

## **DEVELOPMENT PLAN**

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

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

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

## **STANDARD CONDITIONS**

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

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

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

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

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

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

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

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

Philip J. Barrett  
Director of Development and Regeneration Services.

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North  
Sunderland

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**Reference No.:** 09/00274/LAP Full Application

**Proposal:** **Erection of a new energy centre and substation.**

**Location:** Castle View School Cartwright Road Sunderland

**Ward:** Castle

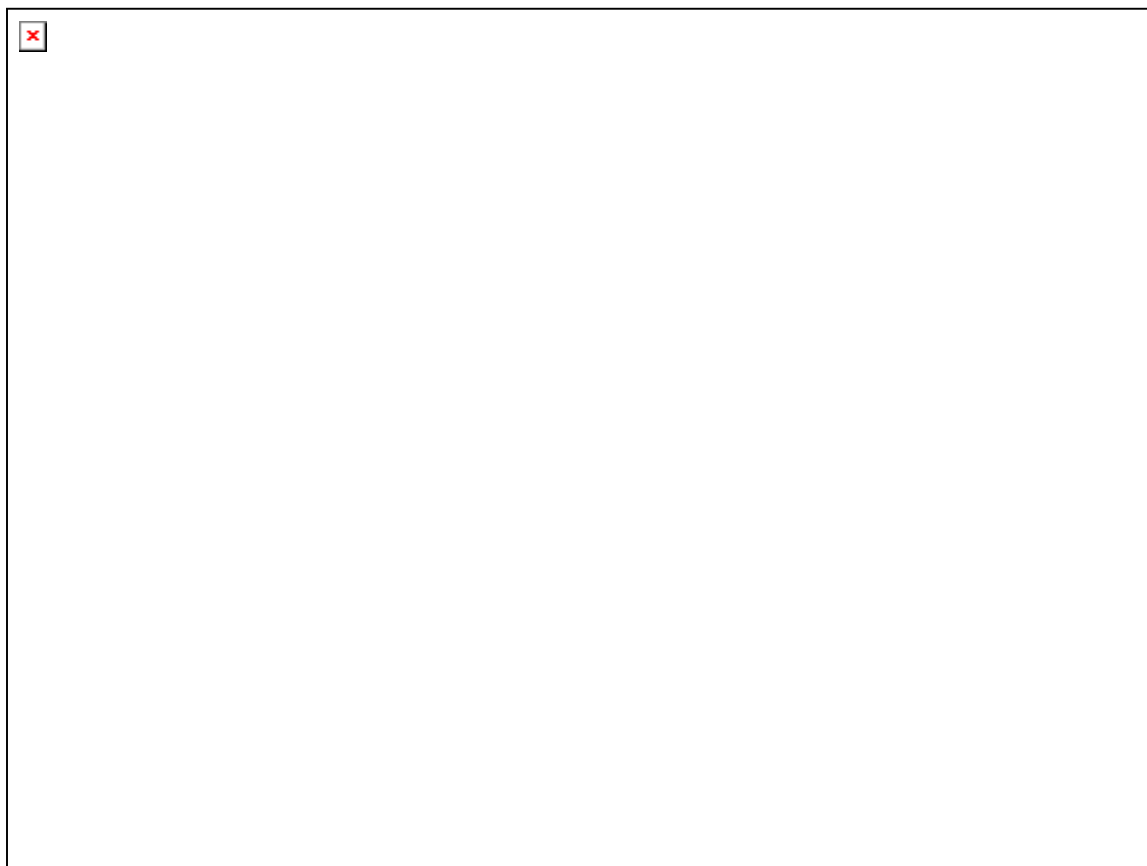
**Applicant:** Children's Services

**Date Valid:** 2 February 2009

**Target Date:** 30 March 2009

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### Location Plan



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### PROPOSAL:

The application seeks consent for an energy centre and a sub-station within the grounds of Castle View School, Cartwright Road.

The application is part retrospective with the majority of the construction works being substantially complete.

Members may recall that planning application ref: 07/05268/LAP for the erection of a replacement secondary school with formation of new sports pitches, multi games area and associated parking, landscaping and other works, was presented for their consideration on 5 February 2008; the application was subsequently approved on 22 February 2008.

Application 07/05268/LAP included provision of an energy centre building in an identical location to that proposed. The current revised application was necessary as the proposed energy centre could not be built as proposed.

The energy centre building approved as a part of 07/05268/LAP occupied a footprint of 25000mm x 8000mm, larger than the two buildings proposed by this application, which have footprints of 18250mm x 8000mm (energy centre) 4050mm x 8000mm (sub station). There is a 1000mm gap retained between the two buildings.

The proposed energy centre retains the same ridge height of 3m as approved under consent ref 07/05268/LAP while that of the sub-station proposed has a maximum ridge height of 3.5m. A total of three ventilation flues are to project a maximum of 1 metre above the ridge of the energy centre.

The original scheme included the provision of twelve solar panels mounted vertically on the roof of the building. The current proposal restricts the solar panels to the western roof slope of the building, facing away from St Margaret's Court. In addition the solar panels now proposed are to be fixed flat to the roof slope.

**TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

Director Of Community And Cultural Services  
Northern Electric

Final Date for Receipt of Representations: **25.02.2009**

**REPRESENTATIONS:**

Consultees  
No responses have been received.-

Neighbours

No letters of objection have been received. However, concerns have been expressed by Anchor Housing Trust who own St Margaret's Court in relation to loss of daylight and procedural matters.

**POLICIES:**

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

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

## **COMMENTS:**

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

- Principle of the development
- Design/Impact upon residential amenity
- Highway Access Arrangements

### Principle of the Development

The development site occupies a part of an existing school site. The energy centre and sub-station proposed are required in order to supply energy to the new school buildings approved by planning reference 07/05268/LAP, the whole development forms a part of the Building Schools for the Future programme.

In addition, an energy centre, albeit in a different format was approved as a part of 07/05268/LAP.

The principle of the development is therefore considered to be acceptable.

### Design and Impact upon Residential Amenity

Both buildings are located between St Margaret's Court, to the east, and the school's multi use games area (MUGA) to the west.

Both buildings are of a functional design. The sub-station and energy centre buildings are constructed from aluminium powder coated panels coloured "goosewing grey". There are double doors and louvres located at regular intervals across the elevations of each building.

Deliveries of biomass pellets (fuel) to the energy centre will be made via the access road retained to the west. A pellet loading point is located in the eastern elevation of the energy centre and this allows pellets to be delivered directly into the energy centre building from the delivery vehicle, minimising and disturbance that any such deliveries might otherwise create.

The functional design of both buildings is considered to be acceptable.

Concerns about people being able to gain unauthorised access to the roofs of the energy centre and sub station buildings have been expressed by occupiers of neighbouring dwellings. In addition concerns have been expressed about loss of daylight to the rear of the bungalows located in St Margaret's Court.

Taking each point in turn:

In terms of impact upon the residential amenity of near neighbouring dwellings and loss of light/overshadowing, it is acknowledged that the energy centre and sub-station are located in relatively close proximity to the boundary with the bungalows located in St Margaret's Court, being between 3080mm and 4900mm away from the boundary. Originally the energy centre building was positioned a distance of 4450mm away from the boundary. However, following negotiation

with the developer it was agreed to move the energy centre building 450mm to the west. It was not possible to achieve a greater degree of separation between the energy centre and St Margaret's Court due to the requirement to retain an access point for biomass pellet delivery vehicles to the site.

The buildings proposed are single storey in nature being 3000mm and 3500mm to ridge height respectively. In addition, there is a 2000mm solid wooden fence and hedgerow located on the boundary between the bungalows and the proposed development. The positioning of the energy centre and sub-station to the west of St Margaret's Court and their low height will restrict any overshadowing to the late evening time.

The developer has offered to provide a higher fence on the boundary of St Margaret's Court to screen the roofs of the development from the view of the occupiers of the bungalows. Negotiation regarding this issue is on going. It is anticipated that this will be concluded prior to the meeting of the Development Control Sub-Committee meeting and reported on the supplement accordingly.

In response to the concerns about potential climbing on to the roofs of the buildings the developer has been requested to incorporate anti-climb features into the design of the building including:

- Deterrent planting between the eastern elevation of the two buildings and the boundary with St Margaret's Court including species such as Berberis Stenophylla and Berberis Juliana which are both evergreen spiky plants that grow to a maximum height of approximately 2000mm has been agreed with the applicant after consultation with the Council's Landscape and Reclamation Officer.
- Deterrent fencing (2.4m high Paladin fencing: narrow gauge mesh powder coated to match the colour of the buildings) to be located between the buildings and between the buildings and the boundary with St Margaret's Court
- All down pipes are to be "shrouded". This will prevent any down pipe from being used to climb up the structure as it will essentially remove any area that could potentially be used as a hand hold.

These anti-climb measures are considered to be broadly acceptable. Amended plans to reflect their inclusion in the scheme are awaited. It is anticipated that these plans will be received shortly and that publicity carried out in connection with them will expire prior to the meeting of the Development Control Sub-Committee. .

### Highway Implications

The proposed development is considered to be acceptable in terms of highway access and poses no adverse implications for highway safety.

## Conclusion

A supplementary report to reflect the details of the amended information submitted and any representation made in connection with it will be prepared and circulated accordingly

**RECOMMENDATION: Dir.of Dev. and Regeneration to Report**