5. Ecology and landscaping
6. Sustainability
7. Section 106

The application is being given further consideration, however, it is anticipated that a recommendation will be made on the supplement.

**RECOMMENDATION: Deputy Chief Executive to Report**

**Reference No.:** 10/00520/FUL Full Application

**Proposal:** Residential development comprising of 17 no. two storey dwellings with associated landscaping and parking.

**Location:** Land To West Of Burtree Cambrian Way Washington Sunderland.

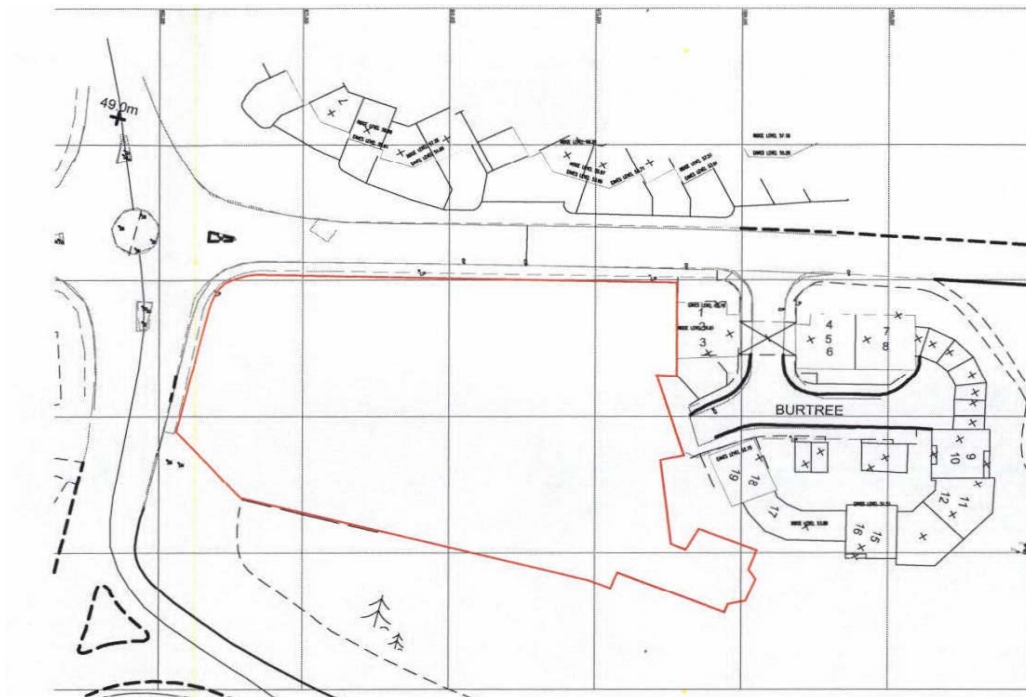
**Ward:**

**Applicant:** Keepmoat Homes

**Date Valid:** 22 February 2010

**Target Date:** 24 May 2010

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2009.

### PROPOSAL:

This application seeks consent for the erection of 17 houses on Land West of Burtree, Cambrian Way, Washington (named by the developer as Lambton Mews).

The application site lies immediately to the south of Cambrian Way and comprises a plot of land, approximately 0.4 hectares in area. The site is surrounded to the north, west and east by modern residential dwellings. To the south lies a wooded area alongside the A182 Washington Western Highway, beyond which lies an area of light industry.

The site is considered to be challenging in terms of the constraints present:

- A Northumbrian Water easement runs though the centre of the site. This easement splits into a fork diverting off on to Hambleton Road on the western boundary.
- Along the southern boundary of the site is an electrical easement approximately 5 metres wide.
- The southern site boundary is formed by a belt of mature trees between the site and the A182 Washington Western Highway.
- The western edge of the site adjacent to Hambleton Road is formed by an approximately 1 metre high landscaped slope. The levels across the site drop by approximately 1.5 metres from the north to the south of the site. The site also drops by approximately 1 metre from west to the south east.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Northumbrian Water  
Director of Childrens Services  
City Services (Environmental Service)  
Force Planning and Police Architectural Liaison Officer  
Environment Agency

Final Date for Receipt of Representations: **15.04.2010**

#### **REPRESENTATIONS:**

Two letters of objection and one letter requesting additional information have been received in connection with this application.

The two letters of objection received contain objections to the proposed development on grounds of:

- Removal of trees from the site
- Increase in noise as a removal of trees
- Wildlife
- Increased traffic
- Height of the development
- Overdevelopment
- Impact upon the value of existing property
- Impact upon residential amenity

## **POLICIES:**

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

H\_5\_Distribution of sites for new housing (over 10 units)

H\_11\_Housing sites with lapsed permissions normally to be approved

H\_3\_Quantification of land for new housing

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

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

## **COMMENTS:**

The main issues to consider when assessing this application are:

- Principle of development
- Urban design and site layout
- Impact upon residential amenity
- Impact upon visual amenity
- Highway access and car parking arrangements
- Arboricultural implications

### **Principle of development**

It is particularly important to establish the acceptability of the principle of development on any given site. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the adopted development plan be regarded as the primary consideration by the Local Planning Authority in determining a proposal for development unless material considerations dictate otherwise.

In this instance the application site is allocated within the UDP as Committed/Lapsed Housing with policies H3, H5 and H11 providing guidance for associated development. The proposed development concurs with the allocation of the site within the UDP.

The proposed development also relates to policy EN10 as all proposals for new development will be judged in accordance with the policies and proposals of the UDP. The proposed development concurs with policy EN10 as the land is allocated for residential purposes and would continue the existing pattern of land use. The principle use proposed would therefore be compatible with the existing adjacent neighbourhoods.

Additionally, consideration should be given to the Interim Strategy for Housing Land (Feb 2006) which provides strategic guidance for houses building within the City to the period 2016. Chapter 4 of the ISHL provides policies relating to the strategy for the amount, type and location of new housing.

Policy SP1 states that the Council will protect and encourage the development of the strategic sites identified in appendix 1 of the ISHL, the application site is identified in the ISHL as a committed site able to provide 24 dwellings. (The proposed development intends 17 dwellings).

The developer would deliver 7 dwellings fewer than the dwelling numbers recommended within the ISHL, however it is considered that due to the very constrained nature of the site a total of 17 dwellings is appropriate in order to achieve a satisfactory form of development and level of amenity space in association with each dwelling.

Policy SP5 of the ISHL requires development to achieve a minimum density of 30 dwellings per hectare. The proposed development provides a scheme with a density of 42.5 dwellings per hectare and is therefore considered to comply with the requirements of policy SP5 of the ISHL.

Further, it must be considered that the principle of residential development on this site was set by approved outline application 02/0465/LEG, which gave consent of up to 23 dwellings on the site. A further planning permission issued in 2007 (planning reference 06/03905/FUL) gave consent to a total of 28 dwellings on the site in the form of 14 townhouses and 14 apartments.

In conclusion, the site concurs with UDP policy and having considered the ISHL and associated policies, and as the site is allocated as a committed site within the ISHL, the development is considered to be acceptable in principle.

### **Urban design and site layout**

The proposed layout plan indicates the use of one access point into the site, via Burtree, terminating in shared surface parking courts. The dwellings proposed are arranged around the periphery of the site (avoiding the various easements across the site) in semi-detached and terraced blocks of 3 and 4. The dwellings proposed are a mixture of two and two and a half storeys in height. In addition to resident and visitor car parking spaces for the proposed dwellings, the application also proposes ten additional spaces for use by the existing residents of Burtree.

The proposed layout is considered to be broadly acceptable. However, some minor amendments have been requested to the housetypes proposed to introduce additional fenestration to them. The applicant has also indicated that following consultation undertaken with local residents living within Burtree a minor amendment to the red line boundary of the development site is to be undertaken. This minor amendment will allow car parking bays which are proposed to be positioned to the south of 17 Burtree to be repositioned in order that when they are accessed at night the headlights of cars do not cause a nuisance to the occupiers of number 17 by shining towards their windows.

### **Amended plans as detailed above are awaited.**

In addition to the above considerations, Members should note that there is no children's play space proposed as a part of this development. The applicant has however, agreed to enter into a legal agreement under Section 106 of the Town and Country Planning Act, 1990. A sum of £11917 will be provided in lieu of children's play space on site and will be used to upgrade existing facilities at Holley Park.



The Section 106 agreement referred to above is required to be signed by all parties and sealed by 24 May 2010. In the event that the section 106 agreement is not signed and sealed by that date the application will be considered to be unacceptable and contrary to policy H21 of the adopted UDP which requires that children's play space is accommodated on site or where it cannot be accommodated, a financial agreement as set out above entered in to.

### **Impact upon residential amenity**

As detailed above amended plans in connection with the development are awaited and matters relating to impact upon residential amenity will be fully assessed upon receipt of these amended plans.

In addition to the amended plans as set out above, a noise assessment has been requested to establish the extent to which the proposed development will be affected by noise from the Western Washington Highway.

In terms of the effect of the proposed development upon the value of existing private property (i.e. house prices): the value of private property cannot be considered as a material planning consideration.

### **Impact upon visual amenity**

It is considered that the proposed development is broadly acceptable in terms of visual amenity. However, additional information in respect of the massing of the development and tree retention is awaited. The issue of visual amenity will therefore be further considered upon receipt of this information.

### **Highway Access and Car Parking Arrangements**

It is proposed to take access to the site via the existing access from Cambrian Way through Burtree. The road and car parking courts created as a part of the new development are not to be offered to the Council for adoption but are to be retained as privately maintained areas.

The highway access and car parking arrangements are considered to be broadly acceptable although some minor amendments to the scheme have been requested, these being:

- Demonstration of adequate manoeuvrability for large vehicles like bin lorries and/or delivery vehicles within the site.
- The addition of driveways to the front of garages to remove the risk of vehicles obstructing the highway or footpath.

In addition, and as set out above, the applicant has also indicated that they wish to modify the arrangement of parking bays adjacent to 17 Burtree in order to remove the potential for nuisance occurring through car headlights shining directly in to the windows of that property.

Matters relating to highway access and car parking will therefore be further assessed upon receipt of amended plans.

### **Arboricultural Implications**

A mature tree belt exists to the south, between the proposed development site and the Washington Western Highway. It is considered that this tree belt has high visual amenity value and also acts as an important noise buffer between

existing and proposed residential development and the Highway. An arboricultural report detailing how the proposed development will affect the trees contained within this tree belt has been requested from the applicant. All arboricultural matters will be further assessed upon receipt of this report.

### **Summary**

The proposed development is considered to be acceptable in principle and in accordance with UDP land use policies. However, a number of issues remain under consideration, pending the submission of additional and revised information. In addition, a section 106 agreement in connection with the proposed development is currently being prepared.

Bearing in mind the above and in order to achieve the statutory thirteen week deadline for determination of the planning application, Members are requested to delegate the final decision regarding this application to the Deputy Chief Executive.

Currently the Deputy Chief Executive is minded to approve the application providing that satisfactorily amended plans and additional information are received to the satisfaction of the planning authority and providing that the Section 106 agreement in connection with the development is completed, signed and sealed. Where satisfactory plans and information are not received or the Section 106 agreement is not completed signed and sealed by 24 May 2010 the application will be refused.

**RECOMMENDATION: Delegate to Deputy Chief Executive**

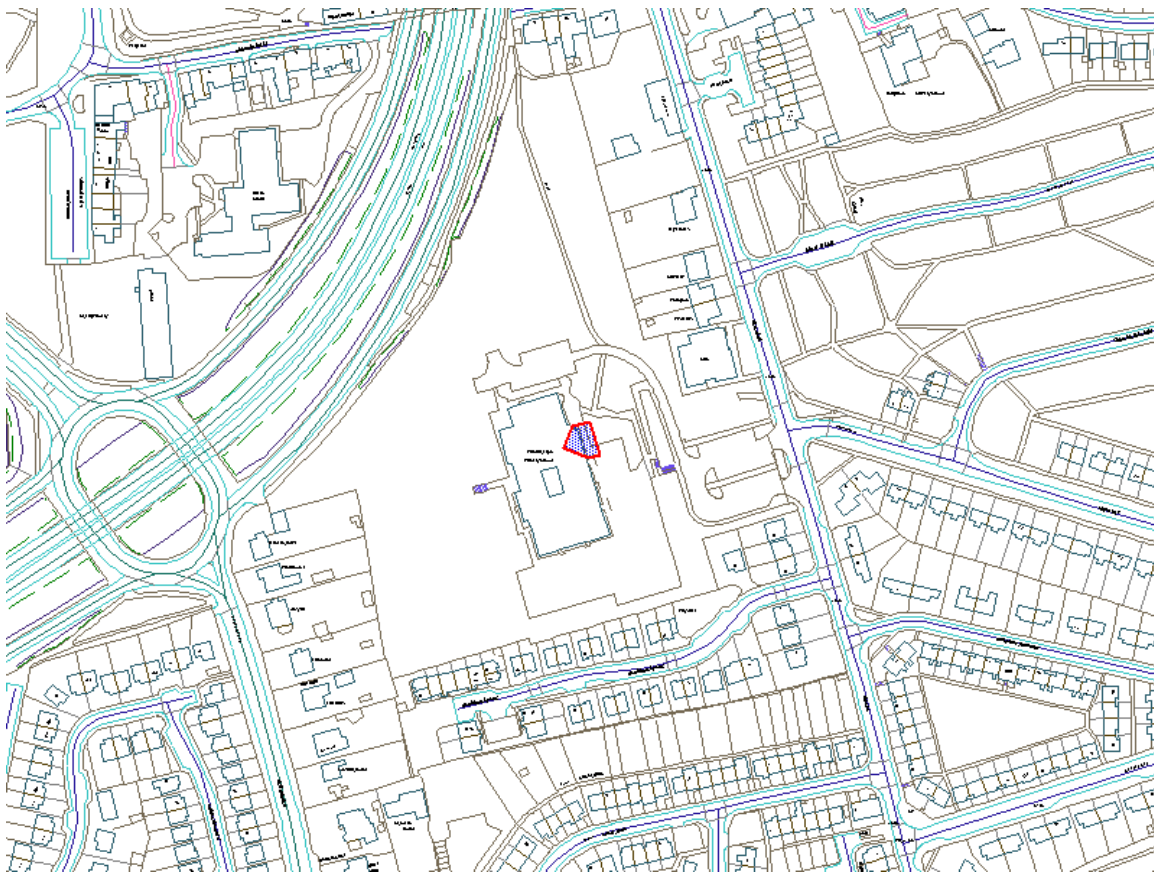
**Reference No.:** 10/00810/LAP Development by City(Regulation 3)

**Proposal:** **Erection of a single storey extension to front to provide covered play area and store.**

**Location:** Bernard Gilpin Primary School Hall Lane Houghton-Le-Spring DH5 8DA

**Ward:** Copt Hill  
**Applicant:** Sunderland City Council  
**Date Valid:** 12 March 2010  
**Target Date:** 7 May 2010

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2009.

### PROPOSAL:

Planning permission is sought to erect a single-storey to the front (east facing) elevation of the primary school. The proposed extension would occupy a footprint of 42.5sqm, measuring 11.8m in width by 3.6m in depth, to provide a covered play area comprising an internal floor area of 25.5sqm and a storage area of 12.6sqm. The extension would incorporate a hipped roof, with 3no. rooflights in the plane of its front-facing slope, which would measure 5.5m to the

ridge, 700mm lower than that of the section of the existing building to which it would adjoin, and 2.6m to the eaves, which would be level with those of the front of the existing building. The brickwork and roof tiles of the extension are to match those of the existing building and a section of glass blockwork is to be incorporated in the north side elevation. A single roller shutter, with internally-located mechanism, is to be incorporated in the front elevation of the extension.

The host property is a predominantly single-storey primary school building of varying heights, incorporating a two-storey element to the rear, situated within a substantial curtilage. The building is brick-built incorporating a pitched tiled roof fronting eastward and is set substantially below street level. The front entranceways are stepped above the exterior ground level and a ramp exists in front of the main entranceway. The site is accessed via Hall Lane to the east and car parks exist to the north and east of the primary school building within its curtilage. The site backs onto the A690 to the north and west and is otherwise surrounded by a club to the east and residential properties to the east and south, although it must be noted that the nearest residential property is approximately 50m from the proposed extension.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Final Date for Receipt of Representations: **13.04.2010**

#### **REPRESENTATIONS:**

No third party 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

CF\_5\_Provision for primary and secondary schools

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

T\_22\_Parking standards in new developments

#### **COMMENTS:**

It is considered that the main issues to consider in determining this application are:

- The principle of the development
- The design of the proposal
- Highway and parking issues
- Impact on nearby occupiers

## **Principle of Development**

Policy CF5 of the UDP states that 'primary and secondary education needs will be accommodated primarily on existing sites or those identified in part II of this plan, and on other sites provided that their impact on the amenity of the neighbourhood is acceptable and the traffic generated can be safely accommodated'.

The principle of the extension of the Primary School accords with this policy.

## **Design of Proposal**

The school building is set notably below and in excess of 80m from the street, ensuring that the proposed extension would not be clearly visible from any public vantage point. Notwithstanding this, the proposed extension accords with the overall design principle of the existing building, by means of incorporating a hipped roof which would approximately match the slope of the roof of the front of the host building. In addition, the eaves of the extension would tie-in with those of the section of the primary school to which they would adjoin and the ridgeline would be around 700mm lower than that of the front section of the school, which would give the extension a degree of subordination.

The external brickwork and roof tiles of the proposed extension would match those of the existing building and the mechanism of the roller shutter box is to be sited internally, which is favourable from an aesthetic perspective. In addition, the applicant has confirmed via e-mail that the proposed external roller shutter shall be colour finished dark brown to match the existing external doors in the front of the school, which is considered to be acceptable and should be conditioned accordingly if the application is approved.

For such reasons, upon the imposition of conditions to control the colour finish of the roller shutter to be incorporated in the front elevation of the proposed extension and the external materials to be used, it is not considered that the proposal would compromise the external appearance of the school, in accordance with the requirements of policies B2 and CF5 of the adopted UDP.

## **Highway/Parking Implications**

Topic 13 of the adopted Development Control Supplementary Planning Guidance (2000) sets out car parking standards and recommends the provision of 1no. space per member of staff in addition to a picking up / setting down area within the curtilage of the site for schools. The proposed extension would result in an increase of the internal floor area of the school by 38.1m and would provide a covered play area and storage. The agent acting on behalf of the applicant has confirmed via e-mail that the proposal would not result in an increase in the number of staff, so it would not be reasonable to insist upon the provision of any additional parking spaces in this instance. In addition, being sited away from any car park or vehicular access routes, the extension would not compromise any existing spaces or manoeuvrability.

Accordingly, it is not considered that the proposal would be detrimental to highway safety or the free passage of traffic, in accordance with the requirements of policies T14 and T22 of the adopted UDP.

## **Impact on Nearby Occupiers**

Policy B2 of the adopted Unitary Development Plan (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; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'.

In view of the distance (approx. 50m) from the nearest residential properties it is not considered that the scheme will have any significant adverse impact on residential amenity. Further, the design and orientation of the proposal has no adverse implications for the adjacent club. Consequently, the proposal accords with the requirements of policy B2.

## **Conclusion**

For the reasons given in this report 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: Approve**

### **Conditions:**

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

Drawing no. RS/10263/01: Existing and Proposed Plans received  
05.03.2010

Drawing no. RS/10263/02: Existing and Proposed Elevations received  
05.03.2010

Drawing no. RS/10263/100: Location Plan received 12.03.2010

Drawing no. RS/10263/101: Proposed Site Plan received 05.03.2010

The additional information relating to staff and colour finish of the proposed roller shutter received via e-mail on 14.04.2010 and 15.04.2010

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 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first

agrees any variation in writing; in the interests of visual amenity and to comply with policies B2 and CF5 of the Unitary Development Plan.

- 4 Notwithstanding any details provided within the application, the external roller shutter hereby approved shall be coloured dark brown to match the colour of the existing external doors in the front elevation of the school and shall maintained as such thereafter for the lifetime of the development, in the interests of visual amenity and to comply with policies B2 and CF5 of the Unitary Development Plan.

**Reference No.:** 10/00816/LAP Development by City(Regulation 3)

**Proposal:** **Erection of a single storey extension to the eastern elevation.**

**Location:** Oxclose Community Nursery School Brancepeth Road  
Oxclose Washington NE38 0LA

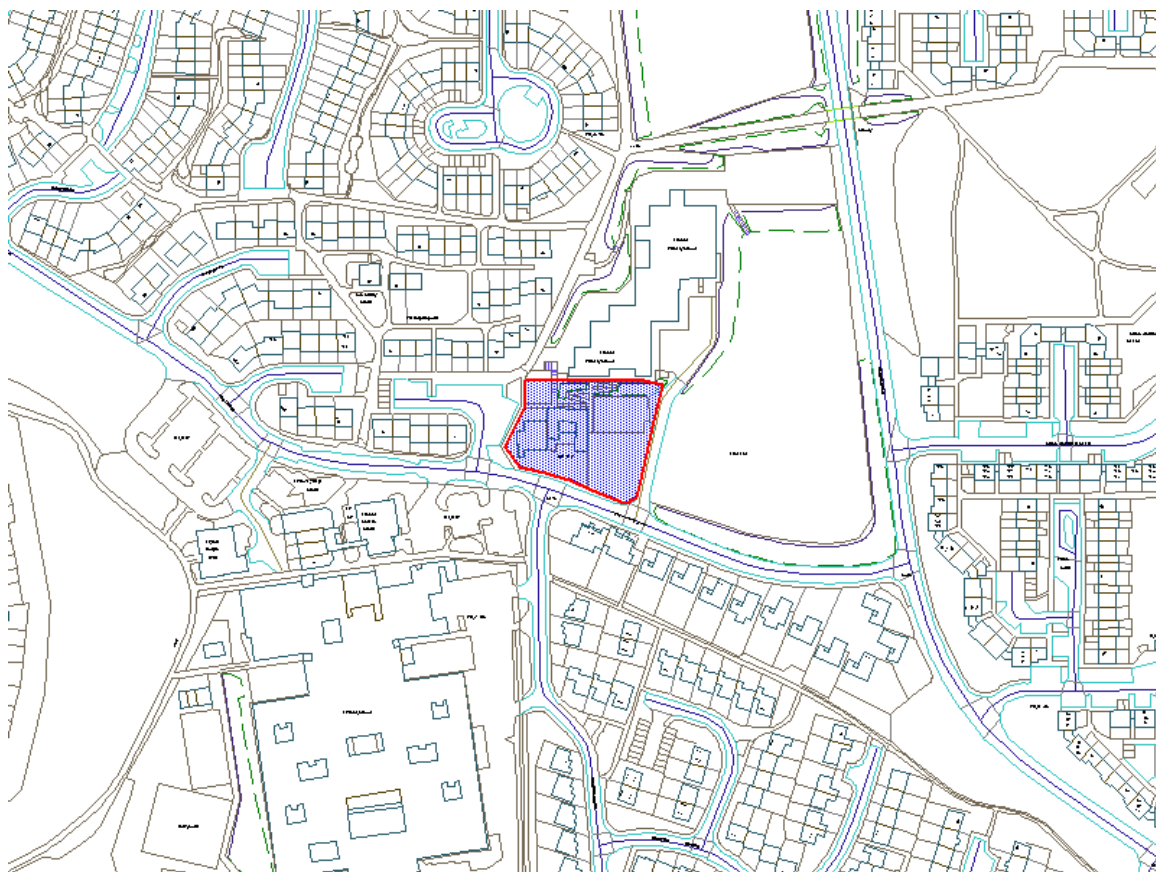
**Ward:** Washington South

**Applicant:** Childrens Services

**Date Valid:** 12 March 2010

**Target Date:** 7 May 2010

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2009.

### PROPOSAL:

The proposal relates to the erection of a single storey extension to the eastern elevation of this nursery school to provide staff room facilities. The extension is proposed to be flat roofed and will project 6.4m into the car parking area and 7.5m across the building elevation. Windows are proposed in the eastern elevation only. The car parking spaces will be amended to relocate the two disabled car parking spaces and provide additional spaces for those displaced



closer to the junction of the entrance to the car parking area with the access road to the primary school to the rear of the nursery school. A bin store to the rear of the site will be relocated to the side of the extension.

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

Site Notice Posted

#### **CONSULTEES:**

Final Date for Receipt of Representations: **20.04.2010**

#### **REPRESENTATIONS:**

No representations have been received to date although it should be noted that the consultation period does not expire until 20 April 2010, which is after the deadline for the preparation of this report. Any representations received will be reported in advance of the Sub-Committee Meeting by way of a supplement report.

#### **POLICIES:**

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

T\_22\_Parking standards in new developments

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

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

L\_7\_Protection of recreational and amenity land

#### **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 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 Secretary of State was received on the 4th September 2007. All the policies referred to in the following assessment have been saved.

#### **Principle of the Use.**

EN10 provides that 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 an extension to an existing school within the school grounds and it is therefore considered that the

principle of the proposed development is acceptable subject to the consideration of all other material considerations.

Whilst not specifically designated for any particular land use the site is governed by UDP Policy L7. Policy L7 states, in part, that land allocated for open space or outdoor recreation, as shown on the proposals map, will be retained in its existing use. This includes playing fields attached to schools or other educational establishments. Permission for other uses on these sites will only be granted if:

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

Given the proposal will not result in any part of the existing school encroaching onto the playing fields and will see the improvement to an existing educational facility it is considered that the proposal accords with UDP Policy L7.

### **Highway Safety Implications.**

Policy T14 relates to the accessibility of developments and their impact upon highway safety. Policy T22 requires an appropriate level of parking to be provided commensurate with the type of development and locational characteristics. The car parking spaces that will be removed are to be replaced together with 2 additional spaces. It is considered that the resulting level of parking is acceptable. Otherwise, there are no objections from a highway safety point of view and the proposal is considered to comply with policy T14 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 development will be positioned at least 50m from the nearest residential property and therefore will not raise any issues of overshadowing or loss of privacy. Given the above, it is considered that the proposal will not adversely affect the amenities of nearby residential properties and that the proposal complies with policy B2 of the UDP in this respect.

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

The main building has been the subject of previous extensions, but is essentially a single storey building with a mixture of monopitched and dual pitched roofs. The proposal is for a flat roofed structure. The justification for this within the design and access statement is that there is asbestos within the existing structure. If the roof were to tie into the existing and necessitate the removal of asbestos, the costs would be prohibitive.

The extension would introduce a bulk of brickwork onto the side of the building with a flat roof and blank southern elevation. Whilst the existing building and the site is considered capable of accommodating the structure, its design and the impact of the development on the visual amenities of the area is still under consideration.

## **CONCLUSION**

The period for the receipt of representations does not expire until 20 April 2010, which is after the deadline for the preparation of this report. Additionally, the application is being given further consideration in terms of the design of the extension. However, it is anticipated that a recommendation will be made on the supplement wherein any representations received prior to the Sub-Committee meeting will be reported.

**RECOMMENDATION: Deputy Chief Executive to Report**

**Reference No.:** 10/00862/LAP Development by City(Regulation 3)

**Proposal:** **Installation of replacement windows and new entrance corridor.**

**Location:** Biddick Primary And Nursery School Kirkham Biddick  
Washington NE38 7HQ

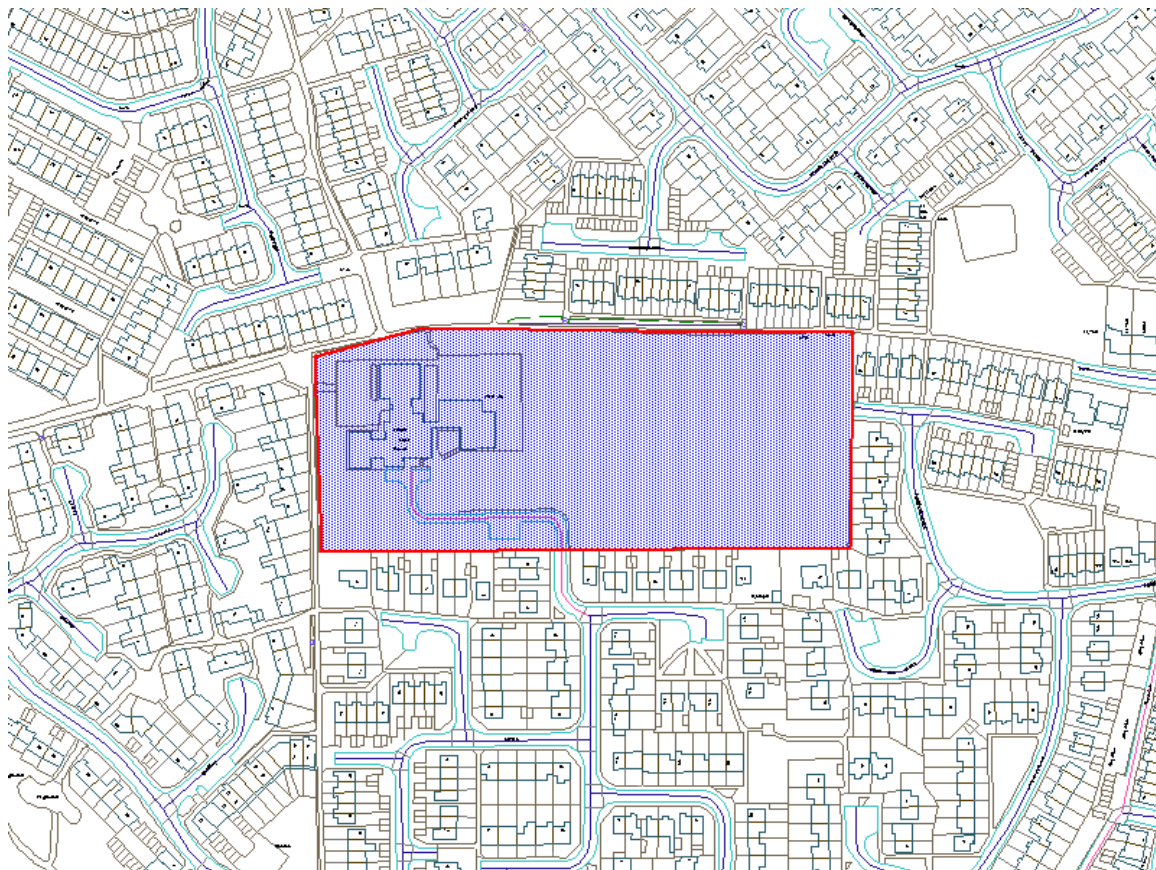
**Ward:** Washington Central

**Applicant:** Sunderland City Council

**Date Valid:** 25 March 2010

**Target Date:** 20 May 2010

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2009.

### PROPOSAL:

The application relates to the installation and replacement of various windows and doors around the school and within the entrance corridor at Biddick Primary and Nursery School, Kirkham, Biddick.

Biddick Primary and Nursery School is surrounded by residential dwellings, with the main access to the school being taken via Kirkham, although there are pedestrian access gates from Woburn and Henson/Skirlaw Close.

The proposed works are to be carried out on the north, east, south and west elevations of the school, including the replacement of the windows to the raised hall/entrance way. The main body of works will see the existing openings maintained with new windows and doors being inserted. The new entrance hall windows will have the glazing bar between the upper and lower panes removed and a single large pane inserted which is to feature a transfer displaying the words 'Biddick Primary' in the same position as the previous glazing bars. The existing single door, which has a mid-height glazing bar and side pane will be replaced by a pair of double doors, each with a near full height plain glazed pane. As the windows are not a like for like replacement it is considered that permission is required for the development as the exterior of the building will materially change, however it should be noted that had the windows and doors been a like for like replacement planning permission would not have been required.

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

Site Notice Posted

#### **CONSULTEES:**

City Services (Environmental Service)

Final Date for Receipt of Representations: **21.04.2010**

#### **REPRESENTATIONS:**

To date, no representations have been received, although it should be noted that the consultation period does not expire until 21 April 2010, which is after the deadline for the preparation of this report. Any representations received will be reported in advance of the Sub-Committee Meeting by way of a supplement report.

#### **POLICIES:**

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

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

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

L\_7\_Protection of recreational and amenity land

## **COMMENTS:**

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

- Principle of development
- Design and external appearance
- Residential amenity

### **Principle of development**

The site is not allocated for any specific land use within the Council's adopted Unitary Development Plan (UDP) (1998) and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain. As the proposal relates only to alterations to the fenestration of the school it is considered that the application accords with UDP Policy EN10 as the development will allow the school to fulfil its purpose.

Whilst not specifically designated for any particular land use the site is governed by UDP Policy L7. Policy L7 states, in part, that land allocated for open space or outdoor recreation, as shown on the proposals map, will be retained in its existing use. This includes playing fields attached to schools or other educational establishments. Permission for other uses on these sites will only be granted if:

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

Given the proposal will not result in any part of the existing school encroaching onto the playing fields and will see the improvement to an existing educational facility it is considered that the proposal accords with UDP Policy L7.

### **Design and external appearance**

Policy B2 of the UDP relates to new development, redevelopment and alterations to existing buildings and states in part that the scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

With this in mind it is considered that the size and form of the proposed window replacements and doors are both subordinate and sympathetic and will not detract from the appearance of the school building. Additionally, the proposed styling of the new windows and replacement frames will modernise the school and provide harmonious and acceptable additions which will not detract from the existing design qualities of the school.

As such it is considered that the design and appearance of the proposals are satisfactory and comply with the requirements of Policy B2 of the adopted UDP.

### **Impact on residential amenity**

Policy B2 of the UDP seeks to ensure that new development should take into account the amenities of adjoining properties, in particular attention should be

paid to the scale of new buildings in relation to existing surrounding development, daylight/sunlight effects, siting, elevational treatments and use of appropriate materials. This policy is further expanded upon within the adopted Supplementary Planning Guidance (SPG) Development Control Guidelines which provides minimum spacing standards between dwellings and new developments. Section 2.7 of the SPG requires that a distance of 21 metres is provided between main facing windows and new developments in order to safeguard space, light, outlook and privacy.

In this particular instance the distancing between the proposed developments and neighbouring houses is such that it is considered there are no adverse implications to the amenities currently enjoyed by those residential properties. The nearest properties on Woburn are approximately 26 metres to the west of the proposed development, with the residential dwellings to the north and south positioned between 26 and 47 metres away from the application site. Moreover, the application will not see any new window or door openings and as such will not worsen the existing situation. All of the residential dwellings are positioned well in excess of the Council's minimum spacing requirements of 21 metres between main facing windows and the new developments and the proposal is considered to accord with SPG Section 2.7.

## **Conclusion**

The period for the receipt of representations does not expire until 21 April 2010, which is after the deadline for the preparation of this report. Accordingly the recommendation is that Members be minded to grant consent for the proposed development in accordance with Regulation 3 of the Town and Country Planning General Regulations (1992), subject to no representations being received and subject to the conditions below.

If any representations are received prior to the Sub-Committee meeting these will be reported by way of a supplement report.

## **RECOMMENDATION: Approve**

### **Conditions:**

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

Location plan received 10.03.2010

Site plan received 10.03.2009

Existing and proposed doors and windows specification received 10.03.2010

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 All works should be carried out in accordance with the materials indicated on the application form, proposed elevation plans and schedule of works received 10.03.2010, 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.



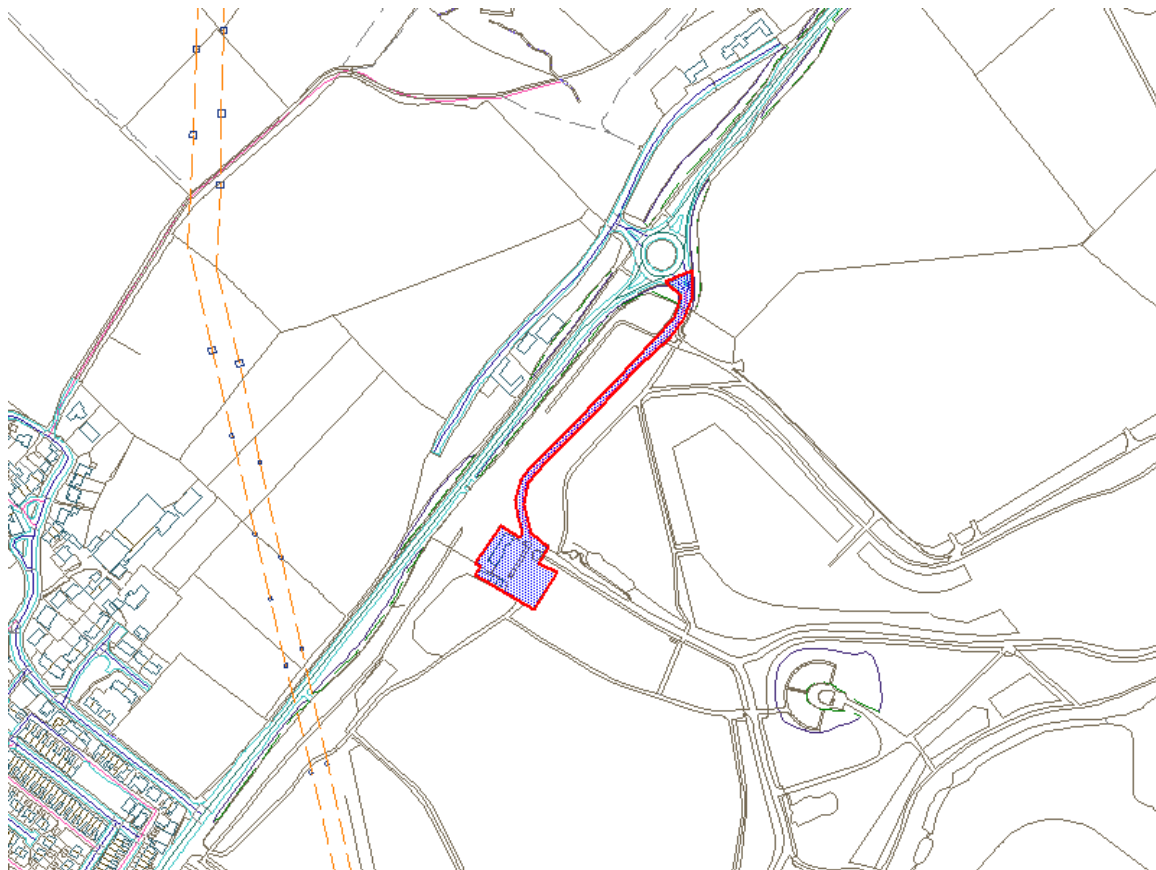
**Reference No.:** 10/00896/LAP Development by City(Regulation 3)

**Proposal:** **Change of use of storage area to public tea room**

**Location:** Herrington Country Park Chester Road Houghton-Le-Spring  
DH4 7EJ

**Ward:** Shiney Row  
**Applicant:** Sunderland City Council  
**Date Valid:** 30 March 2010  
**Target Date:** 25 May 2010

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2009.

### PROPOSAL:

The application relates to the change of use of storage area to public tea room within Herrington Country Park which is a local Authority owned Country Park for use by the general public.

The park presently provides no indoor refreshment areas other than ice cream vans and food and drink vans, particularly during peak times (i.e. the summer

months) and when events are held at the park, for example the Durham County Show.

The existing storage area is surplus to requirements for the existing park, measuring an area of 52. 26 square metres, the proposed alterations require no external physical alterations and only minor internal modifications, to provide a kitchen, tea room and seating area along with a servery area. Located adjacent to the existing childrens outdoor play area and forming part of a larger building which provides the existing public toilets and storage facilities, the main access to the tea room is via an existing doorway on the western elevation.

Although staffing numbers are dependent upon the success of the venture, it is anticipated that the tea room will employ three full time staff and four part time staff, with proposed hours of operation between the hours of 8.30am -10.00pm seven days a week.

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

Site Notice Posted

#### **CONSULTEES:**

None required

Final Date for Receipt of Representations: **29.04.2010**

#### **REPRESENTATIONS:**

To date no representations have been received.

Director of City Services - Transportation Section

No observations to report.

#### **POLICIES:**

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

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

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

CN\_3\_Control of development within the Green Belt

CN\_4\_Control of other operations in the Green Belt

CN\_5\_Safeguarding the visual amenity of the Green Belt

CN\_11\_Conversion and re-use of rural buildings

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 the assessment of this application include:

- The principle of the proposed development
- The impact of the proposed development upon highway safety
- The impact of the proposed development upon the green belt.

### **The Principle of the Development.**

The site is allocated as green belt on the Unitary Development Plan (UDP) and hence policies CN3, CN4, CN5, and CN11 are applicable, furthermore nationally, Planning Policy Guidance Note 2 : Green Belts (1995) (PPG 2) is also of significance.

The Tyne and Wear Green Belt plays a vitally important role in protection of the open countryside around Sunderland, this is expressed within policy CN2 of the UDP. As a consequence of the importance of the Green Belt, new development is highly restricted within its boundaries. Development is only considered appropriate in specific circumstances, as set out within policy CN3 of the UDP and paragraph 3.4 of PPG 2.

CN3 states that the re-use or conversion of an existing building is appropriate providing that it does not require substantial construction and will not have a materially greater impact than the present use on the openness of the green belt. This proposal is a conversion and substantial construction will therefore not be required. Policy CN4 reinforces CN3 by stating that the making of a material change of use is inappropriate within the green belt unless the openness is maintained, whilst policy CN5 gives due regard to ensuring that the visual amenities of the green belt will not be injured by proposals.

CN11 permits the conversion of buildings in the green belt providing that the proposed use does not adversely affect the surrounding area, necessary modifications do not increase the scale and adversely affect the form of the existing building, and that provision for the parking of vehicles is sufficient to cater for the needs of the new use. In this particular instance the applicant has advised that the proposed use will seat no more than 16 people and hence the proposal is considered to accord with policy CN11.

The proposed development accords with all of the relevant policies within the adopted Unitary Development Plan - as it will provide an ancillary facility to the continued overall main use of the area as a country park.

The proposal for change of use from storage area to tea room is therefore considered to be acceptable in principle.

### **The Impact of the Proposed Development Upon Highway Safety**

Policy T14 of the UDP requires that new developments should not cause traffic congestion or highway safety problems on existing roads. Whilst policy T22 aims to seek appropriate levels of car and cycle parking in connection with development proposals.

The proposed development aims to satisfy demand from visitors to the park, it is not considered that the size of the tea room facilities will attract additional visitors to the park, but provide a source of refreshment for those already visiting the

park. In addition, members may recall that planning permission was granted dated 07.04.2006 for the additional car parking and associated works to provide 40 parking bays by the lake, 10 parking bays by the skate park and 25 spaces by the play area. Overflow parking for 150 cars is available close to the play area.

The availability of this on site parking is currently considered adequate to cope with the demand for the park along with the additional tea rooms and hence the development is in accordance with policies T14 and T22 of the UDP.

### **The Impact of the Development Upon the Green Belt.**

PPS 2 states that the re-use of buildings should not prejudice the openness of green belts. Since the buildings are already there and the proposal is in accordance with the conditions listed in 3.8 of PPS 2 it is not considered that the proposal will affect the openness of the green belt. The proposal therefore complies with the aims of policies CN3, CN4, CN5 and CN11 of the adopted UDP.

### **Conclusion**

It is considered that the proposal is an appropriate form of development within the green belt and does not harm its openness. Furthermore, the development is acceptable on grounds of highway safety and visual amenity. The development will provide an ancillary refreshment facility for the park and will aid the enjoyment of those who use its facilities. The proposal therefore adheres to all relevant local and national planning policies.

It is therefore recommended that in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 Members be minded to grant consent subject to the conditions set out below and to no objections being received by 29.04.2010. In the event that objections are received the matter will be reported to a future meeting of the Sub Committee.

### **RECOMMENDATION: Minded to Grant Consent**

#### **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.3508010/ARCH/001 Rev P1 received 12th March 2010,  
Existing and Proposed Plan

Drawing No. AL(0) 0020 received 12th March 2010, Existing and  
Proposed Elevations.

Drawing No. AL(270 0200 received 12th March 2010, Proposed Roof  
Plan.

Drawing No. 3508010/ARCH/102 Rev.P1 received 12th March 2010, Site Plan

Drawing No. 3508010/ARCH/101 Rev.P1 received 12th March 2010, Location Plan

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.