

## PLANNING AND HIGHWAYS COMMITTEE

### AGENDA

**Meeting to be held in the Civic Centre (Committee Room No. 2) on Friday 23<sup>rd</sup> June, 2006 at 2.30 p.m.**

**Please note the change to the scheduled time and date of the meeting**

ITEM		PAGE
1.	<b>Receipt of Declarations of Interest (if any)</b>	
2.	<b>Apologies for Absence</b>	
3.	<b>Minutes of the last Ordinary meeting of the Committee held on 27<sup>th</sup> April, 2006 and the Extraordinary meeting held on 15<sup>th</sup> May, 2006 (copies herewith).</b>	1
4.	<b>Reports of the meetings of the Development Control (North Sunderland) Sub-Committee held on 11<sup>th</sup> May and 9<sup>th</sup> June, 2006 (copies herewith).</b>	5
5.	<b>Reports of the meetings of the Development Control (South Sunderland) Sub-Committee held on 11<sup>th</sup> May and 9<sup>th</sup> June, 2006 (copies herewith).</b>	9
6.	<b>Reports of the meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 11<sup>th</sup> May and 9<sup>th</sup> June, 2006 (copies herewith).</b>	15

**This information can be made available on request in other languages.  
If you require this, please telephone \*0191 553 1008**

7.	<b>Building Control Performance 2005/06</b>	21
	Report of the Director of Development and Regeneration (copy herewith).	
8.	<b>Reference from Cabinet – 21<sup>st</sup> June, 2006 Hetton Downs Area Action Plan : Report on Options and Issues for Consultation</b>	52
	Report of the City Solicitor (copy herewith).	
9.	<b>Farringdon Row Development Framework</b>	60
	Report of the Director of Development and Regeneration (copy herewith).	
10.	<b>Residential Design Guide</b>	99
	Report of the Director of Development and Regeneration (copy herewith).	
11.	<b>A690 Durham Road No Car Lane</b>	102
	Report of the Director of Development and Regeneration (copy herewith).	

R.C. RAYNER,  
City Solicitor.

Civic Centre,  
SUNDERLAND.

15<sup>th</sup> June, 2006.

**At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CIVIC CENTRE on THURSDAY, 27<sup>TH</sup> APRIL, 2006 at 4.30 P.M.**

**Present:-**

Councillor Porthouse in the Chair

Councillors Arnott, Bell, Carthy, D. Forbes, E. Gibson, Kirby, Lawson, Maddison, Mann, J. Scott, Sleightholme, Tate, J. Walker, Wares, P. Watson and Young

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were received from Councillors Haworth, Higgins and Shattock.

**Minutes**

1. RESOLVED that:-
  - (i) the minutes of the last meeting of this Committee held on 30<sup>th</sup> March, 2006 (copy circulated) be confirmed and signed as a correct record subject to the inclusion of an open declaration made by Councillor J. Walker in respect of Item 7 – Former Washington Village Primary School, Hill Rise, Washington Village – Planning Application No. 05/03341/FUL; and
  - (ii) the minutes of the extraordinary meeting of the Committee held on 4<sup>th</sup> April, 2006 be confirmed and signed as a correct record.

**Report of the meeting of the Development Control (North Sunderland) Sub-Committee**

The report of the meeting of the Development Control (North Sunderland) Sub-Committee held on 3rd April, 2006 (copy circulated) was submitted.

(For copy report - see original minutes)

2. RESOLVED that the report be received and noted.

**Report of the meeting of the Development Control (South Sunderland) Sub-Committee**

The report of the meeting of the Development Control (South Sunderland) Sub-Committee held on 5<sup>th</sup> April, 2006 (copy circulated) was submitted.

(For copy report - see original minutes)

3. RESOLVED that the report be received and noted.

**Report of the meeting of the Development Control (Hetton, Houghton and Washington) Sub-Committee**

The report of the meeting of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 6<sup>th</sup> April, 2006 (copy circulated) was submitted.

(For copy report - see original minutes)

4. RESOLVED that the report be received and noted.

**Reference from Cabinet – 12<sup>th</sup> April, 2006  
City of Sunderland Local Development Framework : Amendments to Local Development Scheme**

The City Solicitor submitted a report (copy circulated) appending a report of the Director of Development and Regeneration on proposed amendments to the Local Development Scheme. The report had been approved by Cabinet at its meeting held on 12<sup>th</sup> April, 2006 and referred to this Committee for comment.

(For copy report – see original minutes)

Neil Cole, Planning Policy Manager, presented the report and having apprised Members of the key issues it was:-

5. RESOLVED that the Committee endorse the recommendations contained in the report of the Director of Development and Regeneration and that Cabinet be advised accordingly.

The Chairman closed the meeting having thanked Members and Officers for their attendance.

(Signed) S. PORTHOUSE,  
Chairman.



**At an Extraordinary meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER on MONDAY, 15<sup>TH</sup> MAY, 2006 at 5.00 p.m.**

**Present:**

Councillor Porthouse in the Chair

Councillors Bell, Carthy, D. Forbes, E. Gibson, G. Hall, Howe, Lawson, Maddison, Mann, Sleightholme, Tate and J. Walker

**Declarations of Interest**

There were no interests declared.

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Arnott and J. Scott.

**Proposed Traffic Calming on North Fenton Terrace and Lanton Street – New Herrington Home Zone**

The Director of Development and Regeneration submitted a report (copy circulated) on the proposals for the installation of traffic calming on North Fenton Terrace and Lanton Street as part of the new Herrington Home Zone.

(For copy report – see original minutes)

The City Solicitor's representative, Mr. Ged Morton, Solicitor, advised the Committee that the objection period for the scheme proposals had ended on Friday, 12<sup>th</sup> May, 2006. However, an objection to the proposals, submitted by e-mail, had been received by the City Solicitor on Sunday, 14<sup>th</sup> May from a resident of the City. Mr. Morton invited the Committee to make a decision as to whether it wished to consider the objection notwithstanding that it had been received out of time. Mr. Morton advised that the resident had stated that the delay in submitting the objection was due to his temporary incapacitation as he had been in hospital. Mr. Morton further advised that in deciding whether to consider a late objection Members could have regard to any prejudice caused to the scheme as a consequence of delay, however given that the

Committee was able to make a decision that day, it was unlikely if Members were minded to agree the scheme that any delay would occur. Members of the Committee being minded to consider the objection to the proposals, proceeded to read through the paper copy that was circulated to them at the meeting.

The Chairman invited the Director of Development and Regeneration's representative, Mr. Rod Manson, Traffic, Road Safety and Parking Manager, to brief the Committee on the report. Mr. Manson circulated a supplementary report setting out the Director's response to the objection raised. Mr. Manson drew the Committee's attention to paragraph 5 of the report which addressed each of the issues raised in the objection.

In response to an enquiry made by Councillor Tate, Mr. Morton confirmed that legal advice previously provided was that the scheme as described by Mr. Manson was in compliance with current specifications and standards in relation to the road humps, traffic signs and street lighting.

Members noted that the scheme had been promoted by the residents of the area and that consultation was undertaken on behalf of the Council by the Square Route Group on the initial development stages of the scheme. As the scheme proposed represented the wishes of residents it had not been necessary to consult with them again.

Mr. Manson confirmed in response to Councillor Howe that no objections to the scheme had been raised as the scheme progressed until its completion other than the objection that had recently been received.

Full consideration having been given to the matter, it was:-

1. RESOLVED that:-
  - (i) the objection to the scheme proposals be overruled;
  - (ii) approval be given to the road humps being installed as advised; and
  - (iii) the objector be informed accordingly.

(Signed) S. PORTHOUSE,  
Chairman

**At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on THURSDAY, 11<sup>TH</sup> MAY, 2006 at 5.00 p.m.**

**Present:-**

Councillor Bell in the Chair

Councillors G. Hall, Howe, Lawson, Mann and J. Walker

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were received from Councillors Higgins and Porthouse.

**Application made under the Town and Country Planning Acts and Regulations made thereunder**

The Director of Development and Regeneration submitted a report together with a supplement (copies circulated) relating to the North Sunderland area, copies of which had been also forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and the Regulations made thereunder.

(For copy reports – see original minutes)

1. RESOLVED that:-

- (i) 06/00693/CON – Demolition of 14 St. Georges Terrace to increase width of vehicular/pedestrian access to land to rear.

Demolition and removal of various walls, fences, outbuildings and trees on land to rear of 14 St. Georges Terrace and erection of 13 dwellings be deferred for further consideration.

- (i) the recommendation detailed in the report be approved;

**Petition Regarding the Demolition of 14 St. Georges Terrace and the  
Erection of 13 Dwellings and Proposal to Erect a 30 Bedroom Extension  
on Land to the Rear of St. Georges Terrace, Roker Terrace, Ravine  
Terrace and Roker Park Terrace, Sunderland**

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted and Members agree that petitioners be notified of any forthcoming decisions on applications 06/00696/OUT and 06/00693/CON.

(Signed) R. BELL,  
Chairman.

**At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND)  
SUB-COMMITTEE held in the CIVIC CENTRE on FRIDAY, 9<sup>TH</sup> JUNE, 2006 at  
3.30 p.m.**

**Present:-**

Councillor Bell in the Chair

Councillors D. Forbes, E. Gibson, G. Hall, Higgins, Howe, Mann, Porthouse and J. Walker.

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were received from Councillor Lawson.

**Applications made under the Town and Country Planning Acts and  
Regulations made thereunder**

The Director of Development and Regeneration submitted a report together with a supplement (copies circulated) relating to the North Sunderland area, copies of which had also been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and the Regulations made thereunder.

(For copy reports – see original minutes).

Mrs. Tate, Objector, presented her objections to Planning Application Nos. 06/00693/CON and 06/00696/OUT in respect of the demolition of 14 Saint George's Terrace to increase width of vehicular/pedestrian access to land to rear; demolition and removal of various walls, fences, outbuildings and trees on land to rear of 14 Saint George's Terrace and erection of 13 dwellings which related to the following: -

- Suitability of the new development within the Conservation Area.
- Removal of trees on the land/threat to wildlife.

Mrs Tate also read out an objection letter to the Committee from Mrs. J Herring and distributed photographs of the site to Members.

Members were then given the opportunity of asking Mrs. Tate questions.

Mr. Cook, Applicant, presented his endorsement to the above Planning Application which related to the following:-

- Thorough consultation.
- Reinforcing site boundaries and character.

Upon 7 Members voting to approve Planning Application nos. 06/00693/CON and 06/00696/OUT and 2 Members voting to refuse those applications it was :-

1. RESOLVED that the recommendations detailed in the report, or as detailed in the supplementary report, be approved.

### **Town and Country Planning Act 1990 – Appeals**

The Director of Development and Regeneration submitted a report (copy circulated) concerning the above for the period 1<sup>st</sup> April, 2006 to 30<sup>th</sup> April, 2006.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) R. BELL,  
Chairman.

**At a meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on THURSDAY, 11<sup>TH</sup> MAY, 2006 at 3.15 P.M.**

**Present:-**

Councillor E. Gibson in the Chair

Councillors Bates, Bell, Lawson, Maddison, J.B. Scott, Sidaway, J. Walker and Wares.

**Declarations of Interest**

Councillor Maddison declared a personal and prejudicial interest in Planning Application No. 06/00476/FUL Land East of Angram Drive/Rear of the Sandcastle, Ryhope Road as a Member of Ashbrooke Sports Club and withdrew from the meeting before the Sub-Committee gave consideration to the application.

The Chairman declared a personal and prejudicial interest in Planning Applications Nos. 06/01057/FUL and 06/00589/SUB Land Adjacent 1 Old School House, Warden Law Lane as she had undertaken ward work in the Warden Law Lane area and withdrew from the meeting before the Sub-Committee gave consideration to the applications. The Chairman having withdrawn from the meeting, Councillor Bell was nominated by the Committee to take the Chair for the applications.

The Chairman declared a personal and prejudicial interest in Planning Application No. 06/00805/LBC Central Buildings, West Sunnyside as her husband was a Council Appointed Member of the Board of Management of South Sunderland Housing Company Limited. Councillors J. Walker and Wares declared personal and prejudicial interests in the same application as Council Appointed Members of the Boards of Management of Washington Housing Company Limited and South Sunderland Housing Company Limited respectively and withdrew from the meeting before the Sub-Committee gave consideration to the application. The Chairman having withdrawn from the meeting, Councillor Bell was nominated by the Committee to take the Chair for the application.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors

Arnott, D. Forbes, Porthouse and P. Watson.

### **Applications made under the Town and Country Planning Acts and Regulations made thereunder**

The Director of Development and Regeneration submitted a report relating to the South Sunderland Area and the City Centre, copies of which had been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and the regulations made thereunder.

(For copy report – see original minutes).

### **06/00476/FUL Land East of 12-21 Angram Drive/Rear of The Sandcastle, Ryhope Road, Sunderland**

John Potts, Planning Consultant, spoke on behalf of the applicant, Bowey Homes. Mr. Potts commented on the following: -

- In February, 2005, a sister planning application had approved relocating the former rugby pitch to Shirley Banks;
- Sport England had raised no objections to the application;
- No objections had been made in respect of the fact that the application marked a departure from the UDP;
- Only two other sites had been suggested by officers, which were not considered to be comparable;
- No demand existed for the redevelopment of the land for retail purposes;
- A number of properties within the proposed development would fall into Council Tax Bands G and H; and
- The applicant had not been invited to attend the site visit.

Councillor Sidaway commented that the land was a greenfield site and that adequate brownfield sites existed for development within the City.

### **06/01146/FUL Site of Warwick Garage, Warwick Terrace, Sunderland**

Councillor Lawson moved that a site visit be undertaken in respect of the above application.



1. RESOLVED that: -
  - (i) save as where indicated below, the recommendations in the report be approved with regard to the respective applications subject to the conditions set out where applicable; and
  - (ii) a site visit be undertaken in respect of Planning Application No. 06/01146/FUL Site of Warwick Garage, Warwick Terrace, Sunderland.

### **Town and Country Planning Act 1990 – Appeal**

The Director of Development and Regeneration submitted a report (copy circulated) concerning appeals received for South Sunderland for the period 1<sup>st</sup> March – 31<sup>st</sup> March, 2006.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,  
Chairman.

(Signed) R. BELL,  
Chairman.

**At a meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)  
SUB-COMMITTEE held in the CIVIC CENTRE on FRIDAY, 9<sup>TH</sup> JUNE, 2006 at  
4.15 p.m.**

**Present:-**

Councillor E. Gibson in the Chair

Councillors C.R. Anderson, Arnott, Bates, Bell, Dixon, D. Forbes, Paul Maddison, Morrissey, Porthouse, J.B. Scott, Tye, J. Walker, Wares and S. Watson.

**Declarations of Interest**

06/01146/LEG – Site of Warwick Garage, Warwick Terrace, Sunderland

Councillor E. Gibson declared a personal and prejudicial interest in the application as her husband, Councillor P. Gibson, was due to speak in opposition to the application as the ward councillor and withdrew from the meeting before the Sub-Committee gave consideration to the application. Councillor C.R. Anderson took the Chair for this application only.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Lawson and Sidaway.

**Applications made under the Town and Country Planning Acts and Regulations made thereunder**

The Director of Development and Regeneration submitted a report relating to the South Sunderland Area and the City Centre, copies of which had been forwarded to each Member of the Sub-Committee, upon applications made under the Town and Country Planning Acts and the Regulations made thereunder.

(For copy report – see original minutes).

**06/00927/LEG – Demolition of existing building and erection of a three storey building including cellar to provide bistro at ground level, restaurant at first floor and conference facilities at second floor level – Coral Bookmakers, Park Lane, Sunderland**

Andrew Moss from Ward Hadaway spoke against the application on behalf of Coral Bookmakers. Mr. Moss commented on the following: -

- The proposed development would negatively impact upon the character and potential uses of the area;
- Park Lane contained predominantly single and two storey buildings and whilst the re-submitted application proposed a reduction in height, the proposed development would remain over-dominant in the area;
- There were too many A3, A4 and A5 uses already in the area.

The applicant, Mr. Rowell, Director of Park Lane Caterers Ltd. commented that he felt the necessary alterations had been made to the application.

**06/01146/LEG – Residential development comprising of 16 No. 2-bedroomed houses, 4 No. 3-bedroomed houses and 18 No. 2-bedroomed flats with associated parking and creation of new access from Lincoln Avenue – Site of Warwick Garage, Warwick Terrace, Sunderland**

Councillor Peter Gibson commented on the application stating that he had no objections to the proposed development in principle but was concerned about proposed access to the site, which was through a narrow side street. Councillor D. Forbes, Tye and Bell concurred with Councillor Gibson.

In response to a question from Councillor Porthouse, the Director of Development and Regeneration's representative confirmed that an alternative access through the existing garage site on Warwick Terrace would also be considered acceptable.

**06/014421573 – Cherry Knowle Hospital, Waterworks Road, Sunderland**

Councillor Wares commented that he was opposed to the proposal to extend outline planning permission as three years has passed since initial outline planning permission had been granted.

1. RESOLVED that:-

- (i) Planning Application No. 06/01146/LEG in respect of the site of Warwick Garage, Warwick Terrace be delegated to the Director of Development and Regeneration for determination, subject to an alternative access to the proposed development being negotiated with the applicant; and

- (ii) the remaining recommendations as detailed in the report be approved.

### **Town and Country Planning Act 1990 – Appeals**

The Director of Development and Regeneration submitted a report (copy circulated) concerning appeals received for South Sunderland for the period 1<sup>st</sup> April, 2006 – 30<sup>th</sup> April, 2006.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,  
Chairman.

C.R. ANDERSON,  
Chairman.

**At a meeting of the Development Control (Hetton, Houghton and Washington) Sub-Committee held in the Civic Centre on Thursday, 11<sup>th</sup> May, 2006**

**Present:-**

Councillor J. Walker in the Chair

Councillors Bell, Carthy, Lawson, A. Morrissey, J. Scott, Sleightholme, Tate, J.W. Walton

**Apologies for Absence**

Apologies for absence were received from Councillors Porthouse and Young.

**Declarations of Interest**

05/00656/SUB – Erection of six detached dwellings and garages and upgrades to open space.

Councillor J. Scott declared a personal and prejudicial interest in the above item as he was acquainted with one of the objectors and withdrew from the meeting during considered of the item.

06/00206/FUL – Change of use from playing field to residential use. Residential development of 58 units and associated site works. Stopping up of public highway forming turning head of Hawthorn Street.

05/04680/FUL – The construction of 40 new dwellings with stopping up highway and change of use to residential development. The re-routing of the existing footpath to the rear of Thames Crescent.

The Chairman and Councillor Tate declared personal and prejudicial interests in the above items as Council appointed Directors of Central Sunderland Housing Company Limited and Houghton and Hetton Housing Company Limited respectively and withdrew from the meeting during consideration of the application.

Councillor Carthy took the Chair for consideration of the above applications only.

## **Appeals**

05/03287/FUL – 43 Eskdale Street, Hetton-le-Hole

05/00693/FUL – Site of Southern House and Land to Rear North Road, Rainton Bridge

Councillor Tate declared a personal interest in the above applications as a Member of Hetton Town Council and advised that he had not taken part in any deliberations concerning the applications while at Hetton Town Council.

## **Items for Information**

03/02419/OUT – Land North of Murton Lane

05/04669/LAP – Sunderland Central Route, Chester Road/Durham Road, Houghton-le-Spring.

Councillor Tate declared a personal interest in the above applications as a Member of Hetton Town Council and advised that he had not taken part in any deliberations concerning the applications while at Hetton Town Council.

## **Application made under the Town and Country Planning Acts and Regulations and made thereunder**

The Director of Development and Regeneration submitted a report, together with a supplementary report circulated at the meeting, relating to the Hetton, Houghton and Washington areas, a copy of which had been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and the Regulations made thereunder.

(For copy report – see original minutes)

## **05/00656/SUB – Erection of six detached dwellings and garages and upgrades to open space**

A report circulated at the meeting advised that in accordance with the Sub-Committee resolution on 6<sup>th</sup> April, 2006, officers met with the applicant and a representative of the objectors on 10<sup>th</sup> May in the presence of 3 ward Councillors. However, it had not been possible to resolve the differences in opinion expressed by the two parties.

The Director of Development and Regeneration's representative informed the Committee that the applicant had supplied further details in order to address some issues that would previously have required a condition attached to any approval granted.

Mr. Wakefield and Mr. Walls, objectors, presented their objections to the planning application which related to the following:-

- (i) Loss of allocated Open Space;
- (ii) Departure from the Adopted Unitary Development Plan.

Members were given the opportunity of asking Mr. Wakefield and Mr. Walls questions.

Mr. Fannon, Applicant, presented his endorsement to the above Planning Application which related to the following:-

- (i) Compliance with all conditions;
- (ii) Site is currently an area of unmaintained scrubland which the proposed development would landscape and upgrade.

Members were then given the opportunity of asking Mr. Fannon questions.

Councillor Lawson raised concerns regarding the strong local community objection and the departure from the Unitary Development Plan.

It was then moved by the Chairman that the recommendation contained in the report be dismissed and that the application be refused.

With 8 Members being present and all voting in favour of the motion, a unanimous decision was reached.

Consideration having been given to each of the applicants detailed in the report of the Director of Development and Regeneration and the addendums thereto, it was:-

1. RESOLVED that:-

- (i) Planning Application No. 05/00656/SUB in respect to the erection of six detached dwellings and garages and upgrades to open space be refused;
- (ii) Planning Application No. 06/00206/FUL in respect of land adjacent Hawthorn Street, Sedgeleth, Houghton Le Spring be deferred pending further negotiation with Sport England
- (iii) Planning Application No. 05/033963/SUB in respect of the Reservoir east of 23 Eddison Road, Washington East be deferred pending further consideration of the ecological survey of the site

- (iv) Planning Application No. 06/01112/LAP in respect of Washington Millennium Centre, Concord, Washington be deferred pending further consideration
- (v) the remaining recommendations detailed in the report or as indicated or amended in the addendum thereto be approved.

### **Town and Country Planning Act 1990 – Appeals**

The Director of Development and Regeneration submitted a report (copy circulated) concerning the above for the period 1<sup>st</sup> march, 2006 to 31<sup>st</sup> March, 2006.

(For copy report – see original minutes)

2. RESOLVED that the report be received and noted.

(Signed) J. WALKER,  
Chairman.

J. CARTHY,  
Chairman.



**At a meeting of the Development Control (Hetton, Houghton and Washington)  
Sub-Committee held in the Civic Centre on Friday, 9<sup>th</sup> June, 2006**

**Present:-**

Councillor J. Walker in the Chair

Councillors Bell, E. Gibson, R. Heron, Peter Maddison, Morrissey, Porthouse, J. Scott, Sleightholme, J. Stephenson, Tate and J. Walton.

**Apologies for Absence**

Apologies for absence were received from Councillors Lawson and Young.

**Declarations of Interest**

06/01046/FUL – Land at Morland Avenue, Columbia, Washington

Councillor E. Gibson declared a personal and prejudicial interest in the application, as her husband was a Council appointed Board Member of South Sunderland Housing Company Limited and withdrew from the meeting before the Sub-Committee gave consideration to the application.

Councillor J. Walker declared a personal and prejudicial interest in the application as a Council appointed Board Member of Washington Housing Company Limited and withdrew from the meeting before the Sub-Committee gave consideration to the application. Councillor R. Heron took the Chair for the application.

Councillor J. Stephenson declared a personal and prejudicial interest in the application, as her husband was a Council appointed Board Member of Washington Housing Company Limited and withdrew from the meeting before the Sub-Committee gave consideration to the application.

06/01530/OUT – Tyne and Wear Fire and Civil Defence Authority, Barmston Mere Fire Training Centre, Nissan Way, Washington

Councillor E. Gibson declared a personal and prejudicial interest in the application, as her husband was a Council appointed representative of the Tyne and Wear Fire and Rescue Authority and withdrew from the meeting before the Sub-Committee gave consideration to the application.

Councillor R. Heron declared a personal and prejudicial interest as a Council appointed representative of the Tyne and Wear Fire and Rescue Authority and withdrew from the meeting before the Sub-Committee gave consideration to the application.

### **Items for Information**

03/02419/OUT – Land North of Murton Lane, Houghton-le-Spring

05/04669/LAP – Sunderland Central Route, Chester Road/Durham Road, Houghton-le-Spring

Councillor Tate declared a personal interest in the applications as a Member of Hetton Town Council, having not taken part in any deliberations concerning the applications while at Hetton Town Council.

### **Applications made under the Town and Country Planning Acts and Regulations and made thereunder**

The Director of Development and Regeneration submitted a report relating to the Hetton, Houghton and Washington areas, a copy of which had been forwarded to each Member of the Sub-Committee, upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(For copy report – see original minutes)

1. RESOLVED that the recommendations detailed in the report be approved.

### **Town and Country Planning Act 1990 – Appeals**

The Director of Development and Regeneration submitted a report (copy circulated) concerning the above for the period 1<sup>st</sup> April, 2006 to 30<sup>th</sup> April, 2006.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) J. WALKER,  
Chairman.

R. HERON,  
Chairman.

BUILDING CONTROL PERFORMANCE 2005/2006

REPORT OF DIRECTOR OF DEVELOPMENT AND REGENERATION

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to advise Committee of the performance of Building Control in year 2005/2006.

2.0 BACKGROUND

- 2.1 To assist members in monitoring and appraising the Building Control Service a review of workload and performance has been prepared and is appended to this report.

3.0 SUMMARY

- 3.1 The number of applications received reached 1446 in respect of Full Plan applications and 427 for Building Notice types, both showing slight decreases from the high levels received in 2004/2005.
- 3.2 The decrease in numbers is predominantly in the area of domestic types of extension and may be as a result of general concern over interest rate levels.
- 3.3 Large scale schemes in the City are still slow in coming forward which has focused attention on the further development of partnerships to enable Building Control to seek out work outside of the City's boundaries to maintain high levels of application numbers and fee income.
- 3.4 The number of Cavity Wall Applications received reached 2950 which fell below the levels received in 2004/2005 but still shows significant increase on previous years.
- 3.5 Replacement window applications under the Fenestration Self-Assessment Scheme (FENSA) showed a 20% increase on the previous year with 3376 notices received against a figure of 2818 in 2004/2005.
- 3.6 New in 2005/2006 is the recording of applications received from the various organisations representing the electrical and gas industries in respect of domestic installations carried out by their members due to the introduction of new and amendment of existing legislation requiring details to be lodged with local authority building control. In the case of

notifiable electrical work, 3672 applications were received and in respect of gas installations, the number recorded was 1490.

- 3.7 The number of Initial Notices received i.e. the number of applications received for work carried out by private building control bodies shows a slight increase on previous years, 69 as against 64 for 2004/2005. The number however still represents an exceptionally low level of just over 3.5% of numbers of applications dealt with by the private sector which in terms of lost fee income equates to only 2% due to the minor nature of the works. Particularly pleasing is the very small number of housing sites lost which is largely due to intensive marketing in this area coupled with high levels of customer care delivered to volume house builders.
- 3.8 Concentrated efforts are made to provide a quality service to clients and high priority is given to the marketing and promotion of the Service both within the region and nationally. Building Control has a dedicated and effective Customer Forum which gives advice and support to the direction of the Service. It also keeps in touch with clients via media such as newsletters, guidance notes, training sessions, satisfaction surveys and corporate days to maintain a high profile with clients.
- 3.9 The number of site inspections carried out is recorded at 11,180 and is marginally down on last year's total of 11,280. The levels of activity are still historically high due to the high number of Building Notice applications received. This form of application is made without the benefit of working plans and as a result requires greater levels of site supervision.
- 3.10 The statutory response time for the issue of a building regulation application decision is set in The Building Act 1984 as 5 weeks from the date of deposit. The need for swift response to submitted applications is recognised as well as the need to maintain high levels of quality in the decision making process.
- 3.11 Local performance indicators record 77.5% of applications processed within 10 working days and 97.8% attended to within 15 working days. Speed of response is recognised from consultation with clients to be a key element in the choice of service provider and therefore creates a focus for Building Controls service standards.
- 3.12 The extent of Building Control involvement in other areas is both wide-ranging and diverse.
- 3.13 The involvement in liquor licensing applications ended in November 2005 when the full effects of the new consultation procedures for licensing applications brought about by The Licensing Act 2003 came into effect. Building Control no longer provide advice to Committee on fire safety matters and safe number limits relating to licensed premises in the City.

- 3.14 Building Control continues to provide an emergency call out service both during and out of office hours for 365 days every year, responding to all building related emergencies. In 2005/2006 the number of emergency calls received was 29.
- 3.15 A local performance indicator for this essential service shows that 100% of calls received were inspected within 1 hour of receipt of call.
- 3.16 The Building Control staff establishment currently has 2 vacant positions, with a further Chartered Surveyor set to leave at the expiry of notice at the end of June 2006. Skills shortages in the area of qualified Chartered Building Control Surveyors have meant that posts recently advertised have been filled with unqualified personnel. The resulting commitment to the training and development of new members of staff places a strain on qualified staff who are required to divert their time to the training process and great care is needed to ensure that service levels in future are not affected as a direct result of this diversion.
- 3.17 The skills shortage is a national problem and one that is currently affecting the whole of the building control profession.
- 3.18 Major challenges to the future performance of Building Control lie with the advent of legislation requiring from 2007, the provision of home information packs by vendors of housing. This new piece of legislation is already seeing the drift of qualified building control officers from local authorities to fill these new positions in the private sector, and this drift together with the constant movement of staff from local authority to private sector building control will need to be carefully monitored to ensure that service levels are maintained.
- 3.19 Further concern arises about the ability of staff to keep abreast of the wide-ranging changes that have happened or are about to happen to Building Regulations as a result of changing Government initiatives and changes in European law. Sustainability and the control of carbon emissions into the atmosphere are regulations now embedded within the body of Building Regulations and have resulted in intensive training of staff to take on board new skills and competencies.
- 3.20 A wide range of local performance indicators shows Building Control responses against varying targets to be very effective.
- 3.21 Building Control achieved 100% response to requests for same day site inspection where those requests are made before 10.00am on the day of inspection.
- 3.22 New data recorded for site workload indicates that 100% of active sites receive a minimum of 1 visit every 15 working days and that 100% of non-active sites receive a minimum of 1 visit every 3 months.

- 3.23 Building Control operates a quality management system which complies with the requirements of BS EN ISO 9001:2000 and which is audited on a monthly basis and inspected annually by BSI Management Systems.
- 3.24 Further, Building Control has been awarded 3 Charter Mark Awards by the Governments Cabinet Office for excellence in service delivery.
- 3.25 The Service is also commended by Charter Mark for its work with the Sunderland Access Group to create an inclusive environment and for its continuing work with commercial partners under the Partner Authority Scheme. In addition, commendation was received for the development of the "submit-a-plan" website which was developed by Building Control and is now utilised by 200 local authorities in England and Wales.
- 3.26 The Partner Authority Scheme was set up in 1998 by the Local Government Association, District Surveyors Association and the Local Authority National Type Approval Confederation (LANTAC). The Scheme allows for Partner Companies to choose their Partner Authority as the contact for the submission of all building regulation applications throughout England and Wales. Currently Building Control is partnered with 10 partner companies with the arrangement producing additional streams of income to the Service.
- 3.27 Under the Scheme Building Control is currently involved in the building of an innovative eco-friendly office block in Durham, school buildings for Durham County Council and are in discussions with a partner to provide the building control services for a multi million pound scheme to create a series of sporting establishments to be constructed around the country. Work in respect of a major scheme forming part of the Kings Cross area regeneration in London is still ongoing. Previous partnerships have seen Building Control's involvement in hotel schemes at East Midlands Airport and Durham, refurbishment work to an entertainment facility in Southampton and housing development throughout Durham, Northumberland and Tyne and Wear.
- 3.28 Building Control was also involved in the development of the new fire stations and extensions to brigade headquarters for the Tyne and Wear Fire and Rescue Service.
- 3.29 The inaugural Building Control Quality Awards were held at the Sunderland Stadium of Light in February 2006. Awards were made in the categories of Best Partnership, Best Access/Community Project, Best Commercial Project, Best Housing Project, and Best Small Builder. The ceremony was well received by all of the prize-winners and plans are in place to repeat the event in 2007.

- 3.30 As a member of Local Authority Building Control Services Limited, Building Control is able to offer a range of benefits from using the local authority as the building control service provider.
- 3.31 A full list of the value added services are listed in the appendices and include such benefits as new housing warranties, Latent Gold defect insurance and a contaminated land warranty.
- 3.32 Under legislation contained within The Building (Local Authority Charges) Regulations 1998 local authority building control units are required to recover the costs incurred in the provision of building regulation charge earning work. The accounting is over a rolling 3-year period to acknowledge the cyclical nature of building construction.
- 3.33 The financial details of the trading operation are protected by the commercial sensitivity of the Building Control operation because of its competition with the private sector.
- 3.34 Since the advent of the regulations, Building Control has consistently made surpluses in its charging account which is part protected as a working surplus and part reinvested into the development of the Service. The system is monitored and assessed under guidelines drawn up by The Chartered Institute of Public Finance and Accountancy (CIPFA).
- 3.35 Customer satisfaction and feedback is viewed as being a crucial element in the delivery of a high quality, customer focused service and is carried out in many ways including customer forums, newsletters, meetings in reception or on site and written correspondence. Monitoring of customer satisfaction levels is carried out at 2 stages of the building control process. The first consultation takes place following the transmission of the application decision to the applicant, with a second consultation taking place following completion of works on site.
- 3.36 The 2-stage consultation process captures the 2 different elements of work and client at those points. In the first case consultation is generally completed by the architect or draughtsperson whilst the second stage is usually completed by the builder or developer.
- 3.37 Responses from the plan examination process indicate that 92.9% of clients say that the building control service provides value for money and 100% rate the overall plan examination service as either good or excellent.
- 3.38 With regard to the site inspection work 89% of respondents say that the Service provides value for money and 92% rate the inspection service as either good or excellent.
- 3.39 In May 2005 an extensive survey using a more detailed questionnaire was carried out taking a random selection from the customer database.

3.40 From analysis of the completed questionnaires received Building Control is reported as a friendly, helpful service with which users are very happy at the levels of service provided.

3.41 Some 92% of respondents stated that the service produced value for money and 96% reported that they would use the service again.

#### 4.0 CONCLUSION

4.1 Building Control continues to provide a quality service to its customers as highlighted in the information included in this report. The award of a third Charter Mark in June 2005 by the Cabinet Office is a further demonstration of the commitment to excellence in service delivery.

4.2 Building Control has responded to the challenge imposed by competition across all areas of its work by focussing on the marketing and promotion of its service together with the maintaining of those high levels of service delivery.

4.3 The Service has addressed the scarcity of active major schemes within the City by fully embracing the principles of commercial partnerships to seek out and secure contracts outside of the geographical boundaries of the City which have produced rich streams of income into the Building Control account.

4.4 The national skills shortage within the building control profession is an area of concern and one where careful monitoring is required in an attempt to mitigate the potential effects of this skills shortage to the overall performance of the Service.

#### 5.0 RECOMMENDATION

5.1 The Committee is recommended to note the contents of this report and of the Review of Building Control Performance document appended.



# Review of Building Control Performance 2005/2006

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<b>1.0</b>	<b>Contents</b>
<b>2.0</b>	Introduction
<b>3.0</b>	Summary
<b>4.0</b>	Functions & Services
<b>5.0</b>	Statutory Duties

<b>Appendix 1</b>	Fee Earning Applications
<b>Appendix 2</b>	Non Fee Earning Applications
<b>Appendix 3</b>	Site Inspections
<b>Appendix 4</b>	Speed of Application Processing
<b>Appendix 5</b>	Other Building Control Work
<b>Appendix 6</b>	Staffing Levels
<b>Appendix 7</b>	Building Control Local Performance Indicators
<b>Appendix 8</b>	Partner Authority Scheme List of Partners
<b>Appendix 9</b>	List of Service Initiatives
<b>Appendix 10</b>	Fee Income

## **2.0 Introduction**

- 2.1 The purpose of this document is to inform Committee of the performance of Building Control across the range of services undertaken by the Section.
- 2.2 The information relates to the financial year 2005/2006.
- 2.3 Building regulations have been around since 2100BC when Hammurabi, King of Babylonia imposed a code of laws relating to buildings which in its simplest form decreed that if a building collapses and causes death to any of the occupants, then the builder shall be put to death.
- 2.4 Fortunately for the building industry within England and Wales the introduction of the Public Health Act 1875 set out a more humane structure for the control of buildings and formed the basis of the Building Act 1984, the cornerstone of current building regulation legislation.
- 2.5 Building regulations currently exist to ensure the health, safety, welfare and convenience of people in or around buildings.
- 2.6 They also seek to further the conservation of fuel, power and water, and to prevent waste, undue consumption, misuse or contamination of water.
- 2.7 The Sustainable and Secure Buildings Act 2004 will see the remit of building regulations widen to include furthering the protection or enhancement of the environment, facilitating sustainable development and furthering the prevention or detection of crime.
- 2.8 In this regard major changes to Approved Document L - Conservation of Fuel and Power, came into effect on 6 April 2006 which seeks to limit and control carbon emissions into the atmosphere not only on newly constructed buildings but also on existing buildings where certain levels of alteration and extension are proposed. These changes are in response to the Governments commitment to the reduction of greenhouse gases and carbon emissions as set out in the Kyoto Agreement.
- 2.9 As well as ensuring that developments carried out within the City achieve compliance with those standards contained in the Building Regulations, Building Control also have a role in providing technical advice on issues of fire safety and crowd management at large events with the Manager having the responsibility of chairing the Sunderland Stadium of Light Safety Advisory Group which advises the Council on the grant of the General Safety Certificate to the football club.
- 2.10 Building Control staff also provide a valuable 24hour call out service for the Council to provide specialist advice on buildings or structures affected by fire, storm, or structural collapse to ensure public safety is maintained.

## **3.0 Summary**

- 3.1 Fee Earning Applications – Appendix 1

- 3.2 The number of applications received reached 1446 in respect of Full Plan applications and 427 for Building Notice types, both showing slight decreases from the high levels received in 2004/2005.
- 3.3 The decrease in numbers is predominantly in the area of the domestic types of extension and may be as a result of general concern over interest rate levels. New house building within the City is still buoyant and the Service continues to retain its market share against that of the private sector. The area of volume house building will be carefully monitored in coming months and vigorously marketed due to the emergence of new private building control companies in the marketplace.
- 3.4 Large scale schemes in the City are still in the pipeline which will continue to focus attention on the further development of partnerships to enable Building Control to seek out work outside of the City's boundaries to maintain high levels of application numbers and fee income.
- 3.5 Non-Fee Earning Applications- Appendix 2
- 3.6 The number of Cavity Wall Applications received fell from 3363 to 2950 which equates to a 12% decrease on the level received in 2004/2005 but still shows significant increase on previous years.
- 3.7 Fensa replacement window applications showed a 20% increase to 3376 against a figure of 2818 recorded in 2004/2005.
- 3.8 New for 2005/2006 was the recording of applications received from the various organisations representing the electrical and gas industries in respect of domestic installations carried out by their members due to the introduction of new, and amendment of existing legislation requiring details to be lodged with local authority building control. In the case of electrical work, numbers reached 3672 and for the newly recorded levels of activity in gas installations, 1490 applications were received.
- 3.9 The number of Initial Notices received i.e. the number of applications received for work carried out by private building control bodies shows a slight increase on previous years in all areas of work, 69 set against 64 for 2004/2005. The number however still represents an exceptionally low level of just 3.5% of numbers of applications lost to the private sector and in terms of lost fee income represents around 2% due to the minor nature of the works. Particularly pleasing is the very small number of housing sites lost which is largely due to intensive marketing of this area coupled with high levels of customer care delivered to volume house builders.
- 3.10 That the figure is so low is due to the concentrated efforts made to provide a quality service to clients and to the high priority given to the marketing and promotion of Building Control both within the region and nationally. Building Control has a dedicated and effective Customer Forum who give advice and support to the direction of the Service and keep in touch with clients via media such as newsletters, guidance notes, training sessions, satisfaction surveys, corporate days to maintain a high profile with clients

- 3.11 Inspections – Appendix 3
- 3.12 The number of site inspections carried out is recorded at 11180 and is slightly down on last years total of 11280. This relatively small decrease still highlights the high levels of site activity largely due to high numbers of Building Notice applications received. This form of application is made without the benefit of working plans and as a result requires higher levels of site supervision.
- 3.13 Application Response Times – Appendix 4
- 3.14 The statutory response time for the issue of a building regulation application decision is set in The Building Act 1984 as 5 weeks from the date of deposit.
- 3.15 The need for swift response to submitted applications is recognised as well as the need to maintain high levels of quality in the decision making process.
- 3.16 Local performance indicators record applications processed within 10 working days at 77.5% and at 97.8% for those attended to within 15 working days. The performance in respect of the 10 day target shows a decrease from the figure of 83.4% recorded for 2004/2005 but still demonstrates high levels of speed in the application process, a factor that is highly regarded by regular users of the service.
- 3.17 Speed of response is recognised from consultation with clients to be a key element in the choice of service provider and therefore creates a focus to Building Controls service standards.
- 3.18 Other Building Control Work – Appendix 5
- 3.19 The extent of Building Control involvement in other areas is both wide- ranging and diverse.
- 3.20 The involvement in liquor licensing applications ended in November 2005 when the full effects of the new consultation procedures for licensing applications brought about by The Licensing Act 2003 came into effect. Building Control no longer provide advice to Committee on fire safety matters and safe number limits relating to licensed premises within the City.
- 3.21 Building Control continues to provide an emergency call out service both during and out of office hours for 365 days per annum, responding to all building related emergencies. In 2005/2006 the number of emergency calls received was 29, down from last years figure of 53.
- 3.22 A local performance indicator for this valuable service shows that 100% of calls received were inspected within 1 hour of receipt of call.
- 3.23 Numbers of local land searches handled fell by around 19% mainly due to the increasing number of personal searches carried out by private companies.
- 3.24 Staffing Levels – Appendix 6

- 3.25 In December 2005 the Building Control Manager was given the additional duty of managing the Development Control Service under a new job title of Interim Development Manager. The appointment was made to address performance issues with Development Control and to attempt to improve performance levels reported through Best Value Performance Indicators which impact upon the Councils CPA rating. The Manager will continue to combine both jobs pending the outcome of a review of the Planning and Environment and Transport and Engineering Services.
- 3.26 The Building Control staff establishment currently has 2 vacancies with a further Chartered Surveyor leaving at the end of June. Skills shortages in the area of qualified Chartered Building Control Surveyors have meant that posts recently advertised have been filled with unqualified personnel. The resulting commitment to the training and development of new members of staff places a strain on qualified staff who are required to divert their time to the training process and great care is needed to ensure that service levels in future are not affected as a direct result of this diversion.
- 3.27 The skills shortage is a national problem and one that is currently affecting the whole of the building control profession.
- 3.28 Major challenges to the future performance of Building Control lie with the advent of legislation requiring from 2007, vendors to provide home information packs. This new piece of legislation is already seeing the drift of qualified building control officers to fill these new positions, and this drift together with the constant movement of staff from local authority to private sector building control will need to be carefully monitored to ensure that service levels are maintained.
- 3.29 Further concern arises about the ability of staff to keep abreast of the wide-ranging changes that have happened or are about to happen to Building Regulations as a result of changing Government initiatives and changes in European law. Sustainability and the control over carbon emissions into the atmosphere are regulations now embedded within the body of Building Regulations and have resulted in intensive training of staff to take on board new skills and competencies.
- 3.30 Local Performance Indicators – Appendix 7
- 3.31 A wide range of local performance indicators shows Building Control responses against varying targets to be very effective.
- 3.32 Speed of response to submitted applications has been mentioned. Also of note is the 100% response recorded for requests for same day site inspection where those requests are made before 10 00am on the day.
- 3.33 New data recorded for site workload indicates that 100% of active sites receive a minimum of 1 visit every 15 working days and that 100% of non-active sites receive a minimum of 1 visit every 3 months.

- 3.34 Building Control operates a quality management system which complies with the requirements of BS EN ISO 9001:2000 and which is audited on a monthly basis and inspected annually by BSI Management Systems. A recent inspection by BSI carried out in March 2006 commended the Service for its systems and procedures.
- 3.35 Further Building Control has been awarded 3 Charter Mark Awards by the Governments Cabinet Office for excellence in service delivery.
- 3.36 The Service is also commended by Charter Mark for its work with the Sunderland Access Group to create an inclusive environment, the continuing work with its partners and in particular the service provided to other local authorities. Further commendation was made for the development of the "submit-a-plan" website which was developed by Building Control and is now utilised by 200 local authorities in England and Wales.
- 3.37 Partner Authority Scheme – Appendix 8
- 3.38 The Partner Authority Scheme was set up in 1998 by the Local Government Association, District Surveyors Association and the Local Authority National Type Approval Confederation (LANTAC).
- 3.39 The Scheme allows for Partner Companies to choose their Partner Authority as the contact for the submission of all building regulation applications throughout England and Wales.
- 3.40 Currently Building Control is partnered with 10 partner companies with the arrangement producing additional streams of income to the Service.
- 3.41 Under the Scheme Building Control are currently involved in the building of an innovative eco-friendly office block in Durham, school buildings for Durham County Council and are in discussions with a partner to provide the building control services for a multi million pound scheme to create a series of sporting establishments to be constructed around the country. Work in respect of a major scheme forming part of the Kings Cross regeneration in London is still ongoing. Previous partnerships have seen Building Controls involvement in hotel schemes at East Midlands Airport and Durham, refurbishment work to an entertainment facility in Southampton and housing development throughout Durham, Northumberland and Tyne and Wear.
- 3.42 Building Control was also involved in the development of the new fire stations and extensions to brigade headquarters for the Tyne and Wear Fire and Rescue Service.
- 3.43 List of Service Initiatives – Appendix 9
- 3.44 The inaugural Building Control Quality Awards were held at the Sunderland Stadium of Light in February 2006. Awards were made in the categories of Best Partnership, Best Access/Community Project, Best Commercial Project, Best Housing Project and Best Small Builder. The ceremony was well received by all of the prize-winners and plans are in place to repeat the event in 2007.

- 3.45 As a member of Local Authority Building Control Services Limited, Building Control are able to offer a range of benefits from using the local authority as the building control service provider.
- 3.46 A full list of the value added services are listed in the appendices and include such benefits as new housing warranties, Latent Gold latent defect insurance and a contaminated land warranty.
- 3.47 Fee Income – Appendix 10
- 3.48 Under legislation contained within The Building (Local Authority Charges) Regulations 1998 local authority building control units are required to recover the costs incurred in the provision of building regulation charge earning work. The accounting is over a rolling 3-year period to acknowledge the cyclical nature of building construction.
- 3.49 The financial details of the trading operation are protected by the commercial sensitivity of the building control operation in respect of its competition with the private sector.
- 3.50 Since the advent of the regulations, Building Control has consistently made surpluses in its charging account which is part protected as a working surplus and part reinvested into the development of the Service.
- 3.51 The system is monitored and assessed under guidelines drawn up by The Chartered Institute of Public Finance and Accountancy (CIPFA).
- 3.52 Customer Satisfaction
- 3.53 Customer satisfaction and feedback is viewed as being a crucial element in the delivery of a high quality, customer focused service and is carried out in many ways including customer forums, newsletters, meetings in reception or on site and written correspondence. Monitoring of customer satisfaction levels is carried out at 2 stages of the building control process.
- 3.54 The first consultation takes place following the transmission of the application decision to the applicant, with a second consultation taking place following completion of works on site.
- 3.55 The 2-stage consultation process captures the 2 different elements of work and client at those points.
- 3.56 In the first case consultation is generally completed by the architect or draughtsperson whilst the second stage is usually completed by the builder or developer.
- 3.57 Responses from the plan examination process indicate that 92.9% of clients say that Building Control provides value for money and 100% rate the overall plan examination service as either good or excellent.



- 3.58 With regard to the site inspection work 89% of respondents say that the Service provides value for money and 92% rate the inspection service as either good or excellent.
- 3.59 Further in May 2005 an extensive survey using a more detailed questionnaire was carried out from a random selection from the customer database.
- 3.60 From analysis of the completed questionnaires received Building Control are reported as a friendly, helpful service with which users are very happy at the levels of service provided.
- 3.61 Some 92% of respondents stated that the Service produced value for money and 96% reported that they would use the Service again.

#### **4.0 Functions and Services**

- 4.1 To carry out the administrative and technical processes involved in the enforcement of statutory building standards contained within the Building Regulations and allied legislation.
- 4.2 To advise on matters in respect of means of escape in case of fire and public safety aspects in all licensed premises.
- 4.3 To carry out "during performance" inspection of premises holding public entertainment licences. (service ended November 2005)
- 4.4 To advise on all safety matters relating to the issue of the General Safety Certificate required under the Safety of Sports Grounds Act 1975 by Sunderland AFC.
- 4.5 To provide technical advice on safety matters and crowd management issues at outdoor events.
- 4.6 To advise on all fire matters in Houses in Multiple Occupation.
- 4.7 To advise the Access Committee of Sunderland Council for the Disabled.
- 4.8 To supervise the handling of all dangerous structures within the City.
- 4.9 To carry out the statutory function of numbering and naming streets on developments within the City.

#### **5.0 Statutory Duties**

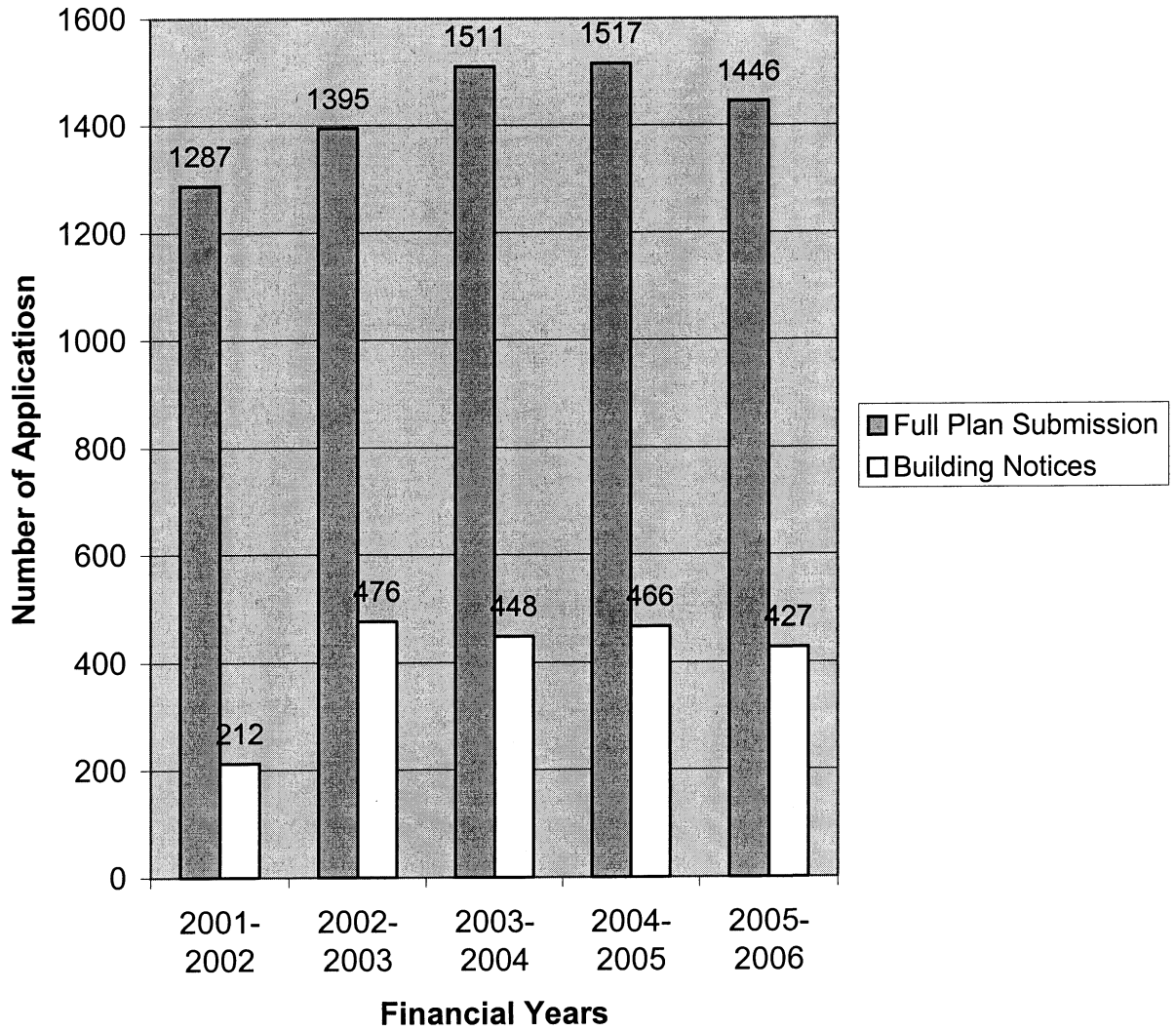
- 5.1 The Section exercises a wide range of statutory duties on behalf of the Council.

5.2 Key legislation includes;

- ❖ Betting Gaming and Lotteries Act 1963
- ❖ Building Act 1984
- ❖ Cinemas Act 1985
- ❖ Disability Discrimination Act 1995
- ❖ Fire Safety & Safety of Places of Sport Act 1987
- ❖ Gaming Act 1968
- ❖ Licensing Acts 1964, 1968, 1988, 2003
- ❖ Local Government (Miscellaneous Provisions) Act 1982
- ❖ Lotteries & Amusements Act 1976
- ❖ Private Places of Entertainment (Licensing) Act 1967
- ❖ Public Health Acts 1936,1961
- ❖ Safety of Sports Grounds Act 1975
- ❖ Sporting Events (Control of Alcohol etc ) (Amendment) Act 1972
- ❖ Theatres Act 1968

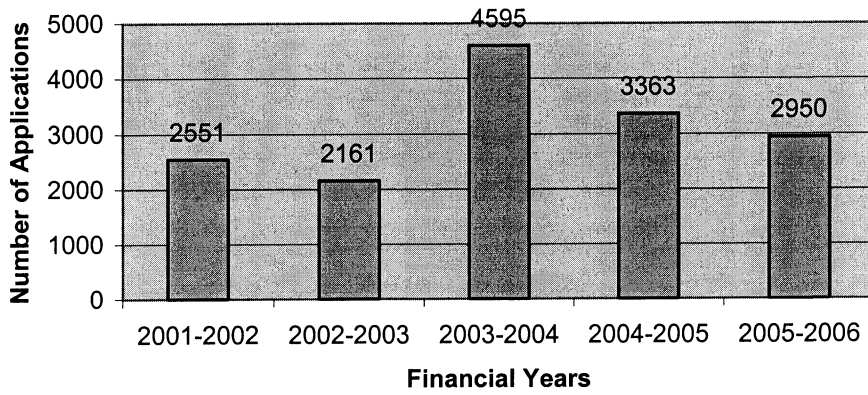
## Appendix 1 - Fee Earning Applications

### Fee Earning Applications

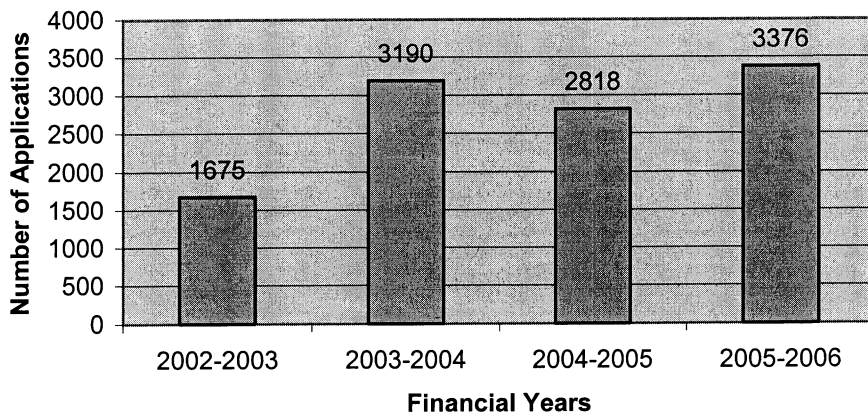


## Appendix 2 – Non-Fee Earning Applications

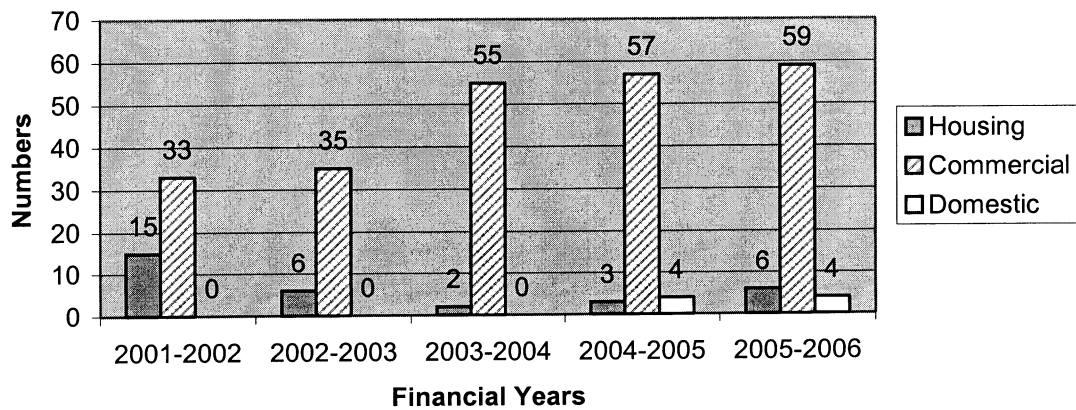
### Cavity Wall Applications



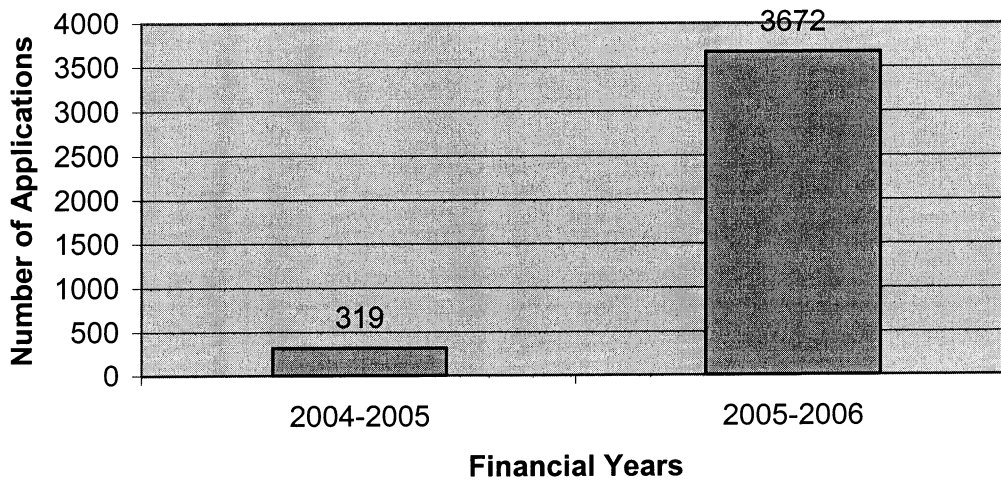
### Fensa Applications



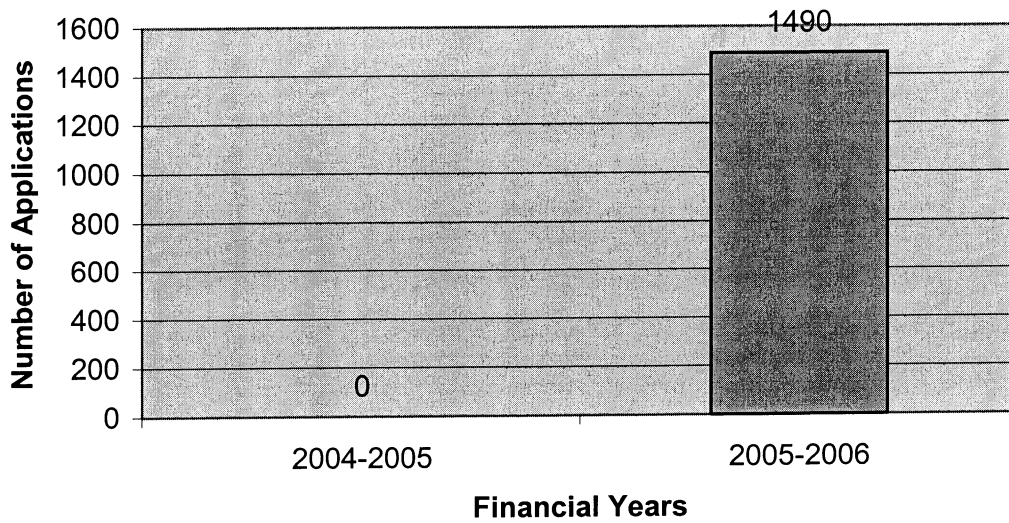
### Initial Notices



### Competent Person Scheme Applications for Electrical Work

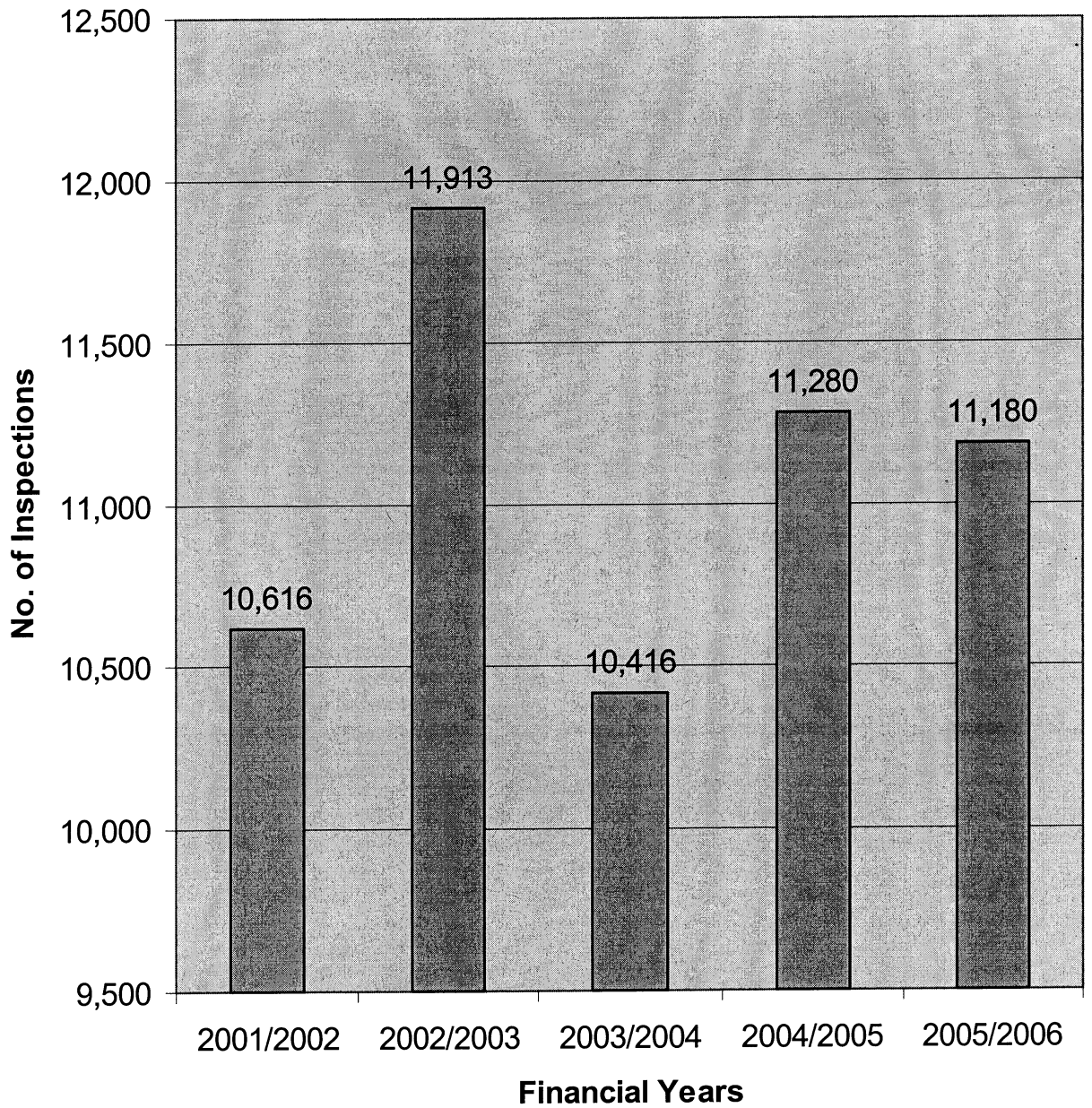


### Competent Person Scheme Applications for Gas Work



**Appendix 3 - Number of Site Inspections**

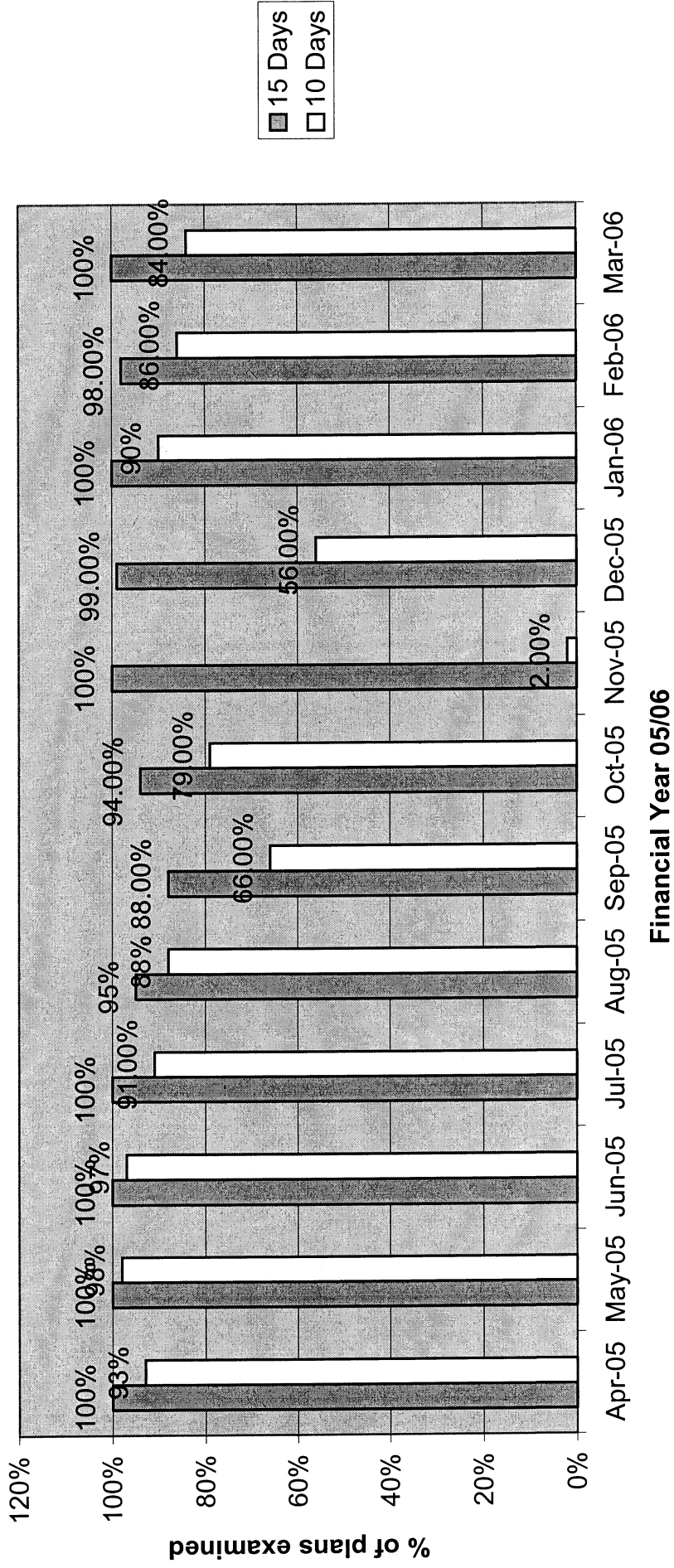
**Number of Inspections Carried Out**





Appendix 4 – Speed of Plan Examination Process

Speed of Plan Examination Process



## Appendix 5 - Other Building Control Work

	01/02	02/03	03/04	04/05	05/06
No. of Magistrates Licence App	507	490	540	312	214-
No. of Public Entertainment Licences	267	229	266	266	126
No. of Dangerous Structures	135	57	44	53	29
No. Local Land Searches	-	8564	7424	5356	4348
No. of Safety of Sports Grounds Inspections	30	27	32	29	34
Copy Approvals	211	354	450	396	278
Estimated no. of telephone calls	-	-	-	60000	60000
Estimated no. of enquiries at reception	-	-	-	4500	5000
Advice on crowd management at events	-	-	-	36	32
Naming and numbering new developments	-	-	-	15	12
No. of licensing inspections	-	-	-	288	80
No. of during performance licensing inspns	-	-	-	171	133



## **Appendix 6 – Staffing Levels**

1 no. Interim Development Manager

2 no. Principal Building Control Officers

11 no. Building Control Officers

1 no. Administration Assistant

4 no. Clerks

From the establishment of 14 BCOs, 9no. are Chartered Surveyors.

The Manager is a Fellow of The Royal Institution of Chartered Surveyors, a further 8no. BCOs hold corporate membership of RICS.

Of the remainder 2no BCOs are studying for degrees in Building Surveying, 1no has an ONC in Construction and 2no posts are vacant.

Administration staff are trained to give limited technical advice, including the calculation of application charges to clients either by telephone or at reception.

**Appendix 7 – Building Control Local PI's**

Function	Responsibility	Statutory Limit or Requirement for Notice	Target for Response/Action	P.I.	Outcome %
<b>1. Effective Plans Check</b>					
a) Checking of Charges	B.C.O. (Fees)	None	100% within 1 working day	% checked within 1 working day	100%
b) Applications registered and acknowledged	Administration	None	100% within 2 working days	% checked within 2 working days	98.9%
c) Examination and verification of Building Notices	Administration	None	100% within 2 working days	% checked within 2 working days	100%
d) Acceptance or rejection of Notices and Certificates submitted under the Building (Approved Inspectors) etc. Regulations 1985	Senior B.C. Staff	Within 5 working days	100% within 5 working days	% checked within 5 working days	86.8%
e) Checking of functions in connection with limited powers (e.g. building over public sewers)	B.C.O. (Fees)	None	100% within 2 working days	% checked within 2 working days	100%
f) Examination of plans and issuing of decisions	All B.C. Staff	Five weeks from date of deposit or up to 2 months if agreed with applicant	Maximum time to be within statutory requirement with a desired target of 75% examined within 10 working days from deposit (i.e. plans examined and contact made)	% checked within 10 working days	77.5%
g) Examination of plans and issuing of decisions	All B.C. Staff	Five weeks from date of deposit or up to 2 months if agreed with applicant	Maximum time to be within statutory requirement with desired target of 100% examined within 15 working days from deposit (i.e. plans examined and contact made)	% checked within 15 working days	97.8%

100%

% inspected on same day

**Requirement for Notice**  
 Commencement –  
 2 days from end of day  
 the notice is given.

**Response/Action**  
 All B.C.  
 inspection staff

**2. Effective Inspections Regime**  
 a) Response to requests for site  
 visits (if made before 10 a.m.)  
 made on same day

Excavation of  
 foundations – 1 day  
 from end of day the  
 notice is given.

Concrete in foundations

–  
 1 day from end of day  
 the notice is given.

Damp proof course –  
 1 day from end of day  
 the notice is given.

Concrete oversite –  
 1 day from end of day  
 the notice is given.

Drains (stage 1) –  
 1 day from end of day  
 the notice is given.

Drains (stage 2) –  
 5 days after completion  
 of work

Occupation –  
 5 days before intended  
 occupation

Completion –  
 Not more than 5 days  
 after completion

<b>Function</b>	<b>Responsibility</b>	<b>Statutory Limit or Requirement for Notice</b>	<b>Target for Response/Action</b>	<b>P.I.</b>	<b>Outcome %</b>
b) General inspection of works – active sites	All B.C. inspection staff	None	Minimum of 1 visit every 15 working days	% of active sites receiving a minimum of 1 visit every 15 working days	100%
c) General inspection of works – non active sites	All B.C. inspection staff	None	Minimum of 1 visit every 3 months	% of non-active sites receiving a minimum of 1 visit every 3 months	100%
d) Response time to dangerous structure call out	All B.C. inspection staff	None	100% responded to within 1 hour	% inspected within 1 hour	100%
<b>3. Effective Marketing of Building Control Service</b>					
a) Maintain market share of new housing	All B.C. staff	None	Achieve 100% of all applications	% of applications received	86.5%
b) Maintain market share of commercial/industrial work	All B.C. staff	None	Achieve 100% of all applications	% of application received	79.3%
c) Continue to develop customer care philosophy	All B.C. staff	None	Pre-paid response cards on receipt of service	Results of customer surveys	Achieved

<p><b>4. Provision of a self financing Building Control Service</b></p>	<p>All B.C. staff</p>	<p>The Building (Local Authority Charges) Regulations 1998</p>	<p>Self financing for the building regulations function</p>	<p>% above or below break-even</p>	<p>Achieved</p>
<p><b>5. Effective Performance Review</b></p>	<p>Quality Manager</p>	<p>None</p>	<p>Systems/procedures subject to 6 monthly review by BSI</p>	<p>Continuing accreditation</p>	<p>Achieved</p>
<p>b) Maintaining Charter Mark Award</p>	<p>All B.C. staff</p>	<p>None</p>	<p>Annual review/3 yearly renewal</p>	<p>Renewal of award</p>	<p>Achieved 2005</p>

## Appendix 8 - Partner Authority Scheme – List of Partners

<b>Company</b>	<b>Date of Partnership</b>
Red Box Design Group	December 2000
Anthony Watson Architects	April 2001
Leftbank Development Ltd	November 2001
Ultimate Leisure Group Plc	November 2001
Team Steel Building Systems	February 2002
Jane Darbyshire & David Kendall Ltd	April 2002
Jarvis Construction (UK) Ltd	February 2003
Miller Homes (North East) Ltd	April 2003
B3 Burgess	June 2005
Edward Thompson Group	July 2005
Contracts Division	

## **Appendix 9 – List of Service Initiatives**

- ❖ New Housing Warranty
- ❖ Provider of energy rating service
- ❖ Member of LANTAC
- ❖ Member of Partner Authority Scheme
- ❖ Masterbond facilitator
- ❖ Latent Gold facilitator
- ❖ Considerate Contractor Scheme
- ❖ Built in Quality Awards Scheme
- ❖ Contaminated land warranty facilitator
- ❖ Sunderland City Council Building Control Awards



## **Appendix 10 - Fee Income**

From 1 April 1999 the setting of building regulation fees was devolved to local authorities under legislation contained within The Building (Local Authority Charges) Regulations 1998.

The essential requirement of the Regulations is that Building Control recovers costs incurred in the provision of building regulation fee earning work, which currently accounts for 78% of the overall workload. The fact that building activity is cyclical is acknowledged in the Regulations with the requirement to recover costs being assessed over continuous 3-year periods.

In practice a significant proportion of work undertaken by Building Control, currently 22% from detailed time recording, is non fee earning and related to the wider role of public protection assumed by public bodies.

The operation of the system is assessed under guidelines drawn up by The Chartered Institute of Public Finance and Accountancy (CIPFA).

To enable correct accounting procedures to be employed delegated budgets are set up within the trading account with individual items of income and expenditure having separate reference to enable accurate recording of the accounts which is shown in financial statements produced at monthly intervals and at each financial year end.

Itemised costs relating to the building regulation charging account are in place to identify the income and expenditure of the fee earning work.

Since the inception of the Regulations in 1999 Building Control has produced surpluses at the end of each financial year which are either re-invested in the Service or held as a working surplus to address dips in building activity within the City.

An annual return is sent to ODPM at the end of the financial year to report on surplus or deficit in the charging account.

**REFERENCE FROM CABINET – 21<sup>ST</sup> JUNE, 2006**

**HETTON DOWNS AREA ACTION PLAN : REPORT ON OPTIONS AND ISSUES  
FOR CONSULTATION**

**Report of the City Solicitor**

**1. Purpose of Report**

- 1.1 To seek the advice and consideration of this Committee on a report to be considered on 21<sup>st</sup> June, 2006.

**2. Background**

- 2.1 The Cabinet, at its meeting held on 21<sup>st</sup> June, 2006 gave consideration to the attached report of the Director of Development and Regeneration. The report presents the Consultants' Report on Options and Issues for development in the Hetton Downs area and seeks to approve the report as the basis of public consultation to identify a preferred option to be taken forward in preparation of an Area Action Plan for the area.
- 2.2 Copies of the 21<sup>st</sup> June, 2006 Cabinet Agenda have been circulated to all Members of the Council. Recommendations from the Cabinet meeting will be reported orally to the Committee.
- 2.3 The report is referred to this Committee for advice and consideration as the Plan is part of the Council's policy framework set out in Article 4 of the Constitution. The report has also been considered by the Environmental and Planning Review Committee on the same basis. The views of the Committees will be reported directly to Council on 28<sup>th</sup> June, 2006.

**3. Recommendation**

- 3.1 The Committee is invited to give advice and consideration to Council on the attached report of the Director of Development and Regeneration.

**4. Background Papers**

- 4.1 Cabinet Agenda, 21<sup>st</sup> June, 2006.

R.C. Rayner,  
City Solicitor.

## CABINET MEETING – 21 JUNE 2006

### EXECUTIVE SUMMARY SHEET – PART I

**Title of Report:**

Hetton Downs Area Action Plan: Report on Options and Issues for Consultation

**Author(s):**

Director of Development & Regeneration

**Purpose of Report:**

The purpose of this report is:

- i) to present the consultants' Report on Options and Issues for development in the Hetton Downs area; and
- ii) to seek Cabinet's recommendation to Council that the Report on Options and Issues be approved as the basis of public consultation to identify a preferred option to be taken forward in the preparation of an Area Action Plan for the area.

**Description of the Decision:**

Cabinet is requested to recommend to Council that the Report on Options and Issues be approved as the basis for public consultation.

**Is the decision consistent with the Budget/Policy Framework?** \*Yes

**If not, Council approval is required to change the Budget/Policy Framework**

**Suggested reason(s) for Decision:**

To facilitate public consultation and community involvement in the selection of a preferred development option to be taken forward in the preparation of an Area Action Plan for the Hetton Downs area, in accordance with the Council's Statement of Community Involvement (Submission Stage).

**Alternative options to be considered and recommended to be rejected:**

The alternative would be to not consult the local community on the development options for the Hetton Downs area. However, this would not comply with the Council's Statement of Community Involvement (Submission Stage). Consequently, any resulting Area Action Plan would be unlikely to be approved by the Secretary of State as part of the Council's Local Development Framework (i.e. would not be able to demonstrate the support of the local community) and would therefore carry little or no weight in determining planning applications or promoting development in the area.

<b>Is this a “Key Decision” as defined in the Constitution?</b> <b>Yes</b>	<b>Relevant Review Committee:</b> Environmental & Planning Planning & Highways Committee
<b>Is it included in the Forward Plan?</b> <b>Yes</b>	

**HETTON DOWNS AREA ACTION PLAN:  
REPORT ON OPTIONS AND ISSUES FOR PUBLIC CONSULTATION****Report of the Director of Development and Regeneration****1.0 Purpose of the Report**

1.1 The purpose of this report is:

- i) to present the consultants' Report on Options and Issues for development in the Hetton Downs area; and
- ii) to seek Cabinet's recommendation to Council that the Report on Options and Issues be approved as the basis of public consultation to identify a preferred option to be taken forward in the preparation of an Area Action Plan for the area.

**2.0 Description of Decision**

2.1 Cabinet is requested to recommend to Council that the Report on Options and Issues be approved as the basis for public consultation.

**3.0 Background**

3.1 The results of a private sector housing condition survey of the City in 2002 prompted the commissioning in 2003 of a Neighbourhood Renewal Assessment (NRA) of housing on Downs Lane (odd numbers) and Nicholas Street. The NRA found that the properties exhibited the symptoms of rundown housing with high vacancy rates, severe levels of disrepair and unfitness, low demand and low value and an over representation of the private rented sector. They represented some of the poorest quality housing in the City and there was an urgent need for a programme of housing renewal to prevent localised market failure rippling out into the wider Hetton Downs area. The NRA concluded that the downward spiral of decline could only be arrested with direct intervention and that the clearance of these properties would achieve a highly positive impact, sustainable in the long term by creating the opportunity for the provision of new housing.

3.3 As a result of the above findings, the City Council embarked on a programme of property acquisition and demolition in selected streets in an effort to halt the decline of the area, funded and supported by English Partnerships.

3.4 However, it was also apparent from the options generated in the NRA process that such housing renewal must take place in the context of a wider, area-based regeneration programme for the area.

- 3.5 Accordingly, in May 2005, Nathaniel Lichfield and Partners were appointed by the City Council to commence the preparation of an Area Action Plan for the Hetton Downs Area, to be taken forward for formal adoption as part of the City's new Local Development Framework.
- 3.6 An Area Action Plan will provide a robust planning framework for the area, a key mechanism for the area's long-term sustainable regeneration.
- 3.7 An Area Action Plan for the Hetton Downs area is now included as a Development Plan Document in the Council's Local Development Framework Draft Local Development Scheme (April 2006).

#### **4.0 Progress to Date**

- 4.1 The consultants have undertaken a comprehensive review of relevant national, regional and local policy and a baseline assessment of the area. Subsequently, a range of front-loaded initial consultations have been undertaken with local residents, stakeholders (including Sunderland Housing Group), service providers and a Community Reference Group to identify those issues considered significant in the local community. These consultations included meetings and workshops in the local community.
- 4.2 Significant issues that were identified have focussed on housing, environmental quality, community facilities and safety, transport and highways, and the local economy.

#### **5.0 The Options and Issues Report**

- 5.1 The consultants' Options and Issues Report is attached as an appendix to this report.
- 5.2 Based on the outcome of the above initial consultations, 4 development options for the area have now been produced to address the identified issues. These 'land use visions' are set out in the accompanying consultants' report and seek to provide the framework for a programme of potential development over the next 15 to 20 years.
- 5.3 Each of the options sets out a number of key development elements and indicates how these will address the relevant identified issues to ensure the long term sustainability of the area and its population. The broad proposals in each are as follows.
- 5.4 Option 1 assumes that current interventions in the area will continue and is focused on dealing with the existing areas of poor housing demand, with demolitions and new housing proposed in those areas. It proposes a net loss of about 70 houses in the area. Improvements to Market Street and the support of businesses there are envisaged together with investment in the older housing areas around Regent Street and The Avenue. Elsewhere there would be investment in public open spaces, pedestrian and cycle routes. Eppleton Quarry is seen as

reclaimed and heavily forested around a series of small lakes and ponds to create a mainly passive recreational resource, with Great North Forest planting at appropriate places elsewhere on the periphery of the area.

- 5.5 Option 2 is more ambitious, adding more new housing on sites beyond the current problem areas (together with increased numbers of demolitions providing a net increase of approximately 60 houses in the area). Limited new retail premises are also proposed. The reclaimed quarry is seen as a formal extension to the Hetton Lyons Country Park, providing active recreational opportunities (for example playing pitches and associated facilities). More direct access to this extended Country Park will be required. The upgrading of Hetton Park is also proposed to improve its contribution to the environmental quality of the area.
- 5.6 Option 3A extends proposals for new housing still further, towards the northern boundary of the area (net increase of about 105 houses but also involving higher numbers of demolitions and new houses). Together with the possible re-structuring of the Sunderland Housing Group estate at Broomhill this adds the possibility of creating a new, more direct access to the area from Houghton Road (at present, the area suffers from poor accessibility, involving sometimes tortuous routes). Limited additional commercial premises are also added.
- 5.7 Option 3B builds on Option 3A with alternative configurations of new housing areas (net increase 115) and additional opportunities for Great North Forest planting to emphasise the settlement break between Hetton and Houghton le Spring to the north.
- 5.8 Larger scale plans illustrating the various options will be displayed at the Cabinet meeting.

## **6.0 Proposed Public Consultation**

- 6.1 The preparation of an Area Action Plan to be adopted as a Development Plan Document as part of the City's Local Development Framework must follow the correct statutory procedure under the Planning and Compulsory Purchase Act 2004, associated regulations and government guidance. These include requirements to ensure that the community is able and encouraged to participate throughout the preparation process. Such requirements are reflected in the City Council's Statement of Community Involvement (Submission Stage), recently presented to Government Office North East for independent examination by the Planning Inspectorate. An approved Statement of Community Involvement is a required part of the Local Development Framework.
- 6.2 The early involvement of the community has already been achieved through the initial consultations outlined in Section 4 above.

- 6.3 In further accordance with the above requirements, it is proposed that the Options and Issues will be subject to a 6-week public consultation exercise.
- 6.4 The purpose of the consultation is to identify a community-led preferred option for change, to form the basis of an Area Action Plan. The preferred option may be one of those outlined above or a new option may emerge, possibly amalgamating different elements of each.
- 6.5 The consultation will commence with a 1-day neighbourhood exhibition in July hosted by the consultants. This will be followed by a 6-week period during which the options and issues plans will be displayed in the local community at appropriate locations, with representatives from the City Council present at specified times to deal with queries from members of the public. The public will be given the opportunity to comment on the options and identify the one they prefer.
- 6.6 The responses to the consultation exercise will be analysed and the conclusions reflected in the selection of a preferred option to be taken forward in an Area Action Plan. The Area Action Plan will subsequently be the subject of public consultation and amended if necessary before submission to the Secretary of State for formal examination (the submitted Area Action Plan will be subject to further public consultation at this time). Following the formal examination of the Area Action Plan it must be amended in accordance with the Planning Inspector's legally binding recommendations (if any) before adoption as part of the City of Sunderland Local Development Framework. The anticipated timescale of the process up to the adoption of the Area Action Plan is April 2009, although this process will not necessarily delay the implementation of acceptable development and other improvements, including proposals in the emerging Local Delivery Plans for the Hetton Downs area also being prepared by the consultants.
- 6.7 The delivery of proposals contained in the Area Action Plan will be reliant on the availability of appropriate investment and other resources. Where that delivery requires the Council's investment and resources, proposals will have to be prioritised against other Council projects and programmes.

## **7.0 Reason for the Decision**

- 7.1 The decision will facilitate public consultation and community involvement in the selection of a preferred development option to be taken forward in the preparation of an Area Action Plan for the Hetton Downs area, in accordance with the Council's Statement of Community Involvement (Submission Stage).

## **8.0 Alternative Options**

- 8.1 The alternative would be to not consult the local community on the development options for the Hetton Downs area. However, this would not comply with the Council's Statement of Community Involvement



(Submission Stage). Consequently, any resulting Area Action Plan would be unlikely to be approved by the Secretary of State as part of the Council's Local Development Framework (i.e. would not be able to demonstrate the support of the local community) and would therefore carry little or no weight in determining planning applications or promoting development in the area.

## **9.0 Consultations**

- 9.1 The City Treasurer and City Solicitor have been consulted and have confirmed there are no significant financial or legal implications for the Council in approving the Options and Issues Report as a basis for public consultation.

## **10.0 Background Papers**

- 10.1 The following background documents are relevant to this report:

*City of Sunderland Private Sector Housing Condition Survey (David Adamson & Partners) (2002).*  
*City of Sunderland Neighbourhood Renewal Assessment: Eppleton Ward (David Adamson & Partners)(October 2003).*  
*Consultancy Brief for Development and Implementation of Regeneration Plans: Castletown and Hetton Downs Areas.*  
*Hetton Downs Strategic Context (Nathaniel Lichfield & Partners) (October 2005).*  
*Hetton Downs Area Action Plan: Baseline Assessment Report (Nathaniel Lichfield & Partners) (October 2005).*  
*Hetton Downs Area Action Plan: Sustainability Appraisal - Scoping Report (Nathaniel Lichfield & Partners) (December 2005).*  
*Hetton Downs Area Action Plan Report on Issues and Options (Nathaniel Lichfield & Partners) (May 2006).*  
*Sunderland City Council Local Development Framework: Draft Local Development Scheme (April 2006).*

**Item No.9**

**PLANNING AND HIGHWAYS COMMITTEE  
23 JUNE 2006**

**FARRINGDON ROW DEVELOPMENT FRAMEWORK**

**Report of the Director of Development and Regeneration**

**1.0 Purpose of the Report**

1.1 The purpose of this report is to seek comments from this Committee on:

(a) Responses received following consultation on the Draft Farringdon Row Development Framework

(b) The revised Farringdon Row Development Framework

1.2 The Committee's comments will be reported to Cabinet for consideration on 12 July 2006, when approval will be sought for a recommendation that the Farringdon Row Development Framework be adopted as Interim Planning Policy.

**2.0 Background**

2.1 Cabinet considered a report by the Director of Development and Regeneration on the Draft Farringdon Row Development Framework at its meeting on 15 February 2006, and approved it for adoption as Interim Planning Policy, pending the outcome of consultations.

2.2 The aim of the document is to establish a planning framework, to assist in the delivery of the vision for the regeneration of the Farringdon Row area shared by the City Council and Sunderland arc. It sets out a detailed framework for the area that, if adopted as Interim Planning Policy, would be the Framework against which subsequent planning applications would be assessed. In addition, it would provide support for the use of compulsory purchase powers, should they be required.

2.3 The Development Framework supplements the Unitary Development Plan (Alteration Number 2) Central Sunderland. It adds further detail to the principles set out in policy SA55A.2, by setting out the Council's detailed requirements for development at Farringdon Row, including guidance on:

- Opportunities for and constraints to the redevelopment of the site.
- Development principles and parameters such as built design, scale and massing, public realm and open space, infrastructure/servicing/security, sustainable development, layout, accessibility/connectivity and its relationship with surroundings.
- Details relating to the delivery and implementation of development schemes.

### **3.0 Consultations on the Farringdon Row Development Framework**

- 3.1 Copies of the Draft Farringdon Row Development Framework were made available at the City Library, the Civic Centre and on the City Council website ([www.sunderland.gov.uk/farringdonrow](http://www.sunderland.gov.uk/farringdonrow)) from Monday 13 March until Friday 21 April 2006. Public exhibitions were held at The Bridges Shopping Centre on 15 and 16 March 2006, the Central Library on 29 March and 31 March 2006 and at the Civic Centre from 13 March to 21 April 2006. Staff from the City Council's Development and Regeneration Directorate and Sunderland arc attended the exhibitions at specified times to give members of the public the opportunity to discuss the Development Framework. Leaflets and comments forms were provided at all the display points to allow members of the public to express their views.
- 3.2 Copies of the Draft Development Framework were sent to statutory consultees. In addition, letters setting out details of the consultation and information on where the document could be viewed were sent to non-statutory consultees, local residents, local businesses and community groups. Annex 1 to this report contains a Consultation Statement, which provides further details of the consultation process, including a schedule of consultees.

#### **Summary of Consultation Responses**

- 3.3 A total of 30 written responses were received; 7 from statutory consultees and 23 from non-statutory consultees. The majority of the responses were broadly in support of the Development Framework.
- 3.4 In addition to the formal comments received a number of comments, both positive and negative, were made verbally to staff from the Development and Regeneration Directorate whilst attending the public exhibitions.
- 3.5 A summary of the main comments received and the Council's response to them is set out below. Annex 2 to this report contains all comments received together with the Council's proposed response to them and an indication of any changes required to the document where considered appropriate.

#### **Interim Planning Policy**

- 3.6 There were several queries raised with regard to the City Council's intention to bring the document forward as Interim Planning Policy. In particular, setting out that Interim Planning Policy does not form part of the development plan for the purposes of Section 38(3) of the Planning and Compulsory Purchase Act 2004. This means that whilst Interim Planning Policy may be used as a material consideration in the determination of planning applications, applicants for planning

permission may be able to successfully challenge any decision based on the document.

**3.7 Proposed Response** – In dealing with applications for planning permission, the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The Farringdon Row Development Framework has initially been brought forward as Interim Planning Policy in order to provide guidance for the determination of planning applications prior to the adoption of UDP Alteration No. 2 (Central Sunderland). The City Council intends to convert the Development Framework to the status of a Supplementary Planning Document following the adoption of Unitary Development Plan Alteration Number 2 – Central Sunderland (UDP Alteration No. 2). The conversion process will require an additional public consultation, which will be carried out in line with the requirements of the Town and Country Planning (England) Regulations 2004.

### **Sustainability Appraisal**

- 3.8 Several comments suggested that given the nature of the Development Framework, it might have been useful for it to be informed by a Sustainability Appraisal. This would have helped demonstrate how sustainability is embedded within the proposals.
- 3.9 **Proposed Response** - UDP Alteration No. 2 has been the subject of a Sustainability Appraisal exercise. Therefore, policy SA55A.2, which this Development Framework intends to supplement, has been appraised. On adoption of UDP Alteration No. 2, the City Council will undertake further consultation on the Farringdon Row Development Framework in respect of converting it to the status of a Supplementary Planning Document. The conversion process is likely to generate the need to prepare an additional Sustainability Appraisal in respect of areas where the Farringdon Row Development Framework has added detail to policy SA55A.2.

### **Flood Risk**

- 3.10 The Environment Agency has objected to the western part of the Farringdon Row site being redeveloped without any supporting flood risk information. There is no reference to how the risk will be mitigated, site layout and design, and how safe access and egress will be addressed. A site specific Flood Risk Assessment would be required to allow detailed design to minimise flood risk to the built environment. The Environment Agency would expect the development to demonstrate a reduction in flood risk in the area. In addition, the Development Framework should make reference to the forthcoming Strategic Flood Risk Assessment, the outcome of which should be taken into account as to the appropriateness of the site allocations.

3.11 **Proposed Response** – Paragraph 6.26 of the Development Framework sets out that, where necessary, planning applications for development at Farringdon Row must be supported by Flood Risk Assessments and Sustainable Urban Drainage Statements. The need for such studies will be largely dependent on the exact nature and scale of the uses proposed, the need for which will be assessed at the pre-application stage. In addition, The Strategic Flood Risk Assessment had not been commissioned when the Development Framework went out to consultation. Paragraph 6.28 of the Development Framework has now been amended to include a reference to the forthcoming Strategic Flood Risk Assessment.

### **Sport and Recreation**

3.12 Sport England has welcomed the many references in the Development Framework to the promotion and improvement to the open spaces at Galley's Gill/Festival Park. However, they have raised concerns that this will purely provide informal space rather than lead to the introduction of formal and informal facilities to address sport and recreational needs. Sport England has requested clarification that the sport and recreational needs that will arise from this mixed use development (including 450 houses) will be addressed.

3.13 **Proposed Response** – Paragraph 4.22 of the Development Framework sets out that the City Council and Sunderland arc are committed to completing a masterplan for the upgrading and improvement of Galley's Gill. In addition, the site is close to Stadium Park where an Olympic sized swimming pool is currently being developed, as well as to a number of existing sport and recreation facilities within the City Centre. For clarification purposes, the final sentence of paragraph 6.32 has been amended to make reference to the provision of off site public open space, both informal and formal/equipped, in accordance with Planning Policy Guidance note 17: 'Planning for Open Space and Recreation'.

### **Archaeology**

3.14 Several requests have been made to strengthen the Development Framework in order to set out the Council's commitment to detailed archaeological investigations on the site. The Farringdon Row site is considered to be of considerable archaeological potential. Bronze Age remains have been found at the nearby Vaux site and evidence for prehistoric activity has been recorded at area A at Farringdon Row. There is the potential for similar finds to survive on area B, C and D. All sites are additionally of industrial archaeological interest.

3.15 **Proposed Response** – The Tyne and Wear Archaeology Officer has stated that a programme of archaeological evaluation trenching and archaeological recording work will be required at Farringdon Row. These programmes will need to be undertaken well in advance of construction commencing on site. It is therefore likely that the need for

such work will be set out in a condition to the grant of planning permission at Farringdon Row. A statement referring to the need for archaeological assessments has been added to paragraph 6.19 of the Development Framework.

### **Affordable Housing**

- 3.16 The North East Assembly has stated that to ensure conformity with Regional Planning Guidance and the emerging Regional Spatial Strategy, where a Housing Needs Study identifies a need for affordable housing the Development Framework should make provision for affordable housing.
- 3.17 **Proposed Response** – The Interim Strategy for Housing Land (2005) identifies an imbalance in the quality of the City’s Housing stock, with a large proportion of low value housing and a shortage of high value houses. New ‘City living’ opportunities at Farringdon Row will help address this imbalance. However, the need to achieve balanced mixed communities in new, large-scale residential developments is acknowledged. Therefore, residential developments within Areas B, C and D at Farringdon Row may need to provide an element of affordable housing, should a need be identified in an up-to-date Housing Needs Study.

### **Timber Supplies Limited**

- 3.16 A number of objections were received from Timber Supplies Limited, who currently own land forming part of area D as set out in the Development Framework. They largely focus on their desire to amend the phasing strategy set out in the Development Framework in order to ensure an earlier start to the redevelopment of area D and the desire to increase the number of dwellings proposed for the site. In addition, they object to the Council’s intention to use their compulsory purchase order enabling powers in order to complete the comprehensive redevelopment of Farringdon Row. A summary of these objections and the proposed Council response is included in Annex 2 to this report (see reference FR27).

### **Sunderland Civic Society**

- 3.17 Sunderland Civic Society submitted a number of representations on the Development Framework. They mainly focus on the need to protect the vitality and viability of the City Centre. A summary of these objections and the proposed Council response can be found in Annex 2 to this report (see reference FR25).

## **4.0 Amendments to the Draft Farringdon Row Development Framework**

- 4.1 In light of the representations that have been received and following a period of analysis, the Development Framework has been amended.

Annex 2 sets out the key changes that have been made. Copies of the Development Framework are available in the Members' Library.

## **5.0 Alternative Options**

- 5.1 The Council could choose not to adopt the amended Development Framework as Interim Planning Policy. However, failure to do so will significantly weaken the ability to deliver the City Council's and Sunderland arc's vision for the site. In particular, it would result in a lost opportunity to provide specific guidance on the nature, quality and timing of development. In addition, the lack of an approved framework may potentially impede the Council from using its compulsory purchase enabling powers with regard to the possible need to assemble land under section 226 of the Town and Country Planning Act 1990 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004).

## **6.0 Consultations**

- 6.1 The City Solicitor and City Treasurer have been consulted and their comments incorporated into the body of the report.

## **7.0 Policy Implications**

- 7.1 If adopted as Interim Planning Policy the Planning Framework will be a material consideration in determining planning applications for development at the Farringdon Row site.

## **8.0 Recommendation**

- 8.1 Committee is recommended to consider the responses received following consultation on the Draft Farringdon Row Development Framework and refer its comments on these and the amended Development Framework to Cabinet for consideration.

## **9.0 Background Papers**

- Draft Farringdon Row Development Framework
- Written Representations
- Redeposit UDP Alteration Number 2 (Central Sunderland)

## **Annex 1 – Consultation Statement**



**Sunderland City Council  
Draft Farringdon Row Development Framework  
Interim Planning Policy  
March 2006**

**Consultation Statement**

**Introduction**

This Statement has been prepared to accord with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004 (hereafter referred to as the regulations). The regulations require Sunderland City Council to produce a consultation statement as part of the Supplementary Planning Document (SPD) process.

The statement sets out details of consultations that have been carried out during the preparation of the Farringdon Row Development Framework, and highlights how the consultation process has influenced the draft proposals. It also sets out details of the formal consultation process, to be undertaken by the City Council from Monday 13 March until Friday 21 April 2006.

**Background**

Farringdon Row is one of Sunderland arc's priority city centre development sites. The arc proposes a phased development to be procured through agreements with developers. Overall the proposed project comprises 450 new homes, 7000m<sup>2</sup> of offices, a 100-room hotel and 1000m<sup>2</sup> of retail/leisure space.

The Farringdon Row Development Framework has been prepared by Sunderland arc to co-ordinate the redevelopment of the site. This has been submitted to Sunderland City Council for consideration, with a view to its approval by the Council as Interim Planning Policy.

The City Council intends to bring this document forward as Interim Planning Policy, pending the adoption of Alteration number 2 to the Council's Unitary Development Plan. On adoption of Alteration number 2 (proposed for Winter 2006/07), the City Council proposes to adopt the Farringdon Row Development Framework as a Supplementary Planning Document (SPD) to policy SA55A.2.

**Consultation process to date**

The Sunderland Urban Regeneration Company (Sunderland arc) was officially launched in May 2002. The Sunderland arc business plan sets out that public consultation and involvement is key to successful urban renaissance. As such, the Urban Regeneration Company has undertaken an extensive programme of

stakeholder workshops and community events in relation to its Strategic Investment Framework, as well as in connection with proposals for specific development sites such as Farringdon Row. The arc has provided regular updates relating to its proposals for Farringdon Row, which are available on the website [www.sunderlandarc.co.uk/farringdonrow](http://www.sunderlandarc.co.uk/farringdonrow).

During late May and early June 2003, the 'Vaux Bus' and a touring exhibition gave the people of Sunderland a chance to see and comment on Sunderland arc's vision for the former Vaux Brewery site, as well as the Farringdon Row site. The exhibition included a scale simulation and a virtual reality model, which allowed people to 'fly' through the site on a computer screen. A site masterplan and architects drawings were also on display. Exhibition venues included:

- Market Square, Sunderland City Centre.
- Local schools
- Sunderland Museum and Winter Gardens
- The National Glass Centre
- Sunderland Library and Arts Centre

On February 6 2006, staff from the arc and the Council's Development & Regeneration Directorate attended an event at the Saltgrass Pub, Deptford. This provided an opportunity for businesses and residents living near Farringdon Row to speak to them about proposals for the site. In addition, Publicity material was circulated. This included a leaflet, which gave the public an opportunity to send their comments to the arc. A list of the consultees can be found in annex 1.

General issues raised and concerns people had were:

1. Will it actually happen?
2. Will it make the area a better place?
3. Concern that Galley's Gill will be used for the wrong reasons.

The Development Framework looks to co-ordinate the redevelopment of the site, and ensure that the area can become a better place. Information gathered through these consultations has helped shape the vision for the Farringdon Row Development Site, which is articulated in the Draft Development Framework.

In addition, the Farringdon Row site is allocated in UDP Alteration Number 2 - Central Sunderland (policy SA55A.2), a proposed Development Plan Document, which has been the subject of extensive consultation by the City Council.

### **Formal Consultation**

Before considering the arc's proposals, the City Council will seek the views and comments of the public and other interested parties. A formal consultation on the Draft Farringdon Row Development Framework has therefore been arranged to take place from Monday 13 March until Friday 21 April 2006.

The formal consultation will consist of the following:

- A letter will be sent to formal Consultees and key Stakeholders. A CD containing the Draft Farringdon Row Development Framework will be enclosed (see annex 2)
- A letter will be sent to residential and business addresses within and around the site. In addition, this letter will be sent to companies who previously responded to consultations conducted by the arc (see annex 3)
- A letter will be sent to any known interested groups/individuals informing them about the consultation on the Development Framework and where to view the documents (see annex 4)
- The Council will circulate a press release stating that the City Council is seeking the views and comments of the public and other interested parties on the Farringdon Row Draft Development Framework.
- A poster will be displayed at the libraries within Sunderland, informing residents of the consultation.
- Copies of the draft document will be available during normal opening times at Sunderland Civic Centre and all libraries within the City.
- A series of public exhibitions showcasing the Farringdon Row Development Framework will be displayed at specified times during the consultation period. They will be located at The Bridges Shopping Centre and Sunderland Central Library. In addition, a permanent exhibition will be on display in Sunderland Civic Centre.
- Leaflets advertising the consultation will be made available at libraries and at the exhibitions, this will also be sent to local residents. The leaflet will contain a postcard allowing comments to be left in boxes at the exhibitions or returned to the Civic Centre by freepost.
- Staff from the City Council's Development & Regeneration Directorate will attend exhibitions at The Bridges Shopping Centre on 15<sup>th</sup> and 16<sup>th</sup> March and at Sunderland Central Library on 29<sup>th</sup> and 31<sup>st</sup> March. Staff will also be available at the Civic Centre during normal Office hours on request.
- A dedicated web page will be created, which will be accessed via the friendly URL [www.sunderland.gov.uk/farringdonrow](http://www.sunderland.gov.uk/farringdonrow). The page will include the draft document, an on-line response sheet and a printable comments sheet.

All consultation responses made by 5:00pm on 21 April 2006 will be fully considered and, if appropriate, changes will be made to the Development Framework prior to its adoption as Interim Planning Policy.

### **Summary**

The Farringdon Row Development Framework will be brought forward by the City Council as SPD on adoption of Alteration number 2 – Central Sunderland. In the meantime, the Council will endorse this document as Interim Planning Policy. Before adoption as SPD, this statement will be updated to provide a summary of the main issues raised during the formal consultation period and how these issues have been addressed in the final draft of the SPD. This will be publicised by the Council in accordance with the regulations.

## **Appendix**

Annex 1 – Sunderland arc Consultation (February 2006)

Annex 2 – Letter 1 and list of Consultees

Annex 3 – Letter 2 and list of Consultees

Annex 4 – Letter 3 and list of consultees

**Annex 1 - Sunderland arc consultation (February 2006)**

Various Businesses Silksworth Row, Sunderland
Currys, Trimdon Street, Sunderland
PC World, Trimdon Street, Sunderland
Halfords, Trimdon Street, Sunderland
B&Q, Trimdon Street, Sunderland
NEDL
ABB Ltd, Hanover Place, Sunderland
The Saltgrass, Hanover Place, Sunderland
Liebherr, Ayres Quay, Sunderland
The Winston Public House, Hanover Place, Sunderland
Ayres Quay Motors
T Mobile Ltd
CCS Cellular Ltd
Northumbrian Water
Lofthouse & Partners, Sunderland
Crass & Co.

## **Annex 2 - Letter 1 & list of consultees**

Dear Sir,

### **Farringdon Row Development Framework Public Consultation**

Farringdon Row is one of Sunderland arc's priority city centre development sites. The arc proposes a phased development to be procured through Agreements with developers. Overall the project comprises 450 new homes, 7,000m<sup>2</sup> of commercial space, a 100 bedroom hotel and 1,000m<sup>2</sup> retail / leisure space. The overall vision for Farringdon Row is to create a high quality, attractive and sustainable living and working environment.

In order to achieve a coordinated and integrated approach to the development of Farringdon Row, Sunderland arc has prepared a Development Framework for the site. This has been submitted to Sunderland City Council for consideration with a view to its approval as Interim Planning Policy for the future redevelopment of Farringdon Row.

Before considering the arc's proposals, the City Council is seeking the views and comments of the public and other interested parties. A six-week consultation is taking place from Monday 13 March to Friday 21 April 2006.

The City Council will consider all comments received and will seek to agree appropriate changes to the Development Framework with Sunderland arc before taking the Development Framework forward for adoption as Interim Planning Policy.

I attach, for your information, an electronic copy of the Farringdon Row Development Framework on CD together with the relevant form for making comments. The CD also includes a copy of the Statement of SPD matters and Consultation Statement. All comments should be returned by no later than Friday 21 April 2006. Copies of the Development Framework can also be viewed on the website <http://www.sunderland.gov.uk/farringdonrow>

If you have any queries regarding the above please do not hesitate to contact my assistant Dan Hattle on 5531714.

Yours faithfully,  
Director of Development and Regeneration

British Gas
British Telecom
Countryside Agency
English Heritage
English Nature
Environment Agency
Government Office for the North East
Highways Agency
Network Rail
North East Regional Assembly
Northumbrian Water Ltd
One North East
Strategic Rail Authority
Transco BG
Northern Electric Distribution Limited



### **Annex 3 - Letter 2 & list of consultees**

Dear Sir,

#### **Farringdon Row Development Framework Public Consultation**

Farringdon Row is one of Sunderland arc's priority city centre development sites. The arc proposes a phased development to be procured through Agreements with developers. Overall the project comprises 450 new homes, 7,000m<sup>2</sup> of commercial space, a 100 bedroom hotel and 1,000m<sup>2</sup> retail / leisure space. The overall vision for Farringdon Row is to create a high quality, attractive and sustainable living and working environment

In order to achieve a coordinated and integrated approach to the development of Farringdon Row, Sunderland arc has prepared a Development Framework for the site. This has been submitted to Sunderland City Council for consideration with a view to its approval as Interim Planning Policy for the future redevelopment of Farringdon Row.

Before considering the arc's proposals, the City Council is seeking the views and comments of the public and other interested parties. A six-week consultation is taking place from Monday 13 March to Friday 21 April 2006.

The City Council will consider all comments received and will seek to agree appropriate changes to the Development Framework with Sunderland arc before taking the Development Framework forward for adoption as Interim Planning Policy.

Copies of the Development Framework can be viewed on the website [www.sunderland.gov.uk/farringdonrow](http://www.sunderland.gov.uk/farringdonrow). Alternatively please contact my assistant Dan Hattle or Richard Crosthwaite if you would like a hard copy of the document. I enclose a copy of the form for making comments. All comments should be returned by no later than Friday 21 April 2006. If you have any queries regarding the above please do not hesitate to contact my assistant Dan Hattle or Richard Crosthwaite on 5531714.

Yours faithfully,  
Director of Development and Regeneration

## Local Authorities

Chester-le-Street District Council
City of Durham Council
City of Newcastle-upon-Tyne Council
Durham County Council
Easington District Council
Gateshead Metropolitan Borough Council
North Tyneside Metropolitan Borough Council
South Tyneside Metropolitan Borough Council

## National Bodies

British Waterways
Civil Aviation Authority
Commission for Architecture and the Built Environment
Friends of the Earth
House Builders Federation
National Playing Fields Association
Royal Society for the Protection of Birds
Sport England
Sustrans
The Coal Authority

## Local Organisations

Business Link Tyne & Wear
City Centre Residents Association
City Hospitals Sunderland
City of Sunderland Council for the Disabled
Durham Biodiversity Partnership
Energy Savings Trust North East Advice Centre
Federation of Small Businesses
Nexus
North East Chamber of Commerce
North East Housing Board
North of England Civic Trust
Northumbria Police
Rotary Club of Bishopwearmouth
Round Table (Sunderland)
Sunderland arc

Sunderland Association Football Club
Sunderland Business Network Ltd
Sunderland City Centre Management
Sunderland Civic Society
Sunderland Deaf Society
The Northern Energy Initiative
Tyne & Wear Development Company
Tyne and Wear Metropolitan Fire Brigade
Tyne and Wear Passenger Transport Authority
University of Sunderland

### **Community Groups**

Ashbrooke Residents Association
Bank Top Residents Association
Castletown Community Association
East Community Association
Farringdon Community Association
Farringdon Residents Association
Hendon Islamic Society
Hendon Young People's Project
Hylton Castle Residents Association
North East Pensioners Association
Pennywell Community Association
Redhouse & District Community Association
Ryhope Community Association
Silksworth Community Centre
Southwick Youth & Community Association
Sunderland Bangladeshi Community Centre
Sunderland Federation of Community Accociations
Sunderland North Community Business Centre
Sunderland Sikh Association
Town End Farm Community Associations
Town End Farm Residents Association

#### **Annex 4 - Letter 3 & list of consultees**

10 March 2006

Dear Sir/Madam,

#### **Farringdon Row Development Framework Public Consultation**

Farringdon Row is one of Sunderland arc's priority city centre development sites. The arc proposes a phased development to be procured through Agreements with developers. Overall the project comprises 450 new homes, 7,000m<sup>2</sup> of commercial space, a 100 bedroom hotel and 1,000m<sup>2</sup> retail / leisure space. The overall vision for Farringdon Row is to create a high quality, attractive and sustainable living and working environment

In order to achieve a coordinated and integrated approach to the development of Farringdon Row, Sunderland arc has prepared a Development Framework for the site. This has been submitted to Sunderland City Council for consideration with a view to its approval as Interim Planning Policy for the future redevelopment of Farringdon Row.

Before considering the arc's proposals, the City Council is seeking the views and comments of the public and other interested parties. A six-week consultation is taking place from Monday 13 March to Friday 21 April 2006.

The City Council will consider all comments received and will seek to agree appropriate changes to the Development Framework with Sunderland arc before taking the Development Framework forward for adoption as Interim Planning Policy.

Copies of the Farringdon Row Development Framework can be viewed at the Civic Centre (3<sup>rd</sup> floor reception), City Library, and all local libraries. The Framework can also be viewed on the website [www.sunderland.gov.uk/farringdonrow](http://www.sunderland.gov.uk/farringdonrow)

A series of public exhibitions showing the Farringdon Row Development Framework will be on display, during the six week consultation period, at the following venues:

The Bridges Shopping Centre  
Wednesday 15 March to Thursday 16 March

Sunderland Central Library  
Monday 27 March to Friday 31 March 2006

Sunderland Civic Centre  
Monday 13 March to Friday 21 April 2006

Staff from the City Council's Development & Regeneration Directorate will attend exhibitions at the following times if you wish to discuss the Development Framework.

The Bridges Shopping Centre  
15 March 09:00 to 17:00  
16 March 09:00 to 19:00

Sunderland Central Library  
28 March 10:00 to 13:00  
29 March 14:00 to 19:00

Sunderland Civic Centre  
13 March to 21 April 2006 during normal office hours upon request.

If you wish to make comments on the Masterplan please use the comments form enclosed. Comments can be placed in the collection points provided at the above venues or returned to the City Council's Development and Regeneration Directorate. All comments should be returned by Friday 21 April 2006.

If you have any queries regarding the above please do not hesitate to contact my assistant Dan Hattle or Richard Crosthwaite on 5531714.

Yours faithfully,  
Director of Development and Regeneration

### Local Residents

1-9 Alliance Place, Sunderland
Deptford House, Alliance Street, Sunderland
1-42 Hylton Road, Sunderland
1-39b Lily Street, Millfield, Sunderland
1-40 May Street, Millfield, Sunderland
1-40 Rose Street, Millfield, Sunderland
1-40 Violet Street, Millfield, Sunderland

### Businesses

Rock Top Scrapyard, Farrington Row
Timber Supplies, Farrington Row
B&Q Sunderland Warehouse, Deptford

Currys, Trimdon Street
PC World, Trimdon Street
Halfords, Trimdon Street
Various (1-42 Hylton Road)
Tesco Plc
Various (Silksworth Row, Sunderland)
Rock Top Autos, Farringdon Row
Ayres Quay Motors
CCS Cellular Ltd
ABB Ltd, Hanover Place, Sunderland
The Saltgrass, Hanover Place, Sunderland
Liebherr, Ayres Quay, Sunderland
The Winston Public House, Hanover Place, Sunderland
Allotment plot holders, Farringdon Row, Sunderland
Lofthouse & Partners, Sunderland
Crass & Co, Sedgefield
Tesco Plc
T Mobile Ltd

**Annex 2 – Schedule of Responses and Key Changes to the Farringdon Row Development Framework.**

## FARRINGTON ROW DEVELOPMENT FRAMEWORK (FRDF) – REPRESENTATIONS (13/03/06 – 21/04/06)

Reference	Respondent	FRDF Paragraph / Policy (where applicable)	Description	Proposed Action
FR1	John Bee	N/A	1. Supports the scheme.	1. Noted
FR2	John Potts	N/A	1. Supports the scheme.	1. Noted
FR3	Mr B Clark	N/A	1. Supports the scheme.	1. Noted
FR4	J Curran	N/A	1. Supports the scheme.	1. Noted
FR5	Wood	N/A	<ol style="list-style-type: none"> <li>Concerned about the risk of increased traffic congestion.</li> <li>Concerned that the architecture will be third rate.</li> <li>Concerned that the topography of the site has not been taken into account.</li> </ol>	<ol style="list-style-type: none"> <li>The FRDF requires the production of detailed Transport Assessments (TAs) to accompany Planning applications (see FRDF paragraph 6.3). The TAs will identify any highways improvements required to mitigate any impacts of development, such as congestion.</li> <li>The FRDF sets out a series of requirements that schemes brought forward on the site meet high standards of design (see FRDF paragraph 4.16). High quality of development is a fundamental objective of Sunderland arc and the City of Sunderland Council and proposals which do not meet high standards of design will not be permitted.</li> <li>The topography of the site and presence of disused rail tunnels have been accounted for in the 'Opportunities and Constraints' and 'General Developments Principles' sections of the FRDF. Developments are to be designed to reflect the topography of the site.</li> </ol>
FR6	R Mallin	N/A	1. Supports the scheme	<b>No changes proposed to the FRDF.</b> 1. Noted
FR7	P Lang	N/A	<ol style="list-style-type: none"> <li>There are empty offices all over Sunderland</li> <li>There are too many flats</li> <li>We need a better range of shops</li> <li>We need an Ice Rink</li> <li>We need a Supermarket for people who haven't got a car and can use the bus</li> <li>We need leisure facilities for teenagers</li> <li>We need pubs for older people with decent entertainment</li> <li>Most of all we need employment</li> </ol>	<ol style="list-style-type: none"> <li>The Farringdon Row site is allocated for development including offices in the Sunderland UDP (1998) and the Alteration no.2 to the UDP (2005). The development of modern office accommodation would assist in the regeneration of the central Sunderland area, in line with objectives of the Regional Economic Strategy, the Tyne and Wear City Region Development Programme, the TyneWear Economic Strategy and the Sunderland Strategy.</li> <li>The Farringdon Row site is allocated in the Alteration no.2 to the UDP as a 'strategic site', which is required to meet the future housing needs</li> </ol>



				<p>of Sunderland. Apartments are required in order to provide a more diverse mix of accommodation.</p> <p>3. Any shops provided at Farringdon Row will be of a scale and type that meets the needs of the new residential and business population at Farringdon Row. A greater range of shops will be secured in the City Centre, through the development of sites such as 'Holmeside Triangle'.</p> <p>4. A permanent ice-rink at Farringdon Row would not be viable. Stadium Park / Sheepfolds (adjacent to the Stadium of Light) is allocated in the Alteration no.2 for leisure-led mixed use development.</p> <p>5. The Holmeside Triangle site is allocated for retail development and is suitable for the development of a superstore. Given its location, adjacent to the Park Lane Interchange, a superstore at Holmeside Triangle would be highly accessible by public transport.</p> <p>6 and 7. The Alteration no.2 to the UDP establishes a policy which supports the diversification of leisure and recreational facilities within the City Centre area. Any leisure facilities (eg bars and restaurants) at Farringdon Row will be of a scale that primarily meets the needs of the new population in the area. Stadium Park / Sheepfolds is an appropriate location for larger scale leisure facilities, as allocated in the Alteration No. 2.</p> <p>8. The redevelopment of the Farringdon Row area will result in the creation of a substantial number of jobs in the Central Sunderland area.</p> <p><b>No changes proposed to the FRDF.</b></p> <p>1. Noted, the FRDF looks to secure the development of good housing and landmark buildings across the site.</p> <p>2. Noted</p> <p><b>No changes proposed to the FRDF.</b></p> <p>1. Noted. This issue will be considered through pre-application discussions and the development control process. The Silksworth Row frontage is considered to be a suitable and viable location for</p>
FR8	Paul Andrew	N/A	<p>1. It is important to attract people with good housing and landmark buildings.</p> <p>2. A footbridge linking this site with the north of the river would be most welcome.</p>	
FR9	D English	N/A	<p>In support, but:</p> <p>1. The hotel would be more likely to succeed if it fronted Galley's Gill rather than the rear of Currys.</p>	

				commercial uses including an hotel, in order to have visual prominence. Sites overlooking Galleys Gill are most suited for residential development.
FR10	Mrs Jean Bridge	N/A	1. Supports the scheme	<b>No changes proposed to the FRDF.</b>
FR11	D Duggan	N/A	1. Supports the scheme	1. Noted
FR12	Geoff	N/A	1. Disappointed at the lack of progress to date. Money should be spent improving existing streets first. It should be spent where it is most needed.	1. Noted
FR13	D.A.N Lane	N/A	1. Requests that the stone wall on Farringdon Row (north of the scrap yard) be retained. The walls are an asset and are constructed from local materials, derived from Galley's Gill. They should be preserved and featured as part of the development	1. Noted. This issue will be considered through pre-application discussions and the development control process.
FR14	R Wilson	N/A	1. Requests that the allotments be retained	<b>No changes proposed to the FRDF.</b> 1. The City of Sunderland Council are committed to the relocation of the Farringdon Row allotments to a suitable alternative location, in order to enable the comprehensive redevelopment of the area.
FR15	Mr Peter White	N/A	1. Please provide vehicular access to the riverside for disabled badge holders. 2. Car Parking should be provided, offering views of the River Wear.	1. Access to the riverside is to be improved primarily as part of the comprehensive improvements to Galleys Gill, which is to be the subject of a separate masterplanning exercise. Pedestrian and cycle routes are to be enhanced along the riverside, as part of the development of the Farringdon Row, former Vaux brewery and Galleys Gill sites. 2. Viewing points, with seating, are to be provided throughout the Farringdon Row development.
FR16	Government Office for the North East	2. Paragraph 1.15	1. Interim Planning Policy (IPP) does not form part of the Statutory Development Plan, although they may be a material consideration in the determination of planning applications. Applicants for planning permission may be able to successfully challenge decisions based on IPP. 2. IPP cannot simply be converted to a Supplementary Planning Document (SPD) on adoption of Alteration Number 2. In particular, it is not included in the present Local Development Scheme and must include a sustainability appraisal. 3. Sunderland Council must be satisfied that it has complied with the relevant procedures if the Development Framework is to assume status as SPD.	<b>No changes proposed to the FRDF.</b> 1. Noted. The FRDF has initially been brought forward as IPP to provide detailed guidance for the redevelopment of the site, prior to the adoption of UDP Alteration Number 2 – Central Sunderland (Policies EC5A and SA55A 2) 2. Noted (see below) 3. Noted (see below) <b>Proposed Amendment to FRDF:</b> Section 1.0 of the FRDF to be revised in order to confirm that the FRDF will be included within a revised Local Development Scheme. Section to also confirm that the FRDF will be adopted as SPD,

<p>in accordance with the procedures set out in Planning Policy Statement 12: 'Local Development Frameworks' and the associated companion: 'Creating Local Development Frameworks'. These procedures will include a requirement for the FRDF to be the subject of a sustainability appraisal and an assessment of its compliance with the Council's Statement of Community Involvement. Further consultation on the FRDF will be undertaken in due course, in accordance with the requirements of PPS12, following the adoption of Alteration no. 2 to the UDP as a Development Plan Document.</p>			<p>FR17 English Heritage - North East Region</p>
<p>1. Noted. (see below)</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>Add an additional bullet point to paragraph 6.18 in respect of the required content of Design Statements, which establishes a need to provide:</p> <p><i>"- an analysis of the potential impacts, arising from the proposed development, upon the setting of any Conservation Areas or Listed Buildings in proximity to the application site. This analysis shall determine whether the proposal would preserve or enhance this setting."</i></p> <p>Add a new section (paragraphs 6.19 to 6.21), entitled 'Archaeological Assessment', following the section entitled 'Design Statement' which states:</p> <p><i>"Despite the fact that the majority of the Farringdon Row site falls outside of an 'Area of Potential Archaeological Importance', as designated in the Sunderland UDP, the area is considered by the Tyne and Wear County Archaeologist to be of considerable archaeological potential. Evidence of prehistoric activity have been recorded on Area A of the Farringdon Row site whilst Bronze Age remains have been found at the former Vaux brewery site. In addition, all sites are considered to be of industrial archaeological interest.</i></p> <p><i>In this context, archaeological field evaluations will be required to be undertaken across the Farringdon Row site, prior to the grant of planning permission. These field evaluations will provide the local</i></p>	<p>1. The requirement that the determination of planning applications may need to be preceded by archaeological investigation (set out in paragraph 6.21) should be strengthened.</p> <p>2. Development on the site should have regard to the setting of nearby listed buildings and the adjacent Bishopwearmouth Conservation Area.</p>		

				<p>planning authority with information sufficient enough to determine an appropriate course of action in order to protect and record archaeological remains. These measures may include the wider excavation of the site, and / or a watching brief during construction, and depending upon the results of the fieldwork, the recording of the results within an archaeological journal.</p> <p>The case for the preservation of archaeological remains must be assessed on the individual merits of each case, taking into account archaeological policies contained within the Development Plan, together with all other relevant policies and material considerations, including the importance of the remains when weighed against the need for the proposed development."</p> <p>Delete reference to 'Archaeological Assessments' from section entitled "Other Documents".</p> <p>[See also the response to Tyne &amp; Wear Archaeology Officer (FR29) below].</p>
FR18	Countryside Agency - North East Region	N/A	1. Acknowledgement letter – no specific comments	1. N/A
FR19	I Jameson	N/A	1. Supports the scheme. Disappointed at the lack of progress to date.	1. Noted
FR20	Susan Powell	N/A	1. Supports the scheme. Feels that Sunderland must make the most of its assets (i.e. the riverside and the seafont)	1. Noted
FR21	Highways Agency	2. Section 1.0  4. Paragraphs 6.12-6.14	<p>1. Supports, in principle, the need for economic growth in areas of the North East.</p> <p>2. Unclear how the consultation fits into the SPD process</p> <p>3. Any proposals that affect the strategic trunk road network must be evolved with the participation and buy in of the Highways Agency.</p> <p>4. Fully comprehensive Transport Assessments will be required.</p> <p>5. On the basis of a Traffic Impact Review of the Farringdon Row Draft Development Framework (DDF), prepared on behalf of the HA, it is concluded that none of the Farringdon Row development traffic would impact upon the trunk road network within the Sunderland borough.</p>	<p>1. Noted</p> <p>2. See response to Government Office (FR16)</p> <p>3. Noted</p> <p>4. The FRDF requires the submission of Transport Assessments to accompany planning applications for development proposals at Farringdon Row.</p> <p>5. Noted</p>
FR22	National Grid	N/A	1. The proposal will not affect National Grid's high voltage energy transmission plant and equipment. Please ensure you also contact the relevant electricity distribution network company to ensure that its plant and equipment are also not affected.	1. Noted
FR23	Sport England - North East	Object to:	1. Sport England welcomes the many references in the document to the promotion and improvement to the open spaces at Galley's Gill/Festival Park.	1. Noted

<p>Policies FR1 FR2 SA55A.2</p> <p>Paragraphs 4.20 4.21 4.22 6.23</p>	<p>2. It is unclear whether the intention is that these spaces will purely provide informal spaces for public enjoyment or whether there is an intention to address both formal and informal sport and recreational needs</p> <p>3. Planning contributions from housing development should be used towards the provision of sport &amp; recreational facilities, see circular 05/05.</p> <p>4. The Development Framework does not adequately address the need to secure section 106 agreements in relation to the provision in relation to sport &amp; recreation provision, in its text or policies.</p> <p>5. Clarification sought as to how sport &amp; recreational needs will be met. Sport England would be in a position to lend its support to this important redevelopment proposal subject to the framework being amended in due course.</p>	<p>2, 3, 4 &amp; 5. Paragraph 4.22 of the FRDF sets out that the City Council and Sunderland arc are committed to completing a masterplan for the upgrading and improvement of Galley's Gill. This document will add detail to how developer contributions will be used to provide space for recreation and play.</p> <p>The provision of play space within Galleys Gill, both formal and informal, that will be secured by means of developer contributions, is confirmed in paragraph 4.22 and 6.32 of the FRDF.</p> <p>In addition, the site is close to Stadium Park where an Olympic sized swimming pool is currently being developed, as well as to existing sport and recreation facilities within the City Centre.</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>The following text will be added to the FRDF (paragraph 6.32)</p> <p><b>Securing Community Benefits</b></p> <p>6.32 At pre-application submission stage, the City Council will seek to advise developers of the facilities which will be necessary to serve the new communities that the development proposals would create. This may include infrastructure improvements and the provision of offsite public open space both informal and formal / equipped, in accordance with Planning Policy Guidance Note 17: 'Planning for Open Space and Recreation'.</p>	<p>FR24</p>
<p>Environment Agency</p>	<p>1. EA recommend that more provision be made for fishing and other water based recreation.</p> <p>2. EA questions the status of the document and why it is not being produced as a Supplementary Planning Document (SPD), supported by a Sustainability Appraisal?</p> <p>3. EA objects to the western part of the site being redeveloped without any supporting flood risk information. Part of the site lies within tidal flood zones 2&amp;3. There is no reference to how this will be mitigated, style layout and design and how safe access and egress will be addressed.</p> <p>4. There is no mention of how contamination will be dealt with and the supporting information required to accompany applications for development.</p> <p>5. Flood risk issues should be addressed at the earliest possible stage in line with PPG25/PPS25. The development of this site should be supported by an</p>	<p>1. Sunderland City Council acknowledge the potential of the River Wear, in this location, to provide enhanced fishing and other water-based recreation. It is considered appropriate to assess this potential in detail at the time of the preparation of the masterplan for the enhancement of Galley's Gill as a significant public recreational facility in central Sunderland.</p> <p>2. See response to GO-NE (FR16)</p> <p>3. Reference is made in the draft FRDF to the potential requirement to prepare Flood Risk</p>	<p>FR24</p>

appropriate flood risk assessment and appropriate sequential test approach.  
6. Information from the forthcoming Strategic Flood Risk Assessment (County-wide) must be taken into account.

Assessments (at para 6.26). However, it is appropriate to expand upon this- see below.

- 4. Reference is made in the FRDF to the potential requirement to prepare contaminated land studies (at para 6.26). However, it is appropriate to expand upon this – see below.
- 5. See 3
- 6. See 3

**Proposed Amendment to FRDF:**

Add the following text after the bullet points in para. 6.28:

*“The Farringdon Row site lies next to the River Wear and part of the site lies within the tidal flood zones 2 and 3. In this regard, it will be necessary to assess the potential for flood risk of the site at the earliest opportunity, prior to the grant of planning permission (in accordance with Planning Policy Guidance Note (PPG)25: ‘Development and Flood Risk’ and the emerging replacement PPS25. Flood Risk Assessments shall be prepared which assess both the current and future flood risk, taking into consideration climate change and the subsequent increase in sea levels. These assessments should also be fully cognisant of any up-to-date Strategic Flood Risk Assessment for the area. In responding to the conclusions of the Flood Risk Assessments, development proposals should include sufficient mitigation measures to minimise any risk of flooding.*

*Given the industrial heritage of the site, a desktop survey and, if necessary, intrusive investigations shall be undertaken across the site before development commences. These surveys shall determine the site history and any sources of land contamination and likely contaminants. In addition, the surveys shall provide details of a proposed scheme for the decontamination of the site.*

*Conditions are likely to be attached to the grant of planning permissions across the Farringdon Row site which ensure the preparation of land*

<p>contamination surveys and their submission to, and approval by, the local planning authority, prior to commencement of development. Such conditions will also ensure that all earthworks associated with any required decontamination are undertaken by a suitably qualified person. Written validation that the works have been completed in a manner to ensure future safety of occupiers of the development will be required to be submitted to the local planning authority for approval."</p>			<p>FR25</p>
<p>1. It is not the intention of the Development Plan system to prevent development before the adoption of Development Plan Documents as part of the Local Development Framework. Instead, any proposals for development on the Farringdon Row site will be considered in the context of adopted Development Plan policy (contained with the Regional Spatial Strategy and the Sunderland UDP), together with other material considerations such as the draft FRDF, draft DPDs and national planning policy.</p> <p>The City Council will initially seek to adopt the Development Framework as Interim Planning Policy. The consultation processes involved in the preparation of this document will ensure that its proposals will hold a degree of weight when determining planning applications in this area. Upon adoption of Alteration Number 2, the City Council will bring the document forward as a Supplementary Planning Document to Policies EC5A and SA55A.2, but must first following the requirements set out in the Town and Country Planning (England) Regulations 2004.</p> <p>2. The areas of Deptford and Ayres Quay are in multiple ownership and active commercial use. They do not represent priority regeneration areas for the City of Sunderland Council.</p> <p>3. The entire Farringdon Row area is allocated as a 'Strategic' housing site in draft Policy H5A, to deliver 450 units in order to meet housing requirements in Sunderland. The phased development of the Farringdon Row site will ensure that "bad neighbour" uses are removed from the site and that infrastructure is in place to support residential</p>	<p>1. No physical progress could be made on site other than on the area which already has planning permission, until such time as a decision is made by an Inspector (Alteration number 2 Inquiry). I would be grateful if you could confirm this to be the case.</p> <p>2. is consideration is being given to preparing a development framework to secure the regeneration of this wider area (Deptford, Ayres Quay) in a manner which would provide a better environment for the proposed uses on Farringdon Row. It seems to us that such an initiative could be very important in creating the right environment for the Farringdon Row proposals to be seen as attractive.</p> <p>3. Object to Paragraph 4.7 (Residential). Appreciate and accept the potential of parts of the site for housing development but has a number of concerns regarding the location of the housing proposed. These concerns are:</p> <ul style="list-style-type: none"> <li>• Whether an acceptable residential environment can be created particularly within the northern part of the area proposed for housing, which forms a long narrow 'tongue' with the service area to B&amp;Q, a transformer station and industrial uses adjoining.</li> <li>• The accessibility of this northern part of the area to public transport and other facilities; this part of the site is much more distant from bus routes than the 400m from the site as referred to in <b>paragraph 2.20</b> of the Development Framework.</li> <li>• The lack of a policy framework for the adjacent area of Deptford to provide a context showing how the problems outlined above can be overcome.</li> </ul> <p>4. Object to Paragraph 4.7 (Office use). Paragraph 1.8 of PPS6 identifies offices, both commercial and public, as main town centre uses. Paragraph 19.249 of the adopted UDP identifies Farringdon Row as the outer boundary of this wider area as edge-of-centre. Therefore, it should first be the subject of a sequential test for site selection. It is understood that part of the site already has permission for business use development, but in general it would appear that any further applications should be subject to the sequential test. The Society is of the opinion that the site should be primarily regarded as an extension of the area proposed for housing</p> <p>5. Object to Paragraph 4.8 (Hotel use). Paragraph 1.8 of PPS6 identifies hotels as 'main town centre uses. Paragraph 19.249 of the adopted UDP identifies Farringdon Row as the outer boundary of this wider area as edge-of-centre. Therefore, it should first be the subject of a sequential test for site selection. The Society is of the opinion that the Farringdon Row site should be primarily regarded</p>	<p>1. N/A</p> <p>2. N/A</p> <p>3. Paragraph 4.7, Paragraph 2.20</p> <p>4. Paragraph 4.7</p> <p>5. Paragraph 4.8</p>	<p>Sunderland Civic Society</p> <p>Sunderland Civic Society</p>

		<p>as an extension of the area proposed for housing</p> <p>6. Supportive of limited retail use to meet immediate need. Retail proposals should be limited to serve local needs only.</p> <p>7. Financial and professional services, for example banks, estate agents' tend to draw custom from a wide area and it is unlikely therefore that sufficient demand would be derived purely from that local area even were the Council's current proposals developed in their entirety. These uses are more appropriately located within established centres.</p> <p>8. Support the encouragement of further food and drink uses into this locality, where there are already a number of pubs and restaurants in the Deptford area, could assist in the regeneration of the overall area, and help encourage greater recreational use of the riverside area. For this reason, the Society is supportive of these uses in principle, and not merely as ancillary to the main uses proposed for the area.</p> <p>9. There is no information within the Development Framework as to the kind of leisure uses which the Council may support, other than that they would be ancillary to the principal uses proposed. Would be very supportive of a range of leisure uses within the locality which encouraged greater recreational use of the riverside area and which will preferably, though not necessarily, be river/nature orientated.</p> <p>10. Object to paragraph 6.21 as it only refers to the possibility of an archaeological assessment and states that this will be 'largely dependent on... the findings of any more detailed site investigation works'. If there is no commitment to investigations until site works reveal something it may be too late in the process to investigate thoroughly if a developer is locked into a timescale</p>	<p>development and ensure a satisfactory setting is created, which builds sustainable, inclusive communities. These infrastructure requirements include public transport and the City Council will ensure that all residential developments are within convenient walking distance of bus stands, which may be secured through developer contributions, where necessary. In this regard, it is not considered appropriate to delete Area D from the FRDF.</p> <p>4 &amp; 5. The inclusion of Office/Hotel development is considered a fundamental element of this mixed-use scheme. The development of the Farringdon Row site for uses including business / offices and hotel were identified in the land-use policy (SA55) in the 1998 Sunderland UDP and continues to be allocated for such uses in the replacement land use policy (Policy SA55A of the Alteration no.2). The development of these uses in this location would therefore, be in accordance with the long-established Development Plan policy for the area. Whilst PPS6 confirms that hotels and offices are 'key town centre uses', the Statement also confirms that the 'tests', including the sequential approach to site selection, do not apply to proposals that are in accordance with the Development Plan. Therefore, it is not necessary to undertake an assessment of potential alternative "sequentially preferable" sites for hotel and office uses proposed at Farringdon Row.</p> <p>6. The draft land use policy for the Farringdon Row site (SA55A), seeks to ensure that the nature and scale of any retail development at Farringdon Row would cater primarily for the local needs of the new residents and occupiers of the site.</p> <p>7. The draft land-use policy for the site (SA55A) allocates the site for Class A2 uses, which includes banks and estate agents but also includes other financial services and uses such as employment agencies. These types of uses are to be encouraged in this location, in order to create a genuinely mixed-use development and to meet local needs of new and existing residents in the surrounding area.</p> <p>8. Noted. For the reasons set out at 3) above, it is</p>
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			<p>not considered appropriate to reallocate Area D for the development of food and drink uses, in place of residential development.</p> <p>9. Both the adopted and draft replacement land-use policies within the Development Plan allocate the Farringdon Row site for uses including leisure (Class D2), reflecting its close proximity to other significant leisure facilities in the city Centre (ie the Crowtree leisure centre). It is considered overly prescriptive to stipulate within the FRDF and replacement policies of the Development Plan which types of leisure uses would be appropriate in this location. The potential of the riverside for recreational use is recognised by Sunderland City Council and this will be encapsulated within a Masterplan for improvements to Galley's Gill, which is to be brought forward by Sunderland arc in due course and which will be the subject of future public consultation.</p> <p>10. See response to English Heritage (FR17) and Tyne &amp; Wear Archaeology Officer (FR29)</p>
FR26	Roger Clubleby	N/A.	<ol style="list-style-type: none"> <li>1. The uses proposed are needed and the land is underused.</li> <li>2. The prominence of the site demands very high quality of building design and Urban Design. (Recent examples in Sunderland have been poor e.g. Travelodge)</li> </ol>
FR27	John Potts Limited (on behalf of Timber Supplies Limited)	<ol style="list-style-type: none"> <li>1. Paragraph 1.15</li> <li>2. Figure 1.3</li> <li>3. Paragraph 2.12</li> <li>4. Paragraph 5.13</li> <li>5. Paragraph 5.16</li> </ol>	<ol style="list-style-type: none"> <li>1. The Development Framework is purporting to do the job of the UDP itself by providing new policies in terms of phasing, order of development and land uses.</li> <li>2. Timber Supplies objects to the masterplan strategy in figure 1.3. Site constraints will result in long delays before Area C can come forward. Area D should become phase 3 and come forward for development before site C.</li> <li>3. Timber Supplies welcomes the inclusion of its site in the development framework in paragraph 2.12.</li> <li>4. Timber Supplies objects to the paragraph on prematurity (5.13). This is not in accordance with paragraphs 17, 18 and 19 of The Planning System: General Principles (Jan 05).</li> <li>5. Timber Supplies objects to paragraph 5.6. (In particular, the last two bullet points). They highlight the visual relationship between Stadium Park north of the River and the site to the south. It also states that area D is allocated for open space purposes in the adopted UDP and its redevelopment must be influenced by</li> </ol>



	<p>John Potts Limited (on behalf of Timber Supplies Limited)</p>	<p>will lead to isolation of sites and will not be conducive to the building of communities so desired by the Sunderland arc and the Council. We are sceptical of the claim in paragraph 5.5 that the allotments located on Area C will be re-located by the end of 2006. Paragraph 33 highlights that Policy SA76 seeks the retention of existing allotments at Lambton Staiths (Area C). However, this is contradictory to paragraph 5.5 which seeks the relocation of said allotments. Timber Supplies also object to paragraph 5.7 - the Timber Supplies Yard is realistically, ready to come forward as it is now. The site is located at one end of the scheme and as such acts as a gateway into the area. It also benefits from its own independent access unlike the other sites and it will achieve the building of communities desired in paragraph 31 of PPG3 as it will be forming part of a much larger site. It is felt development on Area D in the early stages of the Farringdon Row scheme will be more beneficial to the aims of the Framework than if its development were delayed until the latter stages, which would ultimately result in isolation and a failure to build communities.</p>	<p>stage of preparation and the SPD will be prepared early in 2007. Therefore, it is considered entirely appropriate to include the text on the issue of 'prematurity', as currently drafted in the FRDF.</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>Add the following text after para. 5.13:</p> <p><i>"Where planning permission is refused on the grounds of prematurity, Sunderland City Council will provide reasons as to why the grant of planning permission would prejudice the outcome of the DPD process."</i></p> <p>5. The 'saved' UDP policies will retain their status, until superseded by new DPD policy. The Alteration No. 2 DPD will replace policies of the UDP, including the site-specific policies within part 2 (including those covering land uses on the Farringdon Row site through draft policy SA55A.2). The adopted UDP proposals map indicates that part of the proposed Farringdon Row (Areas 3 and 4 in the FRDF) are allocated for new and upgraded open space/leisure use in line with the strategic policies set out part 1 of the plan (i.e. policies L2/3/4/5/7/8/9 &amp; B3). Alteration Number 2 will not supersede these policies; therefore this allocation will remain applicable during the lifetime of the FRDF.</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>Amend the final bullet point in para 5.6 to read:</p> <p><i>"the fact that Areas C and D are allocated for open space purposes in the adopted UDP. Their redevelopment will, therefore, be influenced by the emerging strategy for Galley's Gill / Festival Park to reconfigure open space provision in a comprehensive manner for the whole of the Vaux / Galley's Gill / Farringdon Row area."</i></p> <p>No reason is given as to why Timber Supplies object to the penultimate paragraph, in respect of the visual relationship with Stadium Park. The City Council consider the visual relationship between developments on adjacent sides of the River Wear</p>
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<p>to be an important material consideration in the determination of planning applications and, therefore, this bullet point is considered to be appropriate.</p>	<p>It is questionable as to whether the Timber Supplies site, in isolation of the development of Area C, B and A, would be suitable for residential development, in line with para. 31 of PPG3. Its development ahead of Area C would result in the creation of a somewhat isolated community within an area that is currently predominantly industrial in character, particularly without residential use on neighbouring land (ie Area C).</p> <p>6. Para 6.8 does refer specifically to Area D in the final sentence. However, Compulsory Purchase action may be taken on any part of the Farringdon Row site, if this is required to support its comprehensive regeneration.</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>Delete the final sentence of draft FRDF para. 6.8, which states:  <i>"If necessary, land within Area D will be compulsory purchased in order to complete the comprehensive redevelopment of Farringdon Row."</i></p> <p>7. Policy SA55A.2 forms part of the UDP Alteration No. 2 (Central Sunderland) DPD. This policy cannot be altered through this consultation process. Draft Policy SA55A.2, together with other policies contained within Alteration Number 2, will be the subject of a public inquiry, which will open on 6 June 2006, at which any outstanding objections to policies contained in the DPD will be considered by an Independent Inspector. The Inspector will then present conclusions in a subsequent report, the contents of which will be binding on the City Council. The FRDF will be amended, if necessary, in response to the Inspector's report and to ensure that matters such as housing allocation numbers are consistent between the policies of the Alteration no 2 and the FRDF.</p> <p>8. Support noted. CPO is seen as a 'last resort', however purchase of land through negotiation, or</p>
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		<p>development brought forward independently that is in line with the Development Framework is preferable provided it is within an acceptable programme and to an acceptable quality. The City Council will reserve their right to use their CPO enabling powers where it is deemed necessary.</p> <p>9. One purpose of the comprehensive approach to the development of Farringdon Row (as set out in Policies EC5A and SA55A.2 of Alteration no.2) is to ensure that a consistent approach to design, where appropriate. A consistent approach does not necessarily mean a uniform style and the Development Framework acknowledges that each of the four identified Areas A -D have differing physical characteristics, to which development proposals should respond. Policy FR1 seeks to establish the characteristics of the site, which development proposals should take account of. It is, therefore, considered appropriate for Policy FR1 to remain as currently drafted.</p> <p>For the reasons set out at 5. above, the City of Sunderland Council are of the view that the redevelopment of the Timber Supplies site, ahead of Areas A, B or C would amount to inappropriate piecemeal development that would not achieve the proper planning of the area and could threaten the comprehensive development of the Farringdon Row site.</p> <p>10. It is not accepted that this proposed policy and the supporting text is 'over prescriptive'. Whilst the wording does take other guidance into account (e.g. PPG3 and By Design), it is considered entirely appropriate to provide specific development principles and parameters which will assist in ensuring a high quality development on what is a highly visual and important site. The urban regeneration company, Sunderland arc, was established to achieve a 'step change' in the quality of Central Sunderland's built environment and the principles and parameters set out in the FRDF are considered appropriate in order to achieve this objective.</p> <p>It is considered appropriate to restrict building heights to 6 storeys on Area D. This would ensure</p>

	<p>that the scale and massing of buildings reduce as they move away from the City Centre. In townscape terms, this gives greater sense of place, architectural understanding and cognition of place and position. A further reason for restricting heights on Area D is to reduce the scale and massing adjacent to Farrington Row on what is a narrow site. Taller buildings in this area could result in a foreboding streetscape. In this regard, it is felt that density and plot ratio on Area D should be less because of its narrow shape and size.</p> <p>In respect of car parking standards, set out in para 4.30, it is considered appropriate to amend the second bullet point, in order to be consistent with Policy T23A of Alteration no. 2 and should this policy be subject to change, following receipt of the Inspector's binding report into the Alteration no.2, then further change will also be made to the FRDF, in order to retain consistency.</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>Replace the second bullet point of para 4.30 with the following text:</p> <p><i>"An average of 1 car parking space per dwelling should be provided if the development lies within 400 metres of a Metro station, whilst an average of 1.25 car parking spaces should be provided for dwellings that are located between 400-800 metres of a Metro station. These standards are maxima and are based on averages over the development site area. One cycle storage space per dwelling should be provided."</i></p> <p>11. The development of Areas A, B, and C in advance of 'Area D' is considered necessary, in order to achieve the proper planning of the Farrington Row site, for the reasons set out in para 5.6 of the FRDF. See 5 and 9 above.</p> <p>12. As per 11. Sunderland City Council is at an advanced stage of negotiations with allotment holders within Area C for their relocation in 2007.</p>
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FR28	G Edwards	N/A	Supports the scheme. The development of derelict land makes sense and the proposed scheme is far better than more 'shed' style buildings.	Noted
FR29	Tyne & Wear Archaeology Officer	Paragraph 6.21	The Farringdon Row site is of considerable archaeological interest. Evidence of prehistoric activity has previously been recorded within the phase 1 area and there is a strong possibility that similar evidence could exist within phases 2, 3 and 4. The sites are also of industrial archaeological interest. Potential developers should be aware that prior to the commencement of construction on the site:  A programme of archaeological trenching will be required, and Area D will require a programme of archaeological recording work in respect of its location on the site of the former Coal Stairs.	See response to English Heritage (FR17)
FR30	North East Regional Assembly	1. SA55A.2  5. Paragraph 4.24	1. The residential element does not exceed RPG or RSS dwelling provisions for Sunderland. 2. If the Housing Needs Study identifies a need for affordable housing, to ensure conformity with RPG/RSS the Framework should make provision for affordable housing 3. The proposals to improve pedestrian and cycle routes are welcomed. This will contribute to reducing the need to travel, particularly by car, which is welcomed and is in general conformity with RPG/RSS. 4. The retail element must not adversely affect the vitality and viability of the City Centre. The Assembly would support the LPA imposing appropriate conditions to ensure the continued vitality and viability of the City centre. 5. The proposals would benefit from modifications to the design to provide at least 10% of the site's energy requirements from embedded renewable energy. 6. It would be useful for the Framework to be informed by a sustainability appraisal 7. The proposals are in general conformity with RPG/emerging RSS, although the proposals could be improved by addressing the issues raised above.	<p>1. Noted</p> <p>2. The City Council is currently preparing a Housing Needs Study for the authority area. Additional text is to be added into the FRDF to account for the findings of the Study. Text to be added after para 6.32 under the heading "Affordable Housing".</p> <p><b>Proposed Amendment to FRDF:</b></p> <p>"The City Council's Interim Strategy for Housing Land (2005) identifies an imbalance in the quality of the City's housing stock, with a large proportion of low value housing and shortage of 'high value' houses. New City-living opportunities at Farringdon Row will assist in addressing this imbalance. However, the need to achieve balanced communities in new, large-scale residential developments is acknowledged. Therefore, residential developments within Areas B, C and D at Farringdon Row may need to provide an element of affordable housing, should a need be identified in an up-to-date Housing Needs Study.</p> <p>3. Noted</p> <p>4. Noted. Paragraph 4.10 sets out that A1 Retail uses will be restricted to those that serve the day-to-day needs of the new residential and working community.</p> <p>5. Noted. Paragraph 4.24 requires that consideration be given to the use of low energy and alternative energy solutions. The requirement for a minimum of 10% energy supply from renewable energy sources embedded within developments is</p>

				<p>contained within Policy 40 of the Submission Draft Regional Spatial Strategy. If adopted, this policy will form a statutory development plan policy, applicable to all proposals for major developments throughout the region. On this basis, it is not considered necessary for this policy to be replicated in the FRDF.</p> <p>6. See response to GONE (FR16)</p> <p>7. Noted</p>
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**RESIDENTIAL DESIGN GUIDE****Report of the Director of Development and Regeneration****1.0 Purpose of Report**

- 1.1 The purpose of this report is to seek comments from this Committee on the revised Residential Design Guide.
- 1.2 The Committee's comments will be reported to Cabinet for consideration at its next meeting in July, when approval will be sought for the Residential Design Guide to be adopted as Interim Planning Policy and as a basis for public consultation.

**2.0 Background**

- 2.1 At its meeting on 12 December 2001 Cabinet considered a report by the Director of Environment and approved for publication Unitary Development Plan (UDP) Alteration No.1 – Housing, First Deposit. The first deposit policies were supported by several other documents including proposed revisions to the Council's Supplementary Planning Guidance: Residential Design Guide.
- 2.2 The purpose of the Residential Design Guide is to ensure the delivery of sensitive, appropriately designed and sustainable housing development. The Guide is intended for use by everyone involved in the housing development process to assist in achieving high quality and sustainable 'places for living'. The document has been amended over a period of time following feedback and comments from those involved in residential design such as house builders, architects and developers.

**3.0 Amendments to the Residential Design Guide**

- 3.1 The first draft of this document was put on formal deposit with the UDP Alteration No1 (Housing) in January 2002. Since then the document has been subject to extensive consultation and has been modified in light of comments received. The document has been widely accepted to be a useful tool in assisting developers and architects improve proposals for residential development.
- 3.2 Since the first draft of the Residential Design Guide was prepared there have been a series of Government publications and guidance relating to residential design including Planning Policy Statement 1 (2005). This requires Planning Authorities to have regard to good practice set out in 'By Design – Urban Design in the Planning System (DETR & CABE 2000)'. Other publications such as 'By Design, Better Places to Live – A Companion Guide to Planning Policy Guidance Note 3 (PPG3) focus on the attributes of well designed successful residential environments and provide further best practice guidance for those involved in the design of residential schemes.

- 3.3 The Commission for Architecture and the Built Environment (CABE) recently published an audit of private housing developments which found that 94 per cent of new private housing built over the last three years in the North of England fails even to meet CABE's "satisfactory" standards of design quality. Almost a quarter (24 per cent) of new homes reviewed in the North were categorised as "poor". Four housing developments in Sunderland were reviewed. The Broadway, Grindon attained the highest score (65%) of those schemes reviewed in Sunderland, still only equivalent to CABE's "average". It is anticipated that the Residential Design Guide will assist developers improve the design quality of new housing in Sunderland.
- 3.4 The Design Guide has been amended and expanded in light of these recent publications and research to reflect current best practice guidance and the key principles of good urban design. Additional diagrams, images and illustrative materials have been incorporated to provide clearer design guidance for all those involved in residential design. Case studies showing best practice in relation to housing design have been prepared and included in the document.
- 3.5 The Guide reflects national planning guidance prepared by Central Government which all Local Planning Authorities across the England are required to implement. The Guide is therefore unlikely to place any increased financial burden on developers within Sunderland.

#### **4.0 New Planning Regulations**

- 4.1 Following commencement of Part 2 of the Planning and Compulsory Purchase Act (2004), Local Planning Authorities are encouraged to produce Supplementary Planning Documents (SPD) for inclusion in their Local Development Framework instead of Supplementary Planning Guidance (SPG). Preparation of the Residential Design Guide began before Part 2 of the Act came into force. Government Guidance, 'Creating LDFs – A Companion Guide to PPS12' states that existing or emerging SPG cannot be automatically transferred into the LDF nor can it automatically become a SPD. However, SPDs can be linked to 'saved' policies from the current adopted development plan and should be included in the Local Development Scheme.
- 4.2 The Residential Design Guide builds on the Council's adopted UDP Policy B2 (Built Environment) and Policy B2A (Sustainable Urban Design) contained within UDP Alteration No 2 for central Sunderland. The policies within UDP Alteration No 2 were placed on redeposit in November 2005 and are programmed for formal adoption in early 2007. It is intended that the Residential Design Guide be taken forward through the statutory planning processes under the new planning regime established under the Planning Act to become SPD. Accordingly it is proposed to carry out extensive consultations on the Residential Design Guide, including relevant stakeholders and statutory consultees. Representations and comments received will be taken into account in the finalisation of the Guide, which will be presented to Cabinet for approval at a later date. Meanwhile it is proposed the Residential Design Guide be adopted as Interim Planning Policy in order to provide immediate guidance to developers.

## **5.0 Alternative Options**

- 5.1 The Council could choose not to adopt the amended Residential Design Guide as Interim Planning Policy. However, failure to adopt the Design Guide as Interim Planning Policy will weaken the Council's ability in controlling the quality of design in new residential developments across the city.

## **6.0 Consultations**

- 6.1 The City Solicitor and City Treasurer have been consulted and their comments incorporated into the body of the report.

## **7.0 Policy Implications**

- 7.1 If adopted as Interim Planning Policy the Residential Design Guide will be a material consideration in determining planning applications for new housing across the City.

## **8.0 Recommendation**

- 8.1 Committee is recommended to consider the amended Residential Design Guide and refer its comments to Cabinet for consideration.

## **9.0 Background Papers**

- UDP Alteration No1. Housing
- UDP Alteration No 2. Central Sunderland
- Unitary Development Plan (UDP)
- Interim Strategy for Housing Land (ISHL)
- Draft SPG No 3 – Residential Design
- Schedule of consultees
- Summary of consultee responses
- Planning Policy Statement No 1 – Delivering Sustainable Development (PPS1)
- Planning Policy Guidance Note 3 – Housing (PPG3)
- Planning Policy Guidance Note12 – Development Plans (PPG12)
- By Design – Better Places to Live, A Companion Guide to PPG3 (DTLR)
- By Design – Urban Design in the Planning System (DTLR)
- Housing Audit: Assessing the design quality of new homes in the North East, North west and Yorkshire and Humber (CABE)

**REPORT BY THE DIRECTOR OF DEVELOPMENT AND REGENERATION**

**A690 DURHAM ROAD “NO CAR” LANES**

**1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek approval to make permanent an experimental “No Car” Lane Traffic Regulation Order on the A690 Durham Road Super Route.

**2.0 BACKGROUND**

- 2.1 The A690 Durham Road Super Route was introduced in three phases between 1998 and 2000 in the form of bus lanes. Since then the taxi/private hire trade, Freight Transport Association and British Motorcycle Federation have made requests to the Council for exemptions to be made in the Order to enable greater use of the bus lanes. Following consultation to introduce a further scheme of priority lanes on the A1018 Newcastle Road, a number of respondents cited the Durham Road Super Route as an example where such measures have led to traffic congestion.
- 2.2 Taking these views into account the bus lanes on A690 Durham Road were replaced with “No Car” lanes on an experimental basis, to establish whether they could be introduced on other routes throughout the City. Two other Local Authorities in the region have already introduced “No Car” Lanes; Newcastle City Council, which has adopted a “No Car” lane strategy within their central area, and Gateshead Borough Council.
- 2.3 The 12 months experimental period expires on 27 June 2006 and it is now necessary to consider whether the “No Car” lane Order should be made permanent.
- 2.4 Northumbria Police have been enforcing the “No Car” lanes whilst on routine patrol, and have indicated that dedicated enforcement would be provided when specifically requested by the Council, where non-compliance is considered to pose a serious risk to road safety.
- 2.5 Under these circumstances the Police have indicated that they would seek to recover all costs from the Highway Authority, although the Council has yet to make such a request.

**3.0 CONSULTATIONS**

- 3.1 In conjunction with the introduction of the experimental Order the fifteen partner organisations listed in Appendix 1 were consulted on the proposals. Three of these expressed their support and there were no objectors.
- 3.2 When making an experimental Order permanent there is no requirement to undertake further consultations, other than with the Police. During the twelve-month experimental period, no formal concerns were raised by the Police, however, the views of the Chief Constable have been requested, and will be reported verbally at the Committee meeting.
- 3.3 A six-month period was allowed for comments and objections to be made and this period expired on 27<sup>th</sup> December 2005. During this time one objection was received and a further late objection was also received subsequent to that date. Nevertheless it is considered appropriate that Committee consider both objections.

3.4 A summary of the two objections received in response to the public consultation is included in Appendix 2, together with Officer comments. Copies of the objection letters are attached to this report in Appendix 3.

#### **4.0 NO “CAR LANE” MONITORING**

4.1 Despite a fairly low level of enforcement by the Police, levels of compliance with the “No Car” lanes have been generally high.

4.2 No concerns have been raised by the bus operators or Nexus, the Passenger Transport Executive, and the scheme appears to be generally welcomed by the lobbying organisations.

4.3 No adverse road safety impact has been identified resulting from the introduction of the Experimental Order.

4.4 The Experimental Order is considered to have reduced congestion, noise and pollution. Accordingly the local environment has benefited.

4.5 The Experimental Order has enabled commercial traffic access to priority lanes, reducing journey times and delays, and as such assisting the continued economic regeneration and vitality of the City.

#### **5.0 ALTERNATIVE OPTIONS**

5.1 Two alternative options have been considered and rejected for the reasons stated:

- Remove the priority lanes altogether. There is no support amongst the consultees for this course of action and it would not fulfil the objectives of the Local Transport Plan to promote modes of transport more sustainable than the private motor car.
- The “No Car” lanes revert back to bus only lanes. This would be a retro-grade step as the benefits identified earlier would be lost.

#### **6.0 HUMAN RIGHTS IMPLICATIONS**

6.1 The process observed in the making of this Order has enabled everyone affected to comment. It is considered therefore that there are no human rights implications in making the Traffic Regulation Order permanent.

#### **7.0 RECOMMENDATION**

7.1 The Planning and Highways Committee is **RECOMMENDED** to note the contents of this report, consider the objections and the Council’s response, shown in Appendix 1 of this report, and indicate its support or otherwise to the view of the Director of Development and Regeneration, as set out below:

7.2 That the objections raised concerning the making of the Traffic Regulation Order permanent be overruled, and the objectors informed accordingly.

7.3 The City Solicitor be authorised to make the “No Car” lane Traffic Regulation Order on the A690 Durham Road permanent.

7.4 With the assistance of the Police, the effectiveness of the Permanent Order be monitored, and used as a pilot for the introduction of further such priority lanes elsewhere in the City.

## **APPENDIX 1: ORGANISATIONS CONSULTED**

1. Northumbria Police
2. North East Ambulance Service NHS Trust
3. Tyne & Wear Metropolitan Fire Brigade
4. Nexus
5. North East Chamber of Commerce, Trade and Industry
6. Freight Transport Association
7. The Road Haulage Association
8. Federation of Small Businesses
9. Sunderland City Centre Management
10. Wearside Disablement Trust
11. Sunderland Council for the Disabled
12. Physical Disabilities Alliance
13. Sunderland Hackney Carriage Operators Association
14. Sunderland Private Hire Operators Association
15. British Motorcycle Federation

**APPENDIX 2: SUMMARY OF CONSULTATION RESPONSES**

Date received	RELEVANT EXTRACTS	RESPONSE
17-02-06	<p>“A constant stream of taxis, vans, lorries, four-wheel drives and (on a morning in particular), premature car drivers pulling into the lane to avoid queues at the traffic lights, whistle past the driveway.</p> <p>In addition to this, and compounding the problem – the parking verge is now being used as a regular car park for workers from Doxford International, or shared drivers heading towards Durham and the A19.”</p>	<p>The objector feels that her problems caused by the additional traffic on the “No Car” lane is exacerbated by commuters from Doxford International parking vehicles on the verge outside their residence, severely reducing visibility of the oncoming traffic. The City Council in conjunction with the business park have proposed a travel plan to reduce the number of single occupancy car journeys to Doxford International, reducing the level of overspill parking which is occurring. It is felt that these measures should ease the problems currently of concern to the objector.</p> <p>Non-compliance with the “No Car” lane will be monitored and any appropriate action taken.</p>
26-9-05	<p>“This bus lane has now been opened up for taxis, vans, trucks as well as buses and is a hazard waiting to happen.”</p> <p>The objection also raises concern over a footway crossing provided by the Council.</p>	<p>In the 11 month period following the introduction of the ‘no car’ lane there have been a total of 12 reported injury accidents between the Board Inn and Barnes Gyratory, this is a 20% reduction when compared to the same period in the year prior to the changes.</p> <p>The issues raised with regard to the footpath crossing are un-related to this report, and are being dealt with separately.</p>
<p>The relatively small change in traffic patterns between the 2 lanes is not considered to be excessive and despite the concerns raised in the two letters of complaint, the overall benefits are considered to far outweigh the perceived difficulties.</p>		

**APPENDIX 3: COPIES OF OBJECTION LETTERS**



7. Parkside South,  
East Hemington

Auckland  
SR33RA  
17.01.06

Dear Air, In view of the recent tragic accident on Cairnside last week, I was prompted to write to you concerning the June changes made to the A690 bus lane outside of my house. Previous to June, the lane was bus only. Now it is no car. A constant stream of taxis, vans, lorries, 4-wheel drives, and (on a morning in particular), premature car drivers pulling into the lane to avoid queues at the traffic lights, whistle past the driveway. In addition to this, and compounding the problem - the parking verge is now being used as a regular car park for workers from Duxford International, or shared drivers heading towards Durham and the A19. Whilst this in itself is a nuisance and highly inconvenient, what concerns me is the danger caused by the dual combination of problems. I always reverse into the garage so cautiously creep forward in order to turn left to join the stream of traffic. My vision is completely impaired by vehicles parked immediately to the right of the driveway. In order to see my way clear, I have to nose into the bus lane. >

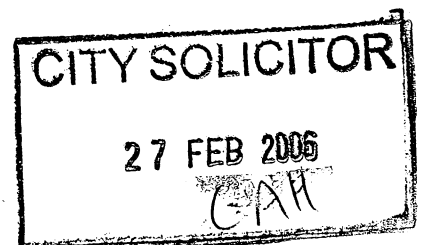
When buses had exclusive use of the bus lane, because of their height, I was aware of their approach.

I now find myself reversing hastily as a constant barrage of traffic zooms along and nearly remove the front-end of my car.

It has become a game of daily Russian Roulette. I read the notice today attached to the lampost which explained that this was experimental usage only, and to contact you with any concerns or objections.

On speaking to other neighbours, I realise that I am not alone in my objections. I have also contacted the local councillor to express my worries. An accident seems inevitable at the moment, I would appreciate your comment.

Yours Sincerely  
Tarek Smith



125 Durham Road  
Humbledon  
Sunderland  
SR3 4AL

City of Sunderland  
Corporate Services Directorate  
Civic Centre  
Sunderland  
Tyne & Wear

7<sup>th</sup> March 2006

Dear Sir/Madam

Re: Previous letter dated 26<sup>th</sup> September 2005 (see attached)

I sent a letter to yourselves back in September 2005. I am still awaiting a reply and also a date for repairs.

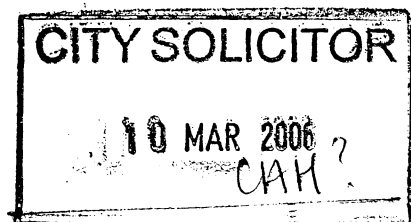
I would like a reply to my letter within 10 working days or I will look into taking legal action to recover cost of replacing drive due to poor workmanship.

I would also like a response to my complaint/enquiry.

Yours faithfully



S. Kennerley



109 

125 Durham Road  
Humbledon  
Sunderland  
SR3 4AL

City of Sunderland  
Corporate Services Directorate  
Civic Centre  
Sunderland  
Tyne & Wear

26<sup>th</sup> September 2005

Dear Sir/Madam

Re: Footpath Crossing

I paid £428.38 for a foot path crossing to the above address in October 2003 (Invoice No 69129) and which was completed in 2004. This is now become cracked and under the warranty I would like it repaired as soon as possible.

I would also like to know why I had to pay for the crossing when my property is on a Bus Lane and also Double Yellow lines, yet other properties are getting crossings added for no payment and they are not on any Bus lanes or Yellow lines.

This bus lane has now been opened up for taxis, vans, trucks as well as buses and is a hazard waiting to happen. On numerous occasions vans, cars have travelled down this bus lane and have only just missed my car as it is either driving into or out of the drive. I do not think it has been thought through by the planning department, has any one been out during peek time and see how bad this road is for those living there? Most days I have to park round the corner from my property rather than taking a chance on the traffic. I did not pay for a drive so as I have to do that.

I think it is scandalous that this hazard has been placed at my front door and having to pay for it!!!!

I look forward to your early reply to the above and also a date for repairs.

Yours faithfully

S. Kennerley