

DEVELOPMENT PLAN

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

Unitary Development Plan - current status

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

STANDARD CONDITIONS

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

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the Office of the Chief Executive in the Civic Centre or via the internet at www.sunderland.gov.uk/online-applications/

Janet Johnson
Deputy Chief Executive

Reference No.: 13/02636/VAR Variation of Condition

Proposal: **Variation of condition 17 (opening hours) for previously approved application 04/02864/FUL (Construction of 20 no. pitches with associated changing pavilion, outdoor store and car parking. Also stopping up and change of use of footpath no. 60 to landscaped area.) for use 3 afternoons per week from 1:30pm until 3:30pm and during the week but not restricted to use by schools. On light nights the facility is offered for training purposes from 4:00pm until 8:00pm on Monday to Friday, pitches being cleared by 9:00pm. Weekends the facility is to be used for mini-soccer by the Russell Foster Youth League teams from 8:30am to 2:00pm Saturday and 9:00am to 2:00pm Sunday. During school holidays use is permitted from 9:00am until 9:00pm on all days. In addition, no more than 6 pitches will be used at any one time during the above operating hours.**

Location: The Russell Foster Football Centre Staddon Way
Houghton-le-Spring DH4 4WL

Ward: Houghton
Applicant: Russell Foster Youth League
Date Valid: 30 August 2013
Target Date: 29 November 2013

PROPOSAL:

The application is for the variation of condition 17 (opening hours) for previously approved application 04/02864/FUL (Construction of 20 no. pitches with associated changing pavilion, outdoor store and car parking. Also stopping up and change of use of footpath no. 60 to landscaped area.) for use 3 afternoons per week from 1:30pm until 3:30pm and during the week but not restricted to use by schools. On light nights the facility is offered for training purposes from 4:00pm until 8:00pm on Monday to Friday, pitches being cleared by 9:00pm. Weekends the facility is to be used for mini-soccer by the Russell Foster Youth League teams from 8:30am to 2:00pm Saturday and 9:00am to 2:00pm Sunday. During school holidays use is permitted from 9:00am until 9:00pm on all days. In addition, no more than 6 pitches will be used at any one time during the above operating hours.

The principle of development is not under consideration as part of this application. The area under consideration is the variation of the hours of operation of the site.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Houghton - Ward Councillor Consultation
Network Management
Environmental Health
Sport England
Forestry Authority

Final Date for Receipt of Representations: **03.10.2013**

REPRESENTATIONS:

Consultee Responses

Sport England

Response detailed below from Sport England

- 1) To prevent the loss of sports facilities and land along with access to natural resources used for sport.
- 2) To ensure that the best use is made of existing facilities in order to maintain and provide greater opportunities for participation and to ensure that facilities are sustainable.
- 3) To ensure that new sports facilities are planned for and provided in a positive and integrated way and that opportunities for new facilities are identified to meet current and future demands for sporting participation. Whilst Sport England appreciate that the Council as Local Planning Authority have to balance a range of issues in reaching a decision on the proposal, we wish to make you aware of the importance of the site to the delivery of mini-soccer.

The Football Association has been consulted by Sport England and they have advised that the site is a Priority Site for Football since it is;

Only purpose built central venue mini soccer site in the Region.

The FA goes on to explain that;

This site is key for football in the North East and is a purpose built mini soccer centre with 20 pitches. The site hosts mini soccer matches for clubs from Sunderland and all surrounding authorities. The FA is very supportive of the application to allow greater usage of the site. Ideally we would like to see more than just the six pitches being allowed to be used at any one time as this site is

under capacity and it would remove some of the strain from other LA sites within Sunderland.

Sport England considers that the variation of condition accords with Objective 2 outlined above.

This being the case, Sport England offers its support to this application.

Environmental Health

With reference to the application for the variation of condition 17 of the previously approved application for the construction of 20 football pitches with associated changing pavilion, outdoor store and car parking (04/02864/FUL) I would make the following comments.

The application is for the extension in times at which the facility can be used. An assessment has been undertaken to determine the likely noise impact that this extended use will have upon the residents of nearby residential premises.

The noise assessment has considered traffic noise and activity noise with reference to the National Planning Policy Framework, Calculation of Road Traffic Noise and the World Health Organisation Guidelines for Community Noise.

Noise levels from traffic associated with the development have been predicted and have been determined to be insignificant with regard to the impact upon the occupants of residential properties.

Whilst there is not a specific standard for assessing the likely impact from activity noise at the site, the applicant has undertaken an assessment by comparing the expected sound levels with background noise levels in the area. In addition, they have also compared them with World Health Organisation guidance regarding acceptable noise levels outside a residential property.

Noise measurements have been taken of current activity noise levels at the existing site and used to predict the likely impact should the variation of the application be approved.

The assessment has concluded that whilst activity noise from the maximum use of 6 pitches is above current background noise levels and therefore may be audible, the levels are considered to be insignificant at properties on Staddon Way and Chestnut Terrace, at the closest receptor, on Coaley Lane the noise is considered to be of minor significance.

When compared with World Health Organisation Guidelines the predicted noise levels fall below the maximum level recommended which will prevent the majority of people from being seriously annoyed in outdoor living areas such as gardens.

The applicant has therefore stated that the noise assessment should provide assurances to local residents that the proposed variation will not cause a noise problem.

The current operation of the site for the last 2 years, based on a former permission to use 12 pitches over more limited time periods, has resulted in one complaint from the a local resident, no evidence was obtained to support the allegation of excessive noise.

Street scene - Transportation

With the proposed reduction in the number of pitches, it is anticipated that the proposed restricted use of the pitches to 6 at any one time will reduce the peak parking demand, to be within the on site parking capacity.

Neighbour Representation

A total of 76 neighbours were notified through individual letters. A total of 15 representations have been received in respect of the proposal, the main areas of concern are listed below:-

1 Letter from the TW Action Group objections relate to :-

Loss of amenity caused by noise and nuisance which exists currently with six pitches operating and traffic nuisance which adds to the noise and present danger to the residents. Families unable to enjoy amenity of gardens in springtime and Autumn, now this would be in the Summer months as well.

Summary of TW issues:

- 1 - Car parking inadequate
- 2 - Unlawful use of car area
- 3 - Parking on the public highways
- 4- Noise
- 5 - Section 106 agreement

Other issues raised:

Breach of Forestry Commission conditions - This is matter for the Forestry Commission to enforcement not the Local Planning Authority.

- Loss of privacy
- Increased litter
- Unauthorised containers
- Existing breaches of planning control
- Encroachment
- Overdevelopment
- Floodlighting
- Health Concerns

Councillor Sheila Ellis has lodged an objection to the proposed variation of hours of operation. The objection states the residents have suffered enough with the current use of the site.

The Local Planning Authority does not currently have any outstanding enforcement cases on the Russell Foster Youth League.

Planning Permission has been granted for the containers which are currently on site. The flooding lights are authorised through the discharge of planning condition.

The issues of overdevelopment, no new development is proposed and no further felling of trees is required. The planning application under consideration is for the variation of the hours of operation only.

The areas of noise and disturbance has been assessed by the Councils Environmental Health Section, the summary of they response can be found in the main body of the report.

In respect of traffic issues the traffic management section has considered the proposal in respect of the variations of hours, the summary of they response can be found in the main body of the report.

POLICIES:

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

EN_5_Protecting sensitive areas from new noise/vibration generating developments

COMMENTS:

The Key areas for consideration are:

1. Planning History
2. National Planning Policy Framework
3. Need for Variation of hours
4. Proposed variation of hours of operation/Impact on nearby residents

1. Planning history

Planning permission was approved by Sunderland City Council (SCC) on 7th April 2005 subject to various conditions (ref. 04/02864/FUL).

In October 2005 a letter outlining the operating hours of the centre was sent to the Local Planning Authority to discharge planning condition 17. This was subsequently approved on 27th March 2006

On 20th July 2009 the Forestry Commission (FC) granted consent to Russell Foster to carry out deforestation on the site as part of the development under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 2009.

This was subject to a number of conditions (ref EIA 022900205) including a limitation on the use of pitches and operating hours (EIA condition (d)).

This states:

Any use of the development shall be restricted to the hours and levels described in the application, i.e. restricting the use of facility to the hours 08.30 am to 2,00 pm on Saturday and Sunday limiting in the use to a maximum of 12 pitches at any one time.

To this end, the applicant shall undertake to make, prior to commencing use of the development, a formal section 106 'Unilateral Undertaking' to Sunderland City Council. The term 'Unilateral Undertaking' offer to a unilateral offer to confirm obligations relevant to a planning application, as defined in the Planning Obligations Practice Guidance published by the Department of Communities and Local Government in July 2006. Any future application to change these limitations on use must be made to the appropriate authority (being the City Council once the unilateral undertaking is in force or Forestry Commission). The agreement was never undertaken with the Local Planning Authority,

2. National Planning Policy

By virtue of section 38(6) of the Planning and Compulsory Purchase Act, 2004, the starting point for consideration of any planning application is the saved policies of the development plan. A planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

However, since the publication of the National Planning Policy Framework (NPPF) in March 2012, (which is a material consideration for the purposes of Section 38(6)), the weight that can be given to the development plan depends upon the extent to which the relevant policies in the plan are consistent with the more up to date policies set out in the NPPF. The closer the relevant policies in the development plan to the policies in the NPPF, the greater the weight that can be given to the development plan.

- The NPPF sets out a presumption in favour of sustainable development. This means that authorities when determining planning applications should:

- Approve applications that accord with an up to date development plan without delay; and

- Where the development plan is absent, silent or its relevant policies are out of date, granting permission unless:-

(a) there are any adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the provisions of the NPPF taken as a whole, or specific policies in the NPPF indicate development should be restricted; or

(b) any specific policies in the NPPF indicate that development should be restricted.

The National Planning Framework goes on further in the following paragraphs.

Paragraph 70 states "To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. "

3. Need for varying the operating hours

Since the Forestry Commission issued its conditions on operating hours, the requirements set out by the FA for the Youth Leagues have altered. They need to play fixtures in different months of the year than those allowed by The Commission.

In addition it has transpired that when 12 pitches were in use more vehicles accessed the site than had been anticipated. This resulted in some vehicles parking off site.

Therefore to reduce impacts upon public amenity the League has resolved not to operate the site with more than 6 pitches in use for fixtures on any one day, until such time as more parking could be made available. In order to play the required number of fixtures, the aspiration is to spread fixtures over the week as well as the weekends. This would allow the required number of games to be played whilst reducing the intensity of use at any one time.

Originally discussions with the Forestry Commission suggested that the way forwards was to make a new application to the Commission. However, the Commission has subsequently decided that the Regulatory Authority ought to be the Planning Authority.

No further tree felling is proposed so the application does not need to be referred to the Forestry Commission.

To make the situation clearer the current permitted and proposed operating hours are set out in Table below. The operating hours for the various uses identified in the right column of the table are those applied for in this application.

	Operating Hours approved by SMBC to discharge planning condition 17	EIA Operating hours set out in the FC EIA Consent condition (d)	Proposed Operating Hours
Administration Office	<p>9.00am until 5.00pm Monday to Friday (excluding public holidays).</p> <ul style="list-style-type: none"> <input type="checkbox"/> 9.00am until 2.00pm Saturday. <input type="checkbox"/> 10am until 1.00pm Sunday. <input type="checkbox"/> Weekends are only to cover while the centre is open for sports facilities. 	Not defined.	No restrictions on use.
Classroom	<p>The is to be offered as not exceeding 10.00am until 3.00pm generally except for up to 2 evenings per week it may be used until 9.00pm.</p>	Not defined.	8.30 am 9pm all days.
Outside facilities	<p>These are to be used by school on 2 afternoons per week from 1.30pm until 3.30pm and during the week.</p> <ul style="list-style-type: none"> <input type="checkbox"/> On light nights the facility is offered for training purposes from 4.00pm until 8.00pm on Monday to Friday, pitches being cleared by 9.00pm. <input type="checkbox"/> Weekends the facility is to be used for mini-soccer by the Russell foster Youth league teams from 8:30am to 2:00pm Saturday and 10.00am to 1.00pm Sunday. <input type="checkbox"/> During school holidays use is permitted from 9.00am until 9.00pm on all days. 	<p>Use of facility is restricted to 08.30am to 2,00 pm on Saturday and Sunday with organised games, i.e., "fixtures" running from the 2nd Saturday in September until mid-May.</p> <p>No more than 12 pitches in use at any one time.</p>	<p>3 afternoons per week from 1.30pm until 3.30pm and during the week but not restricted to use by schools.</p> <p>(Increase 1 afternoon and not restricted to schools)</p> <ul style="list-style-type: none"> <input type="checkbox"/> On light nights the facility is offered for training purposes from 4.00pm until 8.00pm on Monday to Friday, pitches being cleared by 9.00pm. <input type="checkbox"/> Weekends the facility is to be used for mini-soccer by the Russell Foster Youth league teams from 8:30am to 2:00pm Saturday and 9.00am to 2.00pm Sunday. <input type="checkbox"/> During school holidays use is permitted from 9.00am until 9.00pm on all days.

Notes to table

The current permission allows a maximum of 12 pitches at any one time.

In addition, no more than 6 pitches will be used at any one time during the above operating hours until such a time as additional car parking can be secured. This will necessitate a further application when the additional car park is confirmed.

The current permission allows a maximum of 12 pitches at any one time. In addition, no more than 6 pitches will be used at any one time during the above operating hours until such a time as additional car parking can be secured. This will necessitate a further application when the additional car park is confirmed

Proposed variation of hours of operation.

Careful consideration has been taken in the considering the application to vary the hours of operation of the facility. Fifteen letters of representation of have been received to the proposed variations of the hours of operation.

The application is accompanied by:-

Noise and Traffic impact assessments which have been considered by the relevant councils sections.

The proposed variation in the hours of operation is considered to be acceptable in terms of noise and traffic generation.

The noise assessment has considered traffic noise and activity noise with reference to the National Planning Policy Framework, Calculation of Road Traffic Noise and the World Health Organisation Guidelines for Community Noise.

Noise levels from traffic associated with the development have been predicted and have been determined to be insignificant with regard to the impact upon the occupants of residential properties.

Whilst there is not a specific standard for assessing the likely impact from activity noise at the site, the applicant has undertaken an assessment by comparing the expected sound levels with background noise levels in the area. In addition, they have also compared them with World Health Organisation guidance regarding acceptable noise levels outside a residential property.

Noise measurements have been taken of current activity noise levels at the existing site and used to predict the likely impact should the variation of the application be approved.

The assessment has concluded that whilst activity noise from the maximum use of 6 pitches is above current background noise levels and therefore may be audible, the levels are considered to be insignificant at properties on Staddon Way and Chestnut Terrace, at the closest receptor, on Coaley Lane the noise is considered to be of minor significance.

When compared with World Health Organisation Guidelines the predicted noise levels fall below the maximum level recommended which will prevent the majority of people from being seriously annoyed in outdoor living areas such as gardens.

The applicant has therefore stated that the noise assessment should provide assurances to local residents that the proposed variation will not cause a noise problem.

The current operation of the site for the last 2 years, based on a former permission to use 12 pitches over more limited time periods, has resulted in one complaint from the a local resident, no evidence was obtained to support the allegation of excessive noise.

The proposed variation in hours of operation is considered to be acceptable in terms of noise and as such complies with policy EN5 of the adopted Unitary Development Plan, sections 8 of the National Planning Policy Framework states that the protection and provision of opportunities to participate in sport is seen as a fundamental to the health and well being of communities , if members are minded to grant a variation to the hours it is recommended that conditions are imposed in terms of the new hours of operation and that the development shall operate in line with the noise report submitted.

4. Highways Impacts

The proposed variation of hours has been considered by the council transportation section.

The Russell Foster Youth Legate proposed to reduce the amount of pitches in use on a weekend from 12 to 6. By only allowing six pitches to be used on a Saturday and allowing the remaining tournaments to occur during the week, the amount of cars travelling to the site will be spread throughout the week. This reduction in pitch usage would effectively halve the amount of cars on site on a Saturday and would enable all the cars to be park within the site instead of parking in the surrounding residential areas.

The car parking survey undertaken by the Councils indicated that when 12 pitches were in use, found that 220 cars were parked in the car park but 300 vehicles were overflowing on the surround network. Halving the amount of pitches in use would half the demand of vehicles attracted to the site and therefore leave approximately 260 vehicles wishing to enter the site, to park on the site and not in the surrounding network.

With the proposed reduction in the number of pitches, it is anticipated that the proposed restricted use of the pitches to 6 at any one time will reduce the peak parking demand, to be within the on site parking capacity.

Therefore the proposed reduction in the number of pitches is not considered to create a situation prejudicial to highway safety and such the variation in hours and restriction of number of pitches is considered to comply with policy T14 of the adopted Unitary Development Plan.

Conclusion

The proposed variation in hours of operation is considered acceptable in terms of noise and highway safety and as such members are recommended to vary the proposed hours of operation and limit the planning permission to no more that 6

pitches shall be in use at anyone time, the proposed variation is complied with the relevant policies of the adopted Unitary Development Plan and Section 8 of the National Planning Policy Framework.

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 the original permission was granted 7th April 2005 to ensure that the development is carried out within a reasonable period of time.
- 2 No more than six pitches can be in use at anyone time in order to comply with policies EN5 and T14 of the adopted Unitary Development in the interest of proper planning.
- 3 The proposed facilitates shall only operate between the hours stipulated below:

Administration Office

- 9.00am until 5.00pm Monday to Friday (excluding public holidays).
- 9.00am until 2.00pm Saturday.
- 10am until 1.00pm Sunday.

Classroom

- 8.30am to 9pm Monday to Sunday (excluding public holidays).

Pitches

- 3 afternoons per week from 1.30pm until 3.30pm and during the week but not restricted to use by schools.
- On light nights the facility is offered for training purposes from 4.00pm until 8.00pm on Monday to Friday, pitches being cleared by 9.00pm.
- 8:30am to 2:00pm Saturday
- 9.00am to 2.00pm Sunday.
- During school holidays 9.00am until 9.00pm Monday to Friday

In order to comply with policy EN5 of the adopted Unitary Development Plan.

Reference No.: 13/03217/VAR Variation of Condition

Proposal: **Variation of condition 22 (hours of operation 7am - 7pm) attached to planning application 11/02076/FUL (Redevelopment of campground waste transfer station including: waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping.) to allow opening hours to be extended up until 7.30pm.**

Location: Campground Refuse Disposal Works Springwell Road
Springwell Gateshead NE9 7XW

Ward: Washington West
Applicant: SITA UK
Date Valid: 15 November 2013
Target Date: 14 February 2014

PROPOSAL:

Members may recall that this item was originally heard at the Development Control (Hetton, Houghton and Washington) Sub-Committee meeting of 30 January 2014 where it was decided to defer the determination of the application pending the provision of additional information regarding the requirement/desire to extend the permitted operating hours of the facility.

Consent is sought under Section 73 of the Town and County Planning Act 1990 to vary condition 22 of planning permission ref. 11/02076/FUL, which approved the redevelopment of the Campground waste transfer station including a waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping. The condition in question reads as follows:

'The development hereby approved shall not be operated for the purposes of waste transfer, including the delivery to or export of waste from the site, outside of the following hours:

07:00 - 19:00 on any day and shall not operate at any time on 25 December of any year.

For the avoidance of doubt a security presence may operate at any time on any day at the site.

Unless otherwise first agreed in writing with the Local Planning Authority and in the interest of residential amenity and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.'

The current application proposes an extension in the allowed operating hours by 30 minutes to 07:00 - 19:30 daily. The applicant has set out in the accompanying Planning Statement that the proposed extension of permitted operating hours is desired in order to receive materials from Household Waste Recycling Centres (HWRCs), such as that immediately adjacent to the site, which are typically permitted to operate until 20:30 but often close at 20:00. Therefore, the proposed extended closing time would allow HWRCs to empty their containers in preparation for the following day. In addition, SITA is contractually obliged, as part of the South Tyne and Wear Waste Management Partnership with Gateshead, South Tyneside and Sunderland Councils, to operate all of its waste transfer facilities within these areas between the hours of 07:00 - 19:30 daily.

The original application for full planning permission was presented at the meeting of the Planning and Highways Committee of 24 January 2012 wherein Members resolved to approve.

The application site is rectangular in shape measuring 2.45ha located within the designated Tyne and Wear Green Belt adjacent to the settlement of Wrekenton, Gateshead (although the site lies within the administrative boundary of Sunderland). Access to the site is taken from a dedicated, unadopted, roadway accessed from the B1288 (Springwell Road). The site comprises a number of large vacant buildings and areas of hardstanding and is currently undergoing redevelopment.

The site is bounded to the north by an existing narrow belt of mature trees beyond which are residential properties. Immediately south of the site is a household waste recycling centre (HWRC) which is operated by Gateshead Metropolitan Borough Council (GMBC). Beyond the HWRC is an area of open land and Springwell Quarry. To the east is a recreational ground (football pitch), beyond which is agricultural land. To the south and south east of the site the land is safeguarded for mineral resources.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
Environmental Health
Gateshead MBC
Washington West - Ward Councillor Consultation

Final Date for Receipt of Representations: **30.12.2013**

REPRESENTATIONS:

Further to the publication of the application by way of letters to neighbouring properties and site and press notices, two representations has been received from neighbouring residents wherein the following concerns are raised:

The proposed extended operating hours would adversely impact the environment and quality of life for nearby residents in respect of the generation of additional traffic, noise, odours and litter.

'Loss of amenity - contrary to Town and Country Planning Act' [although how it is perceived that the proposal would compromise amenity is unclear and no reference is made to any particular section of the Act).

The proposed extended opening hours would result in further intrusion into the Green Belt by means of additional industrial activity [given that no physical development is proposed it is not considered that the proposal would have any significant impact on the Green Belt, having regard to the relevant local and national Green Belt policies).

Further comments are made in respect of the validity of the information supplied by the applicant and the Council's decision in approving the original planning permission which the current proposal seeks to vary. It is also claimed that operations on site are contrary to current European directives, although no particular directive or section of such is specified, and that the proposal is not in the public interest.

In respect of the above points, Members are advised that the current application relates solely to the operating hours of the premises and does not invite or allow re-assessment of any other issues discussed and resolved in the determination of the original application.

Gateshead Council recommends that, given the sensitivity of the site to local residents, condition 22 is not varied until such a time that it can be clearly demonstrated that there will be no adverse impact on residential amenity from the general operation of the facility.

The Council's Environmental Health section confirmed that it has no objection to the proposed extension of operating hours, having regard to the noise assessment which was submitted with the original application.

The Council's Network Management section confirmed that no observations or recommendations are offered in this instance.

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_5_Designation of new conservation areas

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

COMMENTS:

The main issues to consider in assessing this application are the impact of the proposed extended operating hours on:

1. Residential Amenity
2. Highway Implications

1. Residential Amenity

One of the core principles of the National Planning Policy Framework (NPPF), as set out by paragraph 17, is that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'.

Policy B2 of the adopted Unitary Development Plan (UDP) reflects the above, stating that 'the scale, massing, layout and/or setting of new developments should respect and enhance the best qualities of nearby properties and the locality whilst large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'. In addition, policy EN5 of the adopted Unitary Development Plan is concerned with noise and vibration and states that, 'where development is likely to generate noise sufficient to increase significantly the existing ambient sound or vibration levels in residential or other noise sensitive areas, the Council will require the applicant to carry out an assessment of the nature and extent of likely problems and to incorporate suitable mitigation measures in the design of the development. Where such measures are not practical, permission will normally be refused'.

An assessment has been undertaken by the applicant with respect to potential noise and vibration impacts associated with the proposed development, which was submitted with the original application, and has been supplied in support of the current application.

The likely impact of vibration from operations and activities on site has been considered to be negligible and therefore has been scoped out of the assessment. This approach is considered to be reasonable as it is not proposed to install any equipment or machinery on site which would create vibration of any magnitude.

A noise assessment has been undertaken in accordance with BS 4142:1997 'Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas' to determine the likely noise impact of the development on the occupants of residential premises.

The assessment concludes that the noise levels associated with the development are acceptable and are unlikely to cause complaint from the occupiers of nearby residential properties and has been undertaken using reasonable assumptions about the operation of the site to model the likely noise impact that the site will have upon noise sensitive receptors.

The noise assessment which accompanied the original application included background noise measurements taken between 18:45 and 19:15. It is not considered that background noise is likely to be materially different between

19:15 and 19:30, so the conclusions of this report are considered to be applicable to the current proposal. Similarly, it is not considered that the proposed increase in the operational hours of the facility from 19:00 to 19:30 would pose any materially greater impact on the local environment or living conditions of neighbouring residents.

In addition, mitigation against noise in the form of a noise barrier has been assumed within the assessment, to take the form of an acoustic fence to be positioned on the northwestern boundary of the application site. Condition 14 of the original planning permission (ref. 11/02076/FUL) requires the carrying out of a noise assessment within three months of the date of waste transfer operations commencing to ensure that the predicted noise levels associated with the operation of the site does not exceed the existing background noise level by more than 5dB(A) and that, where noise levels are found to exceed the existing background noise by more than 5dB(A), further noise attenuation must be provided.

2. Highway Implications

Paragraph 75 of the NPPF 75 states that, 'planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.

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.

The current proposal does not alter the previously approved access arrangements, however has the potential to increase the overall number of vehicle movements associated with the site per day.

The Transport Assessment which was supplied with the original application anticipates that there will be 236no. two-way traffic movements associated with the facility per day (202no. operational vehicles and 34no. visitor/staff vehicles). As set out previously in this report, the proposed extended operating hours are intended, primarily, to receive waste from Household Waste Recycling Centres (HWRCs) and, as such, the applicant anticipates that it is unlikely that there would be more than 4no. additional vehicles visiting the site daily within the additional 30-minute period. This assumption is considered to be reasonable and, on this basis, it is not considered that the proposal would result in a significant intensification in the use of the site or local highway network.

In addition, condition 23 of the original planning permission for the facility sets out routes which Heavy Goods Vehicles must follow to access and egress the site, namely:

Route 1 (to west/south) via Wrekenton Long Banks (B1295) and A1 interchange

Route 2 (to west/north) via Wrekenton Long Banks (B1295) and Durham Road (A167)

Route 4 (to east/south) via Leam Lane (B1288) and Northumberland Way (A195)

Conclusion

For the reasons set out above, it is not considered that the proposal to extend the operating hours of the facility would compromise the amenity afforded to local residents or the free passage of traffic, in accordance with paragraphs 17 and 75 of the NPPF and policies B2, B5 and T14 of the adopted UDP. It is therefore recommended that Members approve the application, subject to the conditions set out 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 the original permission was granted 26.01.2012 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 (1:25 000 Scale) Drawing Number SI1003/01 received 24 June 2011.

Site Layout Drawing Number SI1003/3/03 Revision 2 received 24 June 2011.

Topographical Survey and Planning Application Boundary Drawing Number SI1003/3/02 Revision 1 received 24 June 2011 received 22 July 2011.

Site Sections Drawing Number SI1003/3/11 Revision 2 received 24 June 2011.

Traffic and Pedestrian Management Drawing Number SI1003/3/08 Revision 2 received 24 June 2011.

Visitors Centre Internal Layout Drawing Number SI1003/3/07 received 24 June 2011.

Visitors Centre Elevations Drawing Number SI1003/3/06 Revision 1 received 24 June 2011.

Ad Hoc Building and Sweepings Bay Plans and Elevations Drawing Number SI1003/3/05 received 24 June 2011.

Boundary Fence and Gates Details Drawing Number SI1003/3/13 received 24 June 2011.

Weighbridge and Gatehouse Details Drawing Number SI1003/3/12 received 24 June 2011.

Topographical Survey and Planning Application Boundary Drawing Number SI1003/3/02 Revision 1 received 22 July 2011.

Roof Plan Drawing Number SI1003/3/10 Revision 2 received 24 June 2011.

Site Office/Welfare facilities Layout Drawing CTF Submission Drawing Number 500 Revision 2 received 22 July 2011.

Landscaping Drawing Number SI1003/3/09 Revision 3 received 24 June 2011.

Waste Reception Building Elevations Drawing Number SI1003/3/04 received 24 June 2011.

Existing Site Views Drawing Number SI1003/3/23 Revision 1 received 22 July 2011.

Route Location and Features Plan drawing Number App12.5 (Dated December 2010) received 24 June 2011.

Campground Waste Transfer Station and Visitor Centre Technical Appendices (Dated June 2011) received 24 June 2011.

Campground Waste Transfer Station and Visitors Centre Supporting Statement (Dated June 2011) received 24 June 2011.

Proposed Waste Transfer Station and Visitors Centre Campground, Wrekenton Addendum Report received 11 October 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 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 adopted Unitary Development Plan.
- 4 No development or demolition shall take place until a scheme of working has been submitted to the written 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, the approved scheme shall be implemented as approved, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policies B2 and EN1 of the adopted Unitary Development Plan.
- 5 Before the development hereby approved is commenced , or any demolition works undertaken, 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 and EN1 of the UDP.
- 6 No development other than site preparation works shall be commenced until an updated Ground Investigation Report including remediation objectives that have been determined through risk assessment has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the updated report shall include:

updated site conceptual model risk assessment of the site
remediation strategy, to include the following:

Monitoring information and risk assessment of ground gas
An indication of quantified concentrations of dioxins and furans
Management strategy for soils during construction
Investigation of free phase hydrocarbons and mitigation measures
necessary to prevent risk to users of the site
Risk assessment for combustibility of ground and a management plan for
ground combustibility during construction.

In order to achieve a satisfactory form of development on site and to
comply with the requirements of Policy EN14 of the adopted Unitary
Development Plan.

- 7 No development approved by this permission shall be commenced until
the works specified in the Remediation Statement have been completed in
accordance with the approved scheme and a report validating the
remediated site has been approved in writing by the local planning
authority, in the interests of residential amenity and to comply with policy
EN14 of the adopted Unitary Development Plan.
- 8 Should any contamination not previously considered be identified during
construction works an additional method statement regarding this material
shall be submitted to the local planning authority for approval, in the
interests of residential amenity and to comply with policy EN14 of the
adopted Unitary Development Plan.
- 9 The development shall not commence (other than for site investigation
works) until details of the foul and surface water drainage have been
submitted to and approved by the Local Planning Authority and the
development hereby approved shall not be occupied until these facilities
have been provided and installed in accordance with the approved details
to ensure satisfactory drainage to the site and to comply with policy B24 of
the adopted Unitary Development Plan.
- 10 No materials, waste or equipment shall be stored on the site outside of the
buildings and designated storage areas, as defined on the approved
plan(s), in the interests of visual amenity and to comply with policies B2
and EN1 of the adopted Unitary Development Plan.
- 11 Before any development commences on site precise written details of an
Ecological Method Statement for use by site contractors shall be
submitted to and approved in writing by the Local Planning Authority. The
approved Ecological Method Statement shall then be adhered to at all
times by contractors working on the site unless any variation to the
statement is first agreed in writing by the Local Planning Authority. In
order to protect the ecology of the site and to comply with the
requirements of Policy CN22 of the adopted Unitary Development Plan.
- 12 Before any development commences on site precise written details of an
Ecological Management Plan for the site including a plan showing the
precise location of, and specification for, the following features:
 - pond
 - scrub and grassland (broomrape)

- bat roost units
- lighting scheme for the site

shall be submitted to and approved in writing by the Local Planning Authority.

The Ecological Management Plan shall also include a long term maintenance schedule for the ecological mitigation measures approved as part of the development, including details of cut and rake regimes for grassland areas and a pond monitoring and clearance programme. Details of links between the proposed ecological enhancement features and the wider area shall also be included within the plan.

Once approved the details, timetables and ecological enhancement measures contained in the Ecological Management Plan shall be strictly adhered unless any variation to the approved Ecological Management Plan is first agreed in writing.

In order to protect and enhance the ecology of the site and to achieve a satisfactory form of development and to comply with the requirements of Policies CN22 of the adopted Unitary Development Plan.

- 13 The Ecological Enhancement/Mitigation Measures set out in appendix 10.1, appendix 10.2 and appendix 10.3 of the Technical Appendices dated June 2011 and those set out in section 10 of the Supporting Statement dated June 2011 shall be fully implemented in accordance with the approved details unless otherwise first agreed in writing with the Local Planning Authority. In the interest of protecting and enhancing the ecology of the site and to comply with the requirements of Policy CN22 of the adopted Unitary Development Plan.
- 14 Within three months of the date of waste transfer operations commencing at the development hereby approved a noise assessment shall be undertaken to ensure that the predicted noise levels associated with the operation of the site does not exceed the existing background noise level by more than 5dB(A).

The noise levels shall be determined at the nearest noise sensitive premises, the location of which shall be agreed in writing with the Local Planning Authority prior to any noise assessment taking place.

The noise assessment shall be undertaken in accordance with BS4142: 1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. The background noise levels will be measured at a time to be first agreed in writing with the Local Planning Authority and will be at a time when the background noise level is considered to be at its lowest.

A report containing the results of the assessment shall be submitted to the Local Planning Authority within three months of the assessment being completed. Where noise levels are found to exceed the existing background noise by more than 5dB(A) precise written details of noise attenuation measures to be implemented at the development shall be included in the report for the written approval of the Local Planning Authority. The approved noise attenuation scheme shall then be fully

implemented to a timetable to be first agreed in writing with the Local Planning Authority 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 in the interest of residential amenity and to comply with the requirements of Policies EN5 and EN6 of the adopted Unitary Development Plan.

- 15 Before waste transfer operations commence to/from the Waste Transfer building hereby approved, a noise barrier shall be installed at the northern and western site boundary (as detailed within the submitted Supporting Statement (ref: SI1003/9/SS)). The barrier shall be not less than 2.5 metres high and be constructed with a superficial mass of at least 20kg/m² and without any significant gaps or cracks. Once installed the noise barrier shall be maintained in position for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In the event that the noise barrier becomes damaged or suffers collapse or unauthorised removal it shall be repaired or replaced, to the aforementioned specifications within 10 days of the damage, collapse or removal occurring unless an alternative timescale is first agreed in writing with the Local Planning Authority. In the interest of residential amenity and to ensure adequate noise mitigation and to comply with the requirements of Policies B2 and EN5 of the adopted Unitary Development Plan.
- 16 No offensive odours originating from the development hereby approved shall be detectable at the boundary of the site (as perceived by the City Council's Environmental Health Officer (EHO)). In the event that offensive odours are detectable by the EHO, a written scheme of odour mitigation measures shall be submitted for the written approval of the Local Planning Authority within one month of the odour complaint being communicated to the site operator (or an alternative timescale to be first agreed in writing with the Local Planning Authority). Once approved the scheme of odour mitigation measures shall be fully implemented in accordance with the approved scheme to a timetable to be agreed in writing with the Local Planning Authority. Once installed the odour mitigation measures shall be maintained 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 protect residential amenity and to comply with the requirements of Policy EN9 of the adopted Unitary Development Plan.
- 17 Before the development hereby approved is commenced precise written details of an overnight parking area for site vehicles shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the overnight parking for site vehicles shall be restricted to the area adjacent to the eastern elevation of the Waste Transfer Building hereby approved. In order to achieve a satisfactory form of development on site and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.
- 18 All waste transport vehicles entering/ leaving the development hereby approved shall either be refuse collection vehicles or else shall be covered/netted to prevent the escape of refuse from the vehicles to the

surrounding road network and area. In order to ensure a satisfactory form of development and to comply with the requirements of EN1 of the adopted Unitary Development Plan.

19 Before any development commences on site 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 adopted Unitary Development Plan.

20 Mobile electricity generators shall not be used on site at any time unless otherwise first agreed in writing with the Local Planning Authority. In the interest of noise mitigation and to ensure a satisfactory form of development on site and to comply with the requirements of Policy EN5 of the adopted Unitary Development Plan.

21 The demolition and 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 unless otherwise first agreed in writing with the Local Planning Authority in order to protect the amenities of the area and to comply with policy B2 of the UDP.

22 The development hereby approved shall not be operated for the purposes of waste transfer, including the delivery to or export of waste from the site, outside of the following hours:

07:00 - 19:30 on any day and shall not operate at any time on 25 December of any year.

For the avoidance of doubt a security presence may operate at any time on any day at the site.

Unless otherwise first agreed in writing with the Local Planning Authority and in the interest of residential amenity and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.

23 Heavy Goods Vehicles (i.e. commercial vehicles with an operating weight of more than 7.5 tonnes), within the control of the operator of the waste transfer station hereby approved, making deliveries to, or collecting from, the development hereby approved shall follow routes 1, 2 and 4 as shown on drawing number App 12.5 : Route Location and Features Plan, received 24 June 2011, whenever these routes are passable. In the interest of the free passage of traffic and to comply with the requirements of policy T14 of the adopted Unitary Development Plan.

Reference No.: 13/03744/FUL Full Application

Proposal: **Substitution of House Types of Plots 1-10 of planning application 08/03987/REM**

Location: Site Of Former Cape Insulation Barmston Road Washington

Ward: Washington East

Applicant: Barratt Homes

Date Valid: 2 December 2013

Target Date: 3 March 2014

PROPOSAL:

Planning permission is sought for the substitution of house types on plots 1 -10 for 'Phase 1' of the housing development known as Teal Park Farm.

The application site is situated approximately 2km to the southeast of Washington centre, to the east of the currently unused Leamside railway line and to the northwest of Pattinson Road. The site was formerly occupied by the CAPE Insulation Factory and the former Pattinson Township and is currently cleared, forming part of a wider housing development which is currently under construction and partly inhabited. To the northeast of the site beyond a mound of spoil lies Teal Farm, a modern residential estate, which is linked to the current application site by a public footway and emergency access.

Outline planning permission (ref. 06/02303/OUT) was granted in November 2006 and reserved matters (ref. 08/03987/REM) were approved in February 2009 for the erection of 150no. dwellings comprising 78no. apartments and 72no. detached, townhouse and semi-detached properties.

Subsequently, application ref. 11/02275/FUL was approved in October 2011 to substitute house types wherein 67no. one and two-bedroom apartments were replaced with 54no. two and three-bedroom dwellings, resulting in a reduction in the total number of units within the development to 137.

More recently application 13/00361/FUL was approved 21 May 2013 for the substitution of house types on plots 66-81. This application resulted in the further reduction of total number of units to be provided on the site to 131.

The current proposal comprises of the substitution of house types on plots 1-10. There is no increase or reduction in the total number of units to be provided on these plots, with the house types to be altered. The agent has indicated that this area is to be re-mixed, to introduce the 2010 range of dwellings in order that they relate to the later phases of development which are to be directly opposite the subject plots.

The proposed replacement house types are identified as 4 x 'Newton', 3 x 'Barwick', 1 x 'Somerton' and 2 x 'Guisborough'. These properties are a mix of 2, 3 and 4 bedrooms, as per the initial approval.

In addition to the introduction of the 2010 range of dwellings it is proposed to remove the parking courtyard which was to be provided to the rear of plots 1-5. As a result, each of the 5 dwellings would gain additional amenity space to the rear of the plots while the revised parking arrangement ensures each property is allocated its own space to the front or side of each dwelling respectively.

It is noted that the application site is allocated for industrial development on the adopted Unitary Development Plan (UDP) proposals map and, as such, the proposal is a departure from the adopted plan. The Town and Country Planning (Consultation) (England) Direction 2009 sets out the power of the Secretary of State to issue directions to local planning authorities requiring consultation with specified persons before granting planning permission. The areas covered by this direction include development within greenbelt, within the vicinity of world heritage sites and on playing fields as well as retail, leisure or office development outside town centres. To this regard, it is not considered that the proposal meets the criteria for referral to the Secretary of State as set out in the Town and Country Planning (Consultation) (England) Direction 2009 and, as such, can be determined by the Local Planning Authority.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted

CONSULTEES:

Washington East - Ward Councillor Consultation
Network Management

Final Date for Receipt of Representations: **05.03.2014**

REPRESENTATIONS:

No observations or 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
EC_4_Retention and improvement of existing business and industrial land
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments
WA_1_Retention and improvement of established industrial / business area

COMMENTS:

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

1. Principle of development
2. Design, scale, massing and layout;
3. Highway implications; and
4. Impact on Local Infrastructure

1. Principle of Development

The site is allocated for B1, B2 and B8 uses by the UDP under policy WA1.8 and is also subject to the provisions of policy EC4, which states that only the above mentioned uses and ancillary developments are appropriate in this location. Therefore, the application is a departure from the adopted development plan and has been publicised accordingly.

However, as outlined above, the principle of the residential development of the site has already been established through the approval of the aforementioned planning applications.

2. Design, Scale, Massing and Layout

One of the core principles of the National Planning Policy Framework (NPPF), as set out by paragraph 17, is that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Paragraphs 56 and 57 expand upon this principle, highlighting the importance Central Government place on the design of the built environment, including individual buildings, public and private spaces and wider area development schemes. Paragraph 64 of the NPPF goes on to state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

UDP policy B2 reflects the above, stating that the scale, massing, layout and/or setting of new developments should respect and enhance the best qualities of nearby properties and the locality whilst large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'. Expanding upon Policy B2, the Council also has additional guidance in the form of the Development Control Supplementary Planning Guidance (SPG) and Residential Design Guide Supplementary Planning Document (SPD) which set out standards and examples of good design practice, both of which have been formally adopted.

Typically, as set out by section 10C of the Residential Design Guide SPD, the LPA seeks to ensure that a minimum distance of 21m is provided between main facing windows and 14m between main windows facing onto gable or other elevations which contain no primary windows. A reduction in the above standard may be acceptable where it is demonstrated through imaginative design solutions that the proposal will (a) not adversely impact on existing levels of residential amenity, notably outlook, light and privacy, whilst (b) ensuring that satisfactory levels of the above matters are achieved.

In this instance, it is noted that the spacing between the proposed dwellings falls short of the aforementioned standards, as low as 16m between main facing windows. However, the building lines of the proposed dwellings are similar to those previously approved and illustrated on application 13/00361/FUL so there would be no further detriment on the amenity afforded proposed properties within the development. In addition, the proposal represents a reconfiguration of plot layouts and the relocation of parking spaces whereby larger private external amenity space would be provided.

In respect of visual amenity, the revised proposal is considered to be appropriate in terms of density and scale whilst the use of a range of house types of varying designs, footprints and height adds interest and quality to the overall scheme. The relatively simple, modern architectural style of the units reflects the design ethos of the wider development and adjacent schemes which have been put forward. In this regard, the scale, massing and design of the proposed development are considered to be appropriate and acceptable.

The elevational treatment of building facades is an important component of any new housing scheme and can have a significant impact upon the success of an area and how it is used. To this regard, the dwellings would largely incorporate a mix of facing brickwork and render, which reflects the style of dwellings within the development, although it is recommended that a condition be imposed, should Members be minded to approve the application, requiring the submission of samples and/or a schedule of all external materials, to ensure that an acceptable quality of finish is achieved.

3. Highway Implications

Paragraph 75 of the NPPF states that, 'planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.

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 whilst policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

To this regard it is not anticipated that there will be any objections to the scheme from the Network Management Section given that there is no increase in the number of units while each property retains at least one convenient parking space. The previously agreed lay-by to the front of the site is also to be retained. Therefore it is unlikely that the proposed revisions to the house types would be of detriment to highway safety or the free passage of traffic. Notwithstanding the above the formal assessment of the scheme by the Network Management Section remains outstanding and will be reported at the Sub-Committee Meeting.

4. Impact on Local Infrastructure

Members are advised that the initial consent (08/03987/REM) was accompanied by a unilateral undertaking under section 106 of the Town and Country Planning

Act 1990 in respect of the payment of a sum of £80,920, which was calculated on the basis of the provision of 150 new dwellings. These monies were allocated to the upgrading/upkeep of one or more of three sites, namely Princess Ann Park, Barmston Play Area and Glebe Park.

In this respect given the proposal relates to a variation of house types allocated a new planning application reference number, a Deed of Variation will be required to ensure that the obligation is tied to this consent, should Members be minded to approve the application.

It is noted that no provision of affordable housing or resources for education are required to be provided for the wider development, so it is not considered reasonable or necessary to consider such matters further, particularly given that the current proposal relates purely to the house types with no deviation in proposed unit numbers.

Conclusion

For the reasons given above, it is considered that the proposal is acceptable in principle and in terms of design, scale, massing and layout and would not compromise residential or visual amenity, highway safety, the free passage of traffic or local infrastructure.

However, the application has been re-publicised in light of the proposal constituting a departure from the UDP, so the statutory period for the receipt of representations has yet to expire, and the Deed of Variation to amend the unilateral undertaking pursuant of section 106A of the Town and Country Planning Act 1990 has yet to be completed. Therefore, in order to deal with the application in a timely fashion, it is requested that Members agree to delegate the final determination of this application to the Deputy Chief Executive, who is minded to approve the application subject to the conditions listed below and any additions to / omissions from such conditions, as deemed necessary, the expiry of the consultation period and the signing of the Deed of Variation under Section 106A of the Act.

In the event that any representations are received which raise issues not considered within the report or an agreement cannot be reached between the Council and the applicant, the application will be referred back to the Development Control Sub-Committee.

RECOMMENDATION: Delegate to Deputy Chief Executive, who is minded to approve the application subject to no representations being received raising issues that have not been considered within the report, the expiry of the consultation period and the signing of the Deed of Variation.

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:

Job No. 11012: House Type A (Newton) received 28.11.2013

Job No. 11012: House Type B (Barwick) received 28.11.2013

Job No. 11012: House Type I (Somerton) received 28.11.2013

Job No. 11012: House Type L (Guisborough) received 28.11.2013

Job No. 11012, Drawing No. P-45 Rev D: Location Plan and Proposed Site Layout received 11.12.2013

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, no development of any individual development area shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces of the buildings, including walls roofs, doors and windows, and hard surfacing, including roads, footpaths and courtyard areas has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development within that area 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 adopted Unitary Development Plan.
- 4 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 for the entire site (Areas D, E and G), 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 policy B2 of the adopted Unitary Development Plan.
- 5 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 adopted Unitary Development Plan.
- 6 Notwithstanding any specifications on the submitted plans, no development shall commence until full details of all walls, fences or other means of boundary enclosure have been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be fully installed prior to the occupation of any dwelling hereby approved or in accordance with a timetable to be agreed, in writing, by the

Local Planning Authority, in the interests of visual and residential amenity and to comply with policy B2 of the adopted Unitary Development Plan.

- 7 No development shall take place until the scheme of working has been submitted to and approved by the Local Planning Authority; such a scheme shall 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. The scheme should ensure that the construction works and associated equipment do not result in any obstruction of the pedestrian and emergency access to Teal Farm, or access to the existing allotments adjacent to the Leamside Line. The scheme shall be carried out during the implementation of the development until its completion, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and to comply with policy B2 of the adopted Unitary Development Plan.
- 8 Before the construction of the houses on development area A 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 adopted Unitary Development Plan.
- 9 No development shall take place until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and no dwelling hereby approved shall be occupied until the facilities have been fully provided and installed in accordance with the approved details, to ensure that satisfactory drainage is provided for the development to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system, in accordance with policy B24 of the adopted Unitary Development Plan.
- 10 No dwelling hereby approved shall be occupied until the estate road which serves that dwelling is surfaced to base course in order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policies T14 and T22 of the adopted Unitary Development Plan.

Reference No.: 13/04116/FUL Full Application

Proposal: **Refurbishment of existing bungalows at Roche Court and Wenlock to include changing the existing flat roofs to pitched. Existing open space including three parking bays adjacent to central garages to house a district heating energy centre works to include stopping up of public highways. (Amended Plans received 14.01.2014)**

Location: Roche Court And Wenlock Glebe Washington

Ward: Washington Central

Applicant: Gentoo Sunderland

Date Valid: 13 December 2013

Target Date: 14 March 2014

PROPOSAL:

The application is for the refurbishment of existing bungalows at Roche Court and Wenlock to include changing the existing flat roofs to pitched. Existing open space including three parking bays adjacent to central garages to house a district heating energy centre works to include stopping up of public highways. (Amended Plans received 14.01.2014)

The application is a major planning application and has been advertised by the way of neighbour notification and site and press notice.

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

Environment Agency

Network Management

Washington Central - Ward Councillor Consultation

Environmental Health

Northumbrian Water

Final Date for Receipt of Representations: **29.01.2014**

REPRESENTATIONS:

Consultee Responses

Environmental Health

No adverse comments subject to conditions in respect of noise assessment and site set up operations.

Highways

No comments

Neighbour Representation

Two letters of objection have been received from 28 and 32 Thetford. The main areas of concerns are:

- Loss of outlook
- Unacceptable reduction of light into dwellinghouse

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

EN_5_Protecting sensitive areas from new noise/vibration generating
developments

R_1_Working towards environmentally sustainable development

R_2_Taking account of spare infrastructure / reduced travel / vacant & derelict
land

R_3_Infrastructure provision, etc. in association with developments

R_4_Incorporation of energy saving measures

EN_1_Improvement of the environment

COMMENTS:

The key areas under consideration as part of this application are:

- Principle of Development
- Impact of new pitched roofs Impact of Biomass Central Heating.

Principle of Development

Roche and Wenlock Court are situated in the Glebe area of Washington, the site consists of 100 bungalows which are flat roofed 1 and 2 bed properties. Of the 100 bungalows on the site only 3 are supplied with a gas supply. The remaining 97 bungalows are currently provided with space heating via night storage electrical heating and water heating via electrical immersion storage heaters.

- Energy performance of the properties is currently estimated at a SAP rating of 52-56

The existing heating and hot water services of the properties are nearing the end of their useful life expectancy and require replacement; in addition the current systems do not allow for close control over the heating of the building and are wasteful in the fact that large quantities of stored hot water are present.

The current building construction is of a poor design with regard heat loss, a recent survey of the buildings with a thermal imaging camera dramatically highlighted the heat losses from the bungalows.

Design Philosophy

Gentoo Sunderland and DTA have after consultation with the residents of the properties have prepared a communal heating and building refurbishment plan to address the concerns of the residents, many of which are of an aged demographic and are at risk from fuel poverty.

The Roche Court & Wenlock project has adopted a two pronged approach to address the resident's justifiable concerns over their ever increasing electrical utility costs, lack of thermal comfort and the negative impact this has on their art of living.

Central Low Carbon Communal Heating System

A new central energy centre is proposed to be built upon the small unused grassed area adjacent to the central garage block, this energy centre shall be of brick construction in keeping with the surrounding area and shall have a traditional pitched tile roof construction.

The energy centre shall supply the bungalows of Roche and Wenlock Court with heat energy via an underground district heating pipework network. The energy centre will incorporate a bio mass led boiler with natural gas backup in order to generate the heat energy required for the scheme. The bio mass boiler will be capable of using both wood pellets and wood chip as a fuel source. The bio mass boiler has been selected both for its energy efficiency, carbon reductions and low smoke emissions, the bio mass boiler is in full compliance with the clean air act and in addition a ceramic filter will be incorporated to remove PM10 particles.

A number of benefits of providing a district heating solution for this scheme are as follows: -

- Provides a means of securing significant reductions in CO2 emissions through the optimisation of heat supply.
- Reduces labour and maintenance costs in relation to individual systems.
- Enables the efficient transportation and use of heat for a variety of uses.
- Helps to efficiently manage supply & demand of energy to the end user.

- Extends the reach of renewables by using renewable heat more efficiently.
- Provides the opportunity for the development of renewable technologies that otherwise would not be available to the home owner/tenant.

The existing heating and hot water services are to be removed and replaced with a low temperature hot water system in the form of low temperature radiators supplied from a central heat exchange unit within each bungalow. This heat exchange unit shall also provide instant hot water to the residents without the need for stored water within each bungalow.

Policies R1, R2, R4 and EN1 of the adopted Unitary Development Plan seeks to enhance the sustainability of the environment people live in.

Policy R1 seeks environmentally sustainable development that meets the economic and social needs of the city.

Policy R2 seeks to maximise resource utilisation

Policy R4 encourages energy saving measures in new development.

Policy EN1 seeks improvements to the environment.

Policy EN5 protects against excessive noise and vibration.

The proposed scale, massing and design of the biomass building is considered acceptable in principle and as such complies with policy B2 of the adopted Unitary Development Plan. In terms of sustainability the proposed bio-mass is considered to comply with policies R1, R2, R4 and EN1 of the adopted Unitary Development Plan.

In terms of policy EN5 protect against excessive noise and vibration, the proposed development is considered acceptable, subject to a noise assessment being submitted prior to the bio-mass unit being brought in to operation to ensure they is no noise and disturbance to the residents of Wenlock and Roche Court. If members are minded to grant planning permission it is recommended that a conditions be imposed in respect of a noise assessment and general site operations to be submitted and agreed in writing by the Local Planning Authority to ensure the development complies with policies EN5 of the adopted Unitary Development Plan.

Bungalow Refurbishment and Improvement of Thermal Performance

The main heat losses from the bungalows are via the existing roof and windows of the properties, these heat losses are to be minimised in order that fuel and carbon reduction savings can be made.

The existing flat roofs of the bungalows shall be replaced with a pitched roof of tile construction in order that thermal insulation can be provided to the bungalows within the newly formed roof void. In addition to dramatically improving the thermal insulation and heat losses from the building, the pitched roof will lift the overall aesthetics of the Roche Court and Wenlock areas and the adjacent neighbourhoods

The roof height will be 2.8m at the eaves with a maximum pitch height 4.9m. The roof lines are to be staggered in order to add unique character to the area.

The other advantage of the pitched roof construction are that Solar Photovoltaic (PV) Panels can be provided in order that the residents can benefit from further reduced utility costs as well as saving CO2 emissions. This would be subject to a separate planning application.

New double glazed units are to be provided to the bungalows in order that the u-values are decreased and heat losses reduced. As an added benefit to the residents in addition to the improved thermal performance, the noise level reduction of double glazed units and the reduction of condensation to the windows will improve the residents living standards as they will be less troubled by external noises, especially from traffic from the adjacent perimeter ring road.

The two representations have been received their concerns relate to the relationship of properties in Thetford to the bungalows in front of their properties. due to the position and orientation of the bungalows in relationship to the dwelling houses in Thetford, the impact is not considered sufficient to want a refusal of the scheme. The current interrelationship of the property is 14m.

The objections relate to loss of view and daylight. Unfortunately a right to a view is not a right and therefore limited weight can be attached to this concern. In respect of loss of light due to the small increase in the height of the roofs and the position of the dwellings house to the bungalows and the suns orientation, it not considered that the impact is suffice to refuse planning permission.

The proposed roofs are therefore considered acceptable in principle and such comply with policy B2 of the adopted Unitary Development Plan. It members are minded to approve planning permission; it is recommended that a condition be imposed in respect of materials to be used.

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:

Insert relevant plan no.s, dates received and drawing title

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, 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.
- 4 Prior to the bio mass unit being brought into operation a noise assessment shall be submitted and agreed in writing. The report shall demonstrate that the level of noise when the bio-mass building is operational, in the interests of protecting local amenity and in accordance with policies B2, EN1 and EC12 of the UDP.
- 5 No development shall take place until a scheme of working for the duration of construction works has been submitted to and approved by the planning authority. This scheme shall 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; measures to ameliorate noise, vibration, dust, mud, construction and other debris within the site and ensuring that no dirt and debris spreads onto the surrounding road network, including the installation and maintenance of a wheel wash. These measures are in the interests of the proper management of the site, protecting the amenities of adjacent occupiers and highway safety and to comply with policies B2, EN1 and T14 of the adopted Unitary Development Plan.

Reference No.: 13/04444/FUL Full Application

Proposal: **Residential development comprising 43no. dwellings and associated access, infrastructure and landscaping.**

Location: Land South East Of Pattinson Road Pattinson Industrial Estate Washington

Ward: Washington East

Applicant: Hellens Investments (Washington) LLP

Date Valid: 23 December 2013

Target Date: 24 March 2014

PROPOSAL:

Full planning permission is sought for a residential development comprising 43. units and associated access, infrastructure and landscaping works on an area of land on the southeast side of Pattinson Road which would be known as Phase 3 of Teal Farm Village.

The site has an area of 2 hectares and forms part of the defined Tyne and Wear Green Belt. The density of the proposed development equates to approximately 21.5 dwellings per hectare.

The site would be accessed from the ongoing adjacent residential development known as Teal Farm Village via a roundabout from Pattinson Road to the northeast, so the proposal would effectively form an extension of this development. The proposed estate road would run approximately parallel with Pattinson Road centrally through the site to form a continuation of the road to run through approved Phase 2. Some properties would front directly onto this road whilst others would be laid out in a series of culs-de-sac. Pedestrian links are to be provided to the southeast and southwest.

The majority of the properties would be detached, although 6no. of the units would be semis, and the plot sizes vary considerably. Of the proposed dwellings, 11no. would be 5-bedroom, 23no, would be 4-bedroom, 8no, would be 3-bedroom and 1no. would be 1-bedroom. Each unit would have either two or two-and-a-half (i.e. with dormers providing habitable roof space) with eaves heights ranging from 5m-5.6m and ridge heights of between 7.1m-9.9m. Common features would be incorporated including gabled roofs and flat-roofed bays, canopies and dormers. A series of detached garage blocks would be provided with a mix of gabled and hipped roofs. The site would be surrounded by landscaping on all sides, including the retention of the tree belt along Pattinson Road, and it is set out in the submitted Planning Statement that 0.075 hectares of amenity open space would be provided on site.

The Planning Statement also sets out that the applicant is willing to provide financial contributions for open space (taking into account that to be provided on site and including future maintenance costs) and education, should the Local Planning Authority (the 'LPA') demonstrate that this is required. The applicant

has indicated that no on-site affordable housing would be provided for viability reasons and, whilst 6no. off-site affordable dwellings would be provided, the applicant is not prepared to enter into a Section 106 agreement (under the Town and Country Planning Act 1990 (as amended)), citing the terms of funding secured from the Homes and Communities Agency.

The application has been accompanied by the following documentation:

- Planning Statement
- Design and Access Statement
- Arboricultural Impact Assessment
- Archaeological Desk-based Assessment
- Preliminary Geotechnical and Ground Contamination Desk Top Review
- Ecological Assessment
- Flood Risk Assessment
- Landscape Appraisal
- Noise Impact Assessment
- Low or Zero Carbon Technology Feasibility Study
- Transport Assessment
- Planning Summary Statement

Given that the application site is allocated as Green Belt Land by the adopted UDP, the proposal constitutes a departure from the adopted plan. The Town and Country Planning (Consultation) (England) Direction 2009 requires local planning authorities in England to consult the Secretary of State before granting planning permission for certain types of development. This includes 'development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-

- (a) the provision of a building or buildings where the floorspace to be created by the development is 1,000 square metres or more; or
- (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt'.

The proposal is considered to meet both of these criteria (the floorspace to be created equates to 6238 square metres) and, as such, as set out by the Direction, unless Members are minded to refuse planning permission, the application must be referred to the Secretary of State.

Site Description and History

The application site is situated approximately 2km to the southeast of Washington centre, immediately to the southeast of Pattinson Road on an area of land identified by policy WA19.2 of the adopted Unitary Development Plan (the 'UDP') as forming part of the Tyne and Wear Green Belt. The site exists as an area of open space and surrounded on all sides by a dense tree belt and is bound to the northwest with Pattinson Road and the northeast with Phases 1 and 2 of Teal Farm Village, predominantly residential developments which also include a Sainsbury's and other shops and local services adjacent to the entrance to the site off the roundabout. There is a deeper area of woodland to the southeast with part of the C2C cycle route and the River Wear beyond. To the southwest is an industrial unit operated by Faurecia Engineering, beyond

which on the opposite side of Staithes Road is an ASDA distribution centre which operates 24 hours each day.

Members may recall that the adjacent land to the northeast which is currently under development was originally subject to planning approval 10/03726/HYB for a mixed use development comprising business and industry units falling into Use Classes B1, B2 and B8 of the Town and Country (Use Classes) Order 1995 (as amended), commercial units falling into Classes A1, A2 and A5 of the Order and 95 dwellinghouses.

Subsequently, consents to substitute house types in connection with this planning approval 10/03726/HYB have been granted, as has an application to vary condition 5 of that permission to, essentially, remove the requirement for the units falling into the 'B' Use Classes to be built on the site, instead requiring them to be constructed nearby.

The area of land which would have been used for the Class 'B' units, immediately adjacent to the current site, was subsequently subject to planning application 12/03113/FUL comprising 39no. dwellings, which was approved in May 2013 and is now known as Phase 2 of Teal Farm Village.

There is a current residential development taking place immediately opposite Pattinson Road by Bellway homes known as Teal Farm Gardens and the ongoing Teal Park Farm development by Barratt Homes exists to the north and east of this which, in part, was formerly occupied by the CAPE Insulation Factory and the former Pattinson Township.

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

The Woodland Trust

English Heritage

County Archaeologist

Nexus

The Highways Agency

Washington East - Ward Councillor Consultation

Network Management

Director Of Childrens Services

Environmental Health

Environment Agency

Nexus

Fire Prevention Officer

NE Ambulance Service NHS Trust

Force Planning And Police Architectural Liaison Officer

Northumbrian Water

Natural England

REPRESENTATIONS:

Neighbours

Further to the publication of the application by way of letters to neighbouring properties and site and press notices, one representation has been received from a nearby occupant wherein concerns are raised over the level of development which has taken place in the area in recent times, that the proposed dwellings could overlook their property (no. 1 Staithe House), that residents would be subjected to additional noise during construction works and that no letter of notification was sent directly to this property.

The potential for overlooking shall be addressed in a subsequent report to the relevant Sub-Committee. However, in response to the other points raised, the LPA does not consider that the potential for additional development should, in itself, prejudice the planning merits of the proposal in lieu of any identified harm, whilst any noise which is generated would be temporary, being limited to construction works, whilst planning conditions and environmental health legislation would ensure that any such noise would be minimised where possible. In response to the latter point, the LPA is satisfied with level of notification of the application, which exceeded statutory requirements, and, given that this resident was afforded the opportunity, and indeed did, make representation, he was not prejudiced in any way.

Consultees

The County Archaeologist inspected the submitted archaeological desk-based assessment and confirmed that no further archaeological work is required.

English Heritage confirmed that it does not wish to offer any comments in this instance.

The Environment Agency (EA) has advised that it has no objections to the proposals but made reference to a number of nearby waste facilities, advising that consideration be given to the impact of these on the proposal and that the provision of additional housing may lead to an increase in the number of complaints to the EA brought about by such uses near to residential areas, which has already occurred as a result of the housing which has been provided in this area. This, in turn, may lead to the waste facilities reducing their operations or relocating. It is also recommended that Northumbrian Water (NWL) be consulted in respect of drainage and confirmed that no substantive comments are offered in respect of flood risk (on the basis that surface water would be discharged to the NWL sewer network) or contaminated land in respect of any impact on controlled waters given that they are considered to be of low environmental sensitivity at this particular site.

The Highways Agency confirmed that it has no objections in this instance.

Natural England confirmed that it has no objections, made reference to its standing advice on protected species, noted that the site includes an area of priority habitat, as listed on Section 41 of the Natural Environment and Rural Communities Act 2006 (the "NERC Act"), and provided general guidance in respect of the ecological impact of proposed developments and biodiversity and landscaping enhancements.

Nexus offered no objections and noted that, whilst public transport provision to the site is poor, given the scale of the proposal a more comprehensive scheme could not be justified. It was also noted that the lack of a footway along Pattinson Road adjacent to the site would further discourage residents to use public transport and it is recommended that lighting be provided along the proposed pedestrian access to the southeast.

Northumbrian Water raised concerns that, given the close proximity of the site to its Washington Sewerage Treatment Works, the proposed dwellings would be subjected to unpleasant odours dispelled by this facility, which could give rise to complaints.

The Council's Children's Services section a financial contribution of £ £71,334 to provide additional primary school places to accommodate the additional demand which would be generated by the proposed development, given that all schools in this area are currently fully subscribed and projected to remain so.

The Council's Sport and Leisure section has advised that a financial contribution of £30,143 is required in this instance, which would be spent at either the new development site or Teal Farm, Barmston, Princess Ann or Glebe play areas to support the ongoing maintenance of the play park.

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_24_Appropriate provision for utility services in building development
- CN_2_Purpose of the Green Belt in Sunderland
- CN_3_Control of development within the Green Belt
- CN_15_Creation of the Great North Forest
- CN_17_Tree Preservation Orders and replacement of trees
- CN_18_Promotion of nature conservation (general)
- CN_22_Developments affecting protected wildlife species and habitats
- CN_23_Measures to conserve/ improve wildlife corridors
- EN_1_Improvement of the environment
- EN_6_Limit exposure of new noise/vibration sensitive developments to existing sources
- EN_7_Proposals for residential development in the vicinity of railway tracks
- EN_9_Conflicts between proposed sensitive developments and existing non compatible uses
- EN_12_Conflicts between new development and flood risk / water resources
- EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas
- H_1_Provision for new housing

H_16_Negotiation for affordable housing in major developments
H_21_Open space requirements in new residential developments (over 40 bed spaces)
R_1_Working towards environmentally sustainable development
R_3_Infrastructure provision, etc. in association with developments
R_4_Incorporation of energy saving measures
T_8_The needs of pedestrians will be given a high priority throughout the city.
T_9_Specific provision will be made for cyclists on existing/new roads and off road
T_10_Protect footpaths; identify new ones & adapt some as multi-user routes
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments
WA_19_Maintenance of a Green Belt

COMMENTS:

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

- Principle of Development
- Highway Access, Car Parking and Sustainability
- Education
- Play Space
- Affordable Housing
- Design, Scale, Massing, Layout and Appearance, including Landscaping
- Impact upon Residential Amenity
- Ground Contamination
- Noise and vibration
- Odour
- Ecology and Wildlife

The issues set out above are still being considered and it is envisaged that a further report addressing these matters along with a recommendation will be made on a supplement report to the Sub-Committee meeting, which will include a summary of any further representations received in the interim.

RECOMMENDATION: Deputy Chief Executive to Report