

**DEVELOPMENT CONTROL (SOUTH SUNDERLAND)  
SUB-COMMITTEE**

**AGENDA**

**Meeting to be held in Committee Room No. 2 on Tuesday 24<sup>th</sup>  
February, 2015 at 4.45p.m.**

ITEM		PAGE
1.	<b>Receipt of Declarations of Interest (if any)</b>	
2.	<b>Apologies for Absence</b>	
3.	<b>Applications made under the Town and Country Planning Acts and Regulations made thereunder</b>	1
	Report of the Deputy Chief Executive (copy herewith).	
4.	<b>Town and Country Planning Act 1990 – Appeals</b>	51
	Report of the Deputy Chief Executive (copy herewith).	

**E. WAUGH,  
Head of Law & Governance.**

Civic Centre,  
SUNDERLAND.

13<sup>th</sup> February, 2015



# Item 3

## Development Control (South Sunderland) Sub-Committee

24th February 2015

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### REPORT ON APPLICATIONS

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#### REPORT BY THE DEPUTY CHIEF EXECUTIVE

#### PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Deputy Chief Executive for determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

#### LIST OF APPLICATIONS

Applications for the following sites are included in this report.

1. 14/02522/FU4  
The Art Studio 1 - 3 Hind Street Sunderland SR1 3QD
2. 14/02667/LB4  
1 - 3 Hind Street Sunderland SR1 3QD
3. 14/02770/LB4  
The Art Studio 1 - 3 Hind Street Sunderland SR1 3QD
4. 15/00002/FUL  
Barringtons Furniture 2 Go Hendon Road Sunderland SR1 2JD
5. 15/00110/FU4  
Valley Road Community Primary School Corporation Road Sunderland  
SR2 8PL

#### COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or the Development Control Manager (0191 561 8755) or email [dc@sunderland.gov.uk](mailto:dc@sunderland.gov.uk).

## **DEVELOPMENT PLAN**

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

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

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

## **STANDARD CONDITIONS**

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

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

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

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

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

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

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

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

Janet Johnson  
Deputy Chief Executive

1.

South  
Sunderland

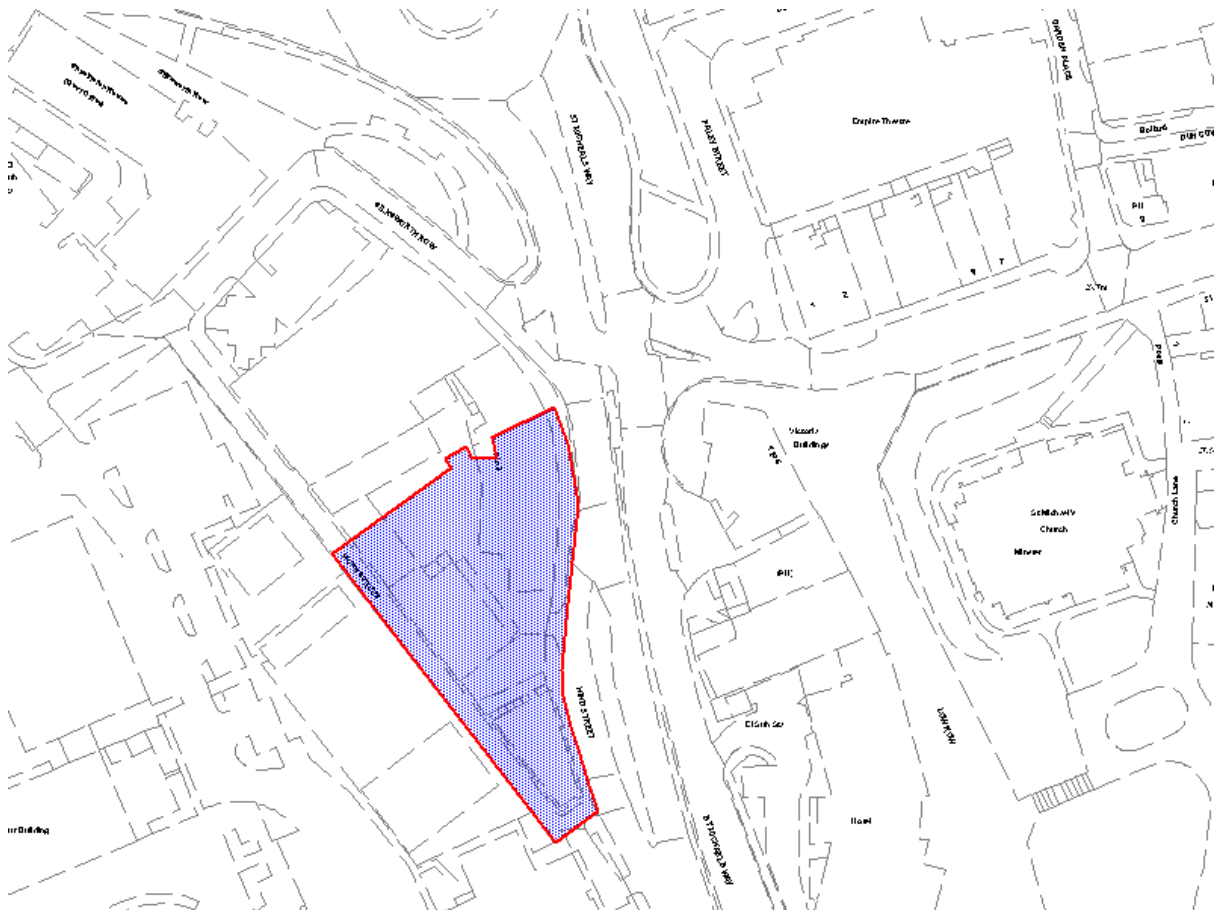
Reference No.: 14/02522/FU4 Full Application (Reg 4)

**Proposal:** Internal refurbishment of existing 3 storey office building and construction of new 4 storey building linked to existing, with associated landscaping to include stopping up of public highway.

**Location:** The Art Studio 1 - 3 Hind Street Sunderland SR1 3QD

**Ward:** Millfield  
**Applicant:** Mr Iain Garfield  
**Date Valid:** 18 December 2014  
**Target Date:** 19 March 2015

### Location Plan



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### PROPOSAL:

Planning permission is sought that involves the completion of internal alterations and refurbishment of the Grade II listed former Gas Board offices and the construction of a new 4 storey building linked and extending the former Gas

Board offices along with associated landscaping to include the stopping up of highway at Nos 1-3 Hind Street, Sunderland.

Two separate but inter-related applications for Listed Building consents , have been submitted in tandem, (ref, 14/02770/LB4) seeks:

"Internal refurbishment and insertion of new windows to the rear of the existing 3 storey Grade II listed office building and the construction of a new 4 storey building linked to the existing with associated landscaping."

Whist (ref 14/02667/LB4) seeks consent for the demolition of the existing lean-to structure to the rear (west) elevation of the building. Both of aforementioned submitted applications are due to be heard by the Council's Sunderland South Development Control Sub-Committee on the 24th February 2015.

Members may recall that the currently under construction "Premier Inn Hotel" was granted planning permission at the Development Control Sub-Committee held on 30th October 2012 (planning application reference 12/02236/FUL). The hotel scheme, now reaching completion also involved the refurbishment of the Gas Board building, together with some external alterations and the demolition of 20th century extensions and other outbuildings. These works were carried out under a separate application for Listed Building Consent (ref. 12/02234/LBC).

A further application to vary the approved plans was subsequently approved by Sunderland South Sub-Committee dated 20th August 2013. (App ref.13/01873/VAR).

The current proposal seeks to provide a combined facility and will become the Centre for Enterprise and Innovation for the University of Sunderland. The development is provided in two parts being the refurbishment of the Grade II listed former Gas Board Building, which will provide 1000 square metres of accommodation across three floors providing a mix of conference workspace, office, meeting rooms and enterprise space. The new build element of the proposal aims to provide 2500 square metres of accommodation across four floors incorporating office, meeting rooms, conference rooms, circulation areas, lobby/cafe areas and fablab workshops.

The application has been subject to pre-application discussions, where scale, massing, appearance etc. along with landscaping and highway implications were all highlighted as providing important considerations in bringing forward a prominent site set back from St.Michael's Way and adjacent/adjoining the listed building.

Located on the north eastern edge of the city campus facing across St.Michael's Way, the development site provides a difference in ground levels of approximately 3 - 4 metres from west to east falling from the high point adjacent Hope Street to the lower level of Hind Street. The difference in these levels has influenced the design and lead to a proposal with a total of seven different floor levels between the two buildings.

The application has been supported by the following documents.

1. Design and Access Statement.
2. Heritage Statement.
3. Archaeological Assessment.
4. Flood Risk and Drainage Assessment.

## 5. Phase 2: Geo-Environmental Investigation Report.

### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

### **CONSULTEES:**

Network Management  
Environmental Health  
Tyne and Wear Archaeology Officer  
Force Planning and Police Architectural Liaison Officer  
Northumbrian Water  
Environment Agency

Final Date for Receipt of Representations: **13.02.2015**

### **REPRESENTATIONS:**

No letters of representation have been received.

### **The Environment Agency (EA).**

No objections to the proposal as submitted, and the EA consider the proposed development will be acceptable subject to the imposition of conditions pertaining to contamination relating to controlled waters should Members be minded to grant consent. The EA also recommend that the developers should:

- 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- 3) Refer to website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

### **The County Archaeologist.**

As a result of the consultation period and should Members be minded to grant consent, the County Archaeologist has recommended that three conditions should be attached to any consent. These conditions would cover the following.

- 1) Archaeological Excavation and Recording Condition.
- 2) Archaeological Post Excavation Report Condition.
- 3) Archaeological Publication Report Condition.

### **Northumbrian Water Limited. (NWL)**

NWL comments consider that the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for NWL to be able to assess their capacity to treat the flows from the development and have requested that should Members be minded to grant consent a condition requiring a more detailed scheme is submitted for their consideration and approval via the Local Planning Authority prior to development commencing on site.

Since receiving comments from NWL a drainage assessment has been received from the agent and this has been forwarded to NWL for consideration.

**POLICIES:**

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

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

B\_8\_Demolition of listed buildings

B\_10\_Development affecting the setting of listed buildings

B\_11\_Measures to protect the archaeological heritage of Sunderland (general)

B\_13\_Sites and monuments of local importance affected by development

EN\_12\_Conflicts between new development and flood risk / water resources

EN\_14\_Development on unstable or contaminated land or land at risk from landfill/mine gas

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

T\_22\_Parking standards in new developments

SA\_72\_Development of Phase II of The Bridges

**COMMENTS:**

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

- 1) Principle of the Development.
- 2) Design and Layout.
- 3) Highway Issues.
- 4) Ground Conditions/Contamination.
- 5) Flood risk
- 6) Archaeology

- 1) Principle of the Development.

When considering any application for planning permission it is particularly important to establish the acceptability of the principle of development. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the adopted development plan be regarded as the primary consideration in determining a proposal for development unless material considerations dictate otherwise.

The National Planning Policy Framework (NPPF) was published March 2012 and sets out the Government's objectives for facilitating economic growth and securing sustainable development. The NPPF is a material consideration in the determination of planning applications and advises that development that accords with an up-to-date Local Plan should be approved, alternatively development that conflicts should be refused unless other material considerations indicate otherwise.

The site is allocated within saved Unitary Development Plan (UDP) under policy SA73.2 which reserves development sites within the University Campus site between Hind Street and the Science Buildings for future University use.

Furthermore, given that the application site lies within Sunderland City Centre, it is within the area to which the Unitary Development Plan (UDP) Alteration No.2



(Central Sunderland) is applicable. Therein, policy EC10A states that the City Council will support the regeneration of Central Sunderland and will seek to maximise investment in, employment, housing, leisure, tourism and education.

Site specific policy SA55B.3 sets out that an area of approximately 8.2 hectares within the Chester Road Campus as a strategic location for change. The Chester Road campus, which is the largest within the University estate, occupies a large prominent gateway location to the west of the city, and is in close proximity to public transport links. The policy identifies a wide range of land uses and such the use of the site for a University Centre for Enterprise and Innovation building would not be inappropriate in this City Centre location.

The above policy highlights that the character of the University is changing, incorporating more diverse income streams and activities to help improve integration of wider land uses with an emphasis on "reach out" learning in the workplace, distance learning, lifelong learning and business start ups. This approach has been incorporated into the objectives of the Sunderland Strategy, which aims to raise educational achievement and develop life long learning in order to enable every individual, whatever their age or abilities to reach their full potential in learning, work and citizenship.

In light of the above, the proposed primary use of the site for the erection of a four storey Enterprise and Innovation building linked to the existing three storey Grade II listed building is considered to be appropriate in full accordance with the land use allocation as identified in the saved adopted UDP and Alteration No.2.

## 2) Design and Layout.

The NPPF attaches great importance to the design of the built environment, with emphasis placed upon ensuring that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, whilst responding to local character and history and creating safe and accessible environments and ultimately providing visually attractive developments.

Policy B2A of the UDP Alteration No.2 relates to sustainable urban design and states that the City Council will seek to secure the highest possible quality of built environment and the creation of desirable places to live, work, shop and visit.

Policy B8 seeks to ensure listed buildings are retained unless the benefits for the community would decisively outweigh the loss resulting from demolition, whilst policy B10 aims to ensure that development proposals in the vicinity of listed buildings do not adversely affect their character or setting.

Scale and Massing - The existing building dating back c1900 is Grade II listed and stands on a curved street set back from the realigned St. Michael's Way, the building has a prominent red brick facade and yellow faience dressings with a roof of Lakeland slates capped with brick chimneys. To maximise the important prominence of the existing buildings front and gables, the new building has been set back from St. Michael's Way frontage and parallel to Hope Street to the West.

Following consultations with both the City Council's Urban Design and Heritage Protection Teams, it is considered that the scheme will provide a high quality

designed contemporary and innovative development alongside and linked to the listed building that respects its historic setting. Along with the recently constructed Premier Inn Hotel to the north of the listed building, the proposed scheme is considered an active frontage along St. Michael's Way and a hub of active uses that will enliven this part of the City Centre and improve connectivity from the University through the site and into the City Centre.

The relatively lightweight form and clean geometric lines of the design of the new building should allow it to sit well alongside the listed building, the two buildings being clearly read separately, contrasting and complimenting each other as good examples of historic and modern architecture.

The proposed height of the new building will marginally exceed the height of the listed building by 2-3 metres, however it will be lower than the adjacent Premier Inn development and its height is staggered back so that its highest elements will be viewed beyond the listed building and read amongst other high buildings behind and around the listed building. Added to this its relatively lightweight contemporary appearance, with a predominance of glazing and its simple clean lines, will not overdominate the listed building or compete with its prominence on the St. Michael's Way frontage. The strong ornamental features of the listed building will allow it to remain the dominant feature in the street scene.

Entrances and Frontages - The proposed new building proposes two main entry points, referred to as lower and upper entrances within the supporting Design and Access Statement. It is presumed the upper level entrance (level 4) via Hope Street will be the primary entrance point to the building as it faces towards the university campus from which most of the users will arrive. Most of the building users arriving at the lower entrance doors at level 2 via Hind Street are assumed to be by foot or public transport from the city centre. A third entrance is to the Fablab at ground level on the south facing elevation, it has been confirmed that this entrance will allow users of the Fablab to access the building during out of hours times when the main building is closed.

With regards the frontages, the principal material of glazing to the new building, seeks to strengthen the relationship between the city centre and activity within the University, allowing teaching and movement to be visible from the street, however it is considered that further attention needs to be given to the North West elevation of the listed building which currently proposes a blank gable onto a public square. With regards this element of the proposal the architects have submitted a pre-liminary scheme that seeks to introduce a "Gobo" style projected image on the gable elevation. This image would be static but capable of change from time to time without damage to the wall surface. The signage would require a separate advertisement consent.

Public Realm Improvements - The landscape will be predominantly set in hard landscaping, an area of soft landscaping at the southern tip of the site retained together with existing trees and supplemented by ground cover planting. Elsewhere, soft landscaping will take the form of raised beds and planters to soften elevations enhance the environment and link through to the campus wide landscaping.

Following consultations with the Heritage Protection and Urban Design Teams an amended and more detailed landscaping scheme was requested, for consideration that that indicated how both the listed gateposts would be re-sited

within the entrance plaza and what materials were sought to enable a more thorough appreciation of the development upon the setting of the listed building and the wider public realm. Amended drawings were received and are considered to be acceptable, however should Members be minded to approve the proposal a condition shall be imposed requiring the submission of a full schedule of materials.

Regarding the sustainability of the proposal, the agent has confirmed that a full BREEAM assessment of the development is currently underway with a target of Very Good. Associated reports and calculations in respect of sustainability of the proposal are being prepared in parallel with the design development and shall be made available on completion of the assessment.

In summary the design and layout has been subject to lengthy and detailed discussions with the applicant and their architect, during which the general principles and much of the detail of the proposed development were established and agreed in principle.

Subject to the submission of appropriate materials, the proposed design of the building is considered to be acceptable with due regard been given to the NPPF, UDP Alteration No.2 policy B2A and policies B8 and B10 of the UDP.

### 3) Highway Issues.

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

Following consultations with the Executive Director of City Services (Network Management) it is noted that:

Stopping Up of Highway - The new building footprint will require the stopping up of a small section of public highway. The highway layout is to be amended to accommodate the new building frontage. The layout has been designed to maintain suitable footway widths, and therefore there are no objections to the proposal.

Hind Street Lay-By - The Design and Access statement makes reference to the lay-by being brought into the ownership of the University. This applies to the area of highway to be stopped up, the lay-by will remain public highway.

Section 278 Works - The applicant will need to enter into an Agreement under Section 278 of the Highways Act 1980 to enable the modifications and improvements to be carried out to the highway. The improvements include the provision of a potential bus bay and a potential short-stay lay-by for a Car Club or Electric Car bay. Both options have been developed through discussions with the Council and it is considered that these would be supported.

Parking - The applicant states that the proposal will be staffed with 20 full-time and 10 part-time staff. The primary car parking provision is identified as the main University City Campus car park, with additional parking available at Shackleton

House car park which is within the ownership of the University. Based on the information provided by the applicant, it is considered that the car parks that have been identified would provide suitable capacity for the intended use of the building.

Accessibility and Connectivity - The proposed development is located within close proximity to the City Centre, with established pedestrian/cycle links and access readily available to public transport. The nearest Metro station is located within University Park. Cycle parking facilities are to be provided within the curtilage of the new facility.

#### 4) Ground Conditions/Contamination.

UDP policy EN14 dictates that where development is proposed on land which there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of the ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

In this regard, the current application forms part of the larger site that was granted planning permission for the Hotel development (ref.12/02236/FUL). In assessing the Hotel development the application was accompanied by a Geo-Environmental Assessment Report and a Phase 1 : Desk Top Study Report.

The preliminary risk assessment , summary and recommendations have indicated that from a geotechnical perspective, there is felt to be a moderate geotechnical risk associated with the site, with the primary issues being the depth and condition of the made ground deposits across the site, the former gasometer feature and the suitability if the limestone deposits to support piled foundations.

In terms of human health and controlled waters, the information reviewed indicated that the site can be considered as being located with a HIGH ground contamination setting, primarily associated with elevated levels of organic contamination recorded both within the made (soil) materials and the shallow perched water held within the former gasometer feature.

In summary the previously submitted desk top study report concluded that a complete Phase 2 : Ground Investigation Report for the site as a whole be prepared, along with a Remediation Strategy and Validation Report in order to fully consider all sources of contamination and anticipated contaminants contained within the site.

In terms of the current operational development within the site, the Local Planning Authority still await receipt of the verification report for works undertaken to enable the Hotel development, in order to demonstrate that the works set out in the remediation strategy are complete, monitored and maintained.

The submitted Phase 2: Geo-Environmental Investigation Report that provides the detailed information for the site and the proposed remediation strategy are

currently still under review, should Members be minded to grant consent for the proposal, appropriate land contamination conditions shall be imposed.

#### 5) Flood risk

The site is identified by the Environment Agency's flood map as being within Flood Zone 1 with a low risk of flooding, however the site is located within an area identified as having critical drainage problems. As such, and in accordance with requirements of paragraph 103 of the NPPF a site-specific flood risk assessment and drainage assessment (FRA) has been submitted.

The FRA has listed the following as being incorporated into the design proposal.:

1. The finished floor level (FFL) of the extension will need to be set at existing floor level to maintain normal operational activities.
2. The FFL of the new building will be set at a level which ensures a balanced cut and fill where possible, ensuring that the levels tie into the fixed points around the site, including the existing buildings and the existing site boundaries.
3. No works are planned to raise or lower the site ground levels at the boundaries.
4. There will be no basements within the new buildings.
5. The foundations of the new building will be designed and constructed appropriately.
6. The roofs will drain formally via rainwater downpipes into a new drainage system.
7. The development will be provided with a separate foul water sewer system.
8. The ground will fall away from the thresholds of the buildings, where possible.
9. The lifetime of the development is considered to be 75 years due to its educational nature.
10. Foul and surface water flows from the works will be discharged into the adjacent public sewer unless suitable on site connections can be utilised.

With specific regard to proposed surface water drainage, the FRA has noted that it will be necessary to attenuate the new surface water drainage by incorporating a suitable flow control to restrict the discharge to the required rate of 9.6litres/second and provide the required volume of storage within the confines of the site. Furthermore, based upon an existing impermeable area of approximately 975 square metres and a new impermeable area of approximately 1100 square metres, it has been calculated that the required volume of storage to be approximately 35 cubic metres.

Following consultations with Northumbrian Water Limited, it is considered that further details for the disposal of foul and surface water are required in order to ensure proper management of water on the site and should Members be minded to approve the application it is recommended that a condition is attached requiring more a more detailed scheme be submitted and approved for the development.

Subject to the imposition of the above condition, it is considered that the proposed development is considered to have adequately addressed issues

pertaining to flooding and drainage and is considered to comply with policy EN12 of the UDP.

## 6) Archaeology

Policy B11 of the UDP states that:

"The City Council will promote measures to protect the archaeological heritage of Sunderland and ensure that any remains discovered will be either physically preserved or recorded."

Whilst policy B13 adds to the above by requiring mitigation of damage or excavation for the purpose of recording.

In terms of the ongoing works on site, the listed building was archaeologically recorded by The Archaeological Practice in 2012 and the current application was supported by an archaeological desk based assessment.

The assessment concludes that the development site is on the outskirts of the presumed early medieval village of Bishopwearmouth (first date is 930 AD but the settlement may have originated in the 7th or 8th century). The site developed as a roadway flanked by industrial and residential properties to the west and a cemetery (an extension to St. Michael's churchyard) to the east. The town gas works were located on the adjacent plot to the north from 1846.

The assessment recommends a programme of archaeological evaluation trenching. This will ascertain if any remains associated with early Bishopwearmouth exist and whether the 19th century cemetery extended into the eastern fringe of the development. In 1988 human remains were removed to make way for St. Michael's Way.

Archaeological remains relating to post medieval cottages and the gas works have been found on the site to the immediate north.

With reference to the above report the County Archaeologist has agreed the scope of the preliminary archaeological works within the site and should Members be minded to grant consent a suite of conditions relating to these works shall be imposed.

The proposal is considered to comply with relevant UDP policies B11 and B13 and in accordance with paragraph 141 of the NPPF.

### **Conclusion.**

It is considered that the proposal is acceptable, in principle, the site is adequately sited within the University Campus with good links to the City Centre. The proposal will secure the return to full beneficial use of a prominent and architecturally impressive listed building on one of the main vehicular routes into the City Centre. The conversion of the listed building to facilitate its re-use has been carried out on a generally sympathetic and well informed basis having due regard to the significance of the listed building. Furthermore it is considered that the new build development alongside and linked to the listed building displays a high quality contemporary design that sits well next to the listed building and within the wider townscape. Overall the development scheme will provide a high quality, attractive and innovative development of considerable regenerative

benefit that further integrates the University with the City Centre, enhancing the townscape and vitality of a key and prominent site on one of the main routes in the City Centre.

Accordingly it is recommended that Members grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended).

#### **RECOMMENDATION: GRANT PP Under Regulation 4**

##### **Conditions:**

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

Drawing No. (00)100 - Site Location Plan, received 05.11.2014.

Drawing No. SO1 Rev A - Existing Site Plan, received 11.12.2014.

Drawing No. SO2 Rev A - Existing Building Floor Plans, received 11.12.2014.

Drawing No. SO8 Rev A - Existing Sections and Elevations, received 11.12.2014.

Drawing No. SO9 Rev A - Proposed Demolitions, received 11.12.2014.

Drawing No. SK01 Rev G - Proposed Plans - Levels 1\_ 2, received 11.12.2014.

Drawing No. SK02 Rev G - Proposed Plans - Levels 3 \_ 4, received 11.12.2014.

Drawing No. SK03 Rev G - Proposed Plans - Levels 5 \_ 6, received 11.12.2014.

Drawing No. SK04 Rev F - Proposed Plans - Level 7, received 11.12.2014.

Drawing No. SK05 Rev C - Proposed Roof Plan, received 11.12.2014.

Drawing No. SK06 Rev A - Proposed Site Layout Plan, received 11.12.2014.

Drawing No. SK20 Rev F - Proposed Elevations - S/W \_ N/E, received 11.12.2014.

Drawing No. SK21 Rev F - Proposed Elevations - S/E \_ N/W, received 11.12.2014.

Drawing No. SK22 Rev F - Proposed Sections - 1 of 2, received 11.12.2014.

Drawing No. SK23 Rev F - Proposed Sections - 2 of 2, received 11.12.2014.

Drawing No. SK30 Rev F - Proposed Views - S/E \_ N/W, received 11.12.2014.

Drawing No. SK31 Rev F - Proposed View - S \_ N/E, received 11.12.2014.

In order to ensure that the completed development accords with the

scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the surfacing materials identified within the public thoroughfare and realm has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 5 Before the development hereby approved is commenced the details of any exterior lighting to be installed to the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved plans before the building is occupied, in order to ensure a satisfactory form of development and to comply with policy B2A of the Unitary Development Plan Alteration No.2.
- 6 Prior to the commencement of development, full details of the proposed means of enclosure of the site during the construction including any site hoardings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall not proceed other than in accordance with approved details in the interest of visual amenity and to accord with the requirements of policy B2A of the Unitary Development Plan alteration No.2.
- 7 No development shall take place until a scheme of working during the construction period has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall include proposed days and hours of working during construction , proposed siting and organisation of the construction compound and site cabins, proposed routes to and from the site for construction traffic, and proposed measures to ameliorate noise, dust, vibration and other effects during construction. Thereafter, development shall not proceed other than in accordance with approved details, in the interest of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2A of the Unitary Development Plan No.2.
- 8 Before the development commences, details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. All works and practices shall be implemented in accordance with the agreed details before the



development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policy T14 of the approved Unitary Development Plan.

9 No construction works required for the development hereby approved shall be carried out other than between the hours of 08.00 and 18.00 Monday to Friday and 08.30 and 13.00 on Saturdays with no works to be carried out on Sundays or Bank Holidays, unless any variation is first agreed in writing with the Local Planning Authority, in the interests of residential amenity and to comply with policy B2A of the Unitary Development Plan Alteration No.2.

10 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risk associated with contamination of the site shall be submitted to and approved, in writing by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from the contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved, in the interest of the safe development of the site and to comply with policy EN14 of the adopted Unitary Development Plan and National Planning Policy Framework (NPPF) paragraphs 109 \_ 121.

11 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for

longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved, in the interest of the safe development of the site and to comply with policy EN14 of the adopted Unitary Development Plan and NPPF paragraphs 109 \_ 121.

- 12 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as improved, in the interests of the safe development of the site and to comply with policy EN14 of the adopted Unitary Development Plan and NPPF paragraphs 109 \_ 121.
- 13 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details in the interest of the safe development of the site and to comply with policy EN14 of the adopted Unitary Development Plan and NPPF paragraphs 109 and 121.
- 14 No groundworks or development shall take place until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest and the investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved adopted Unitary Development Plan Policies B11 and B13 and NPPF paragraph 141.
- 15 The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 14 has been submitted to and approved in writing by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest and the investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved adopted Unitary Development Plan Policies B11 and B13 and NPPF paragraph 141.
- 16 The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal. The site is located within an area identified the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in

accordance with paragraph 141 of the National Planning Policy Framework.

- 17 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions [number 18 to number 20] have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 21 has been complied with in relation to that contamination. To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.
- 18 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health
    - property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments.
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11." To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.
- 19 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable

risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contaminated to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

- 20 The remediation scheme approved under Condition 19 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

- 21 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 18 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 19 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 20 (Implementation of Approved Remediation Scheme).

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with

those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks.

- 22 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 23 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 24 Before the use hereby approved is commenced, details of the ventilation/extraction/filtration system, including all external ducting and stacks shall be submitted to and approved in writing by the Local planning authority. All works shall be completed in accordance with the agreed details before the use commences, in order to protect the amenities of the area and to comply with policy B2 of the UDP.

2.

South  
Sunderland

Reference No.: 14/02667/LB4 Listed Building Consent (Reg 4)

Proposal: **Demolition of lean-to structure to rear (west) elevation to existing first floor slab level.**

Location: 1 - 3 Hind Street Sunderland SR1 3QD

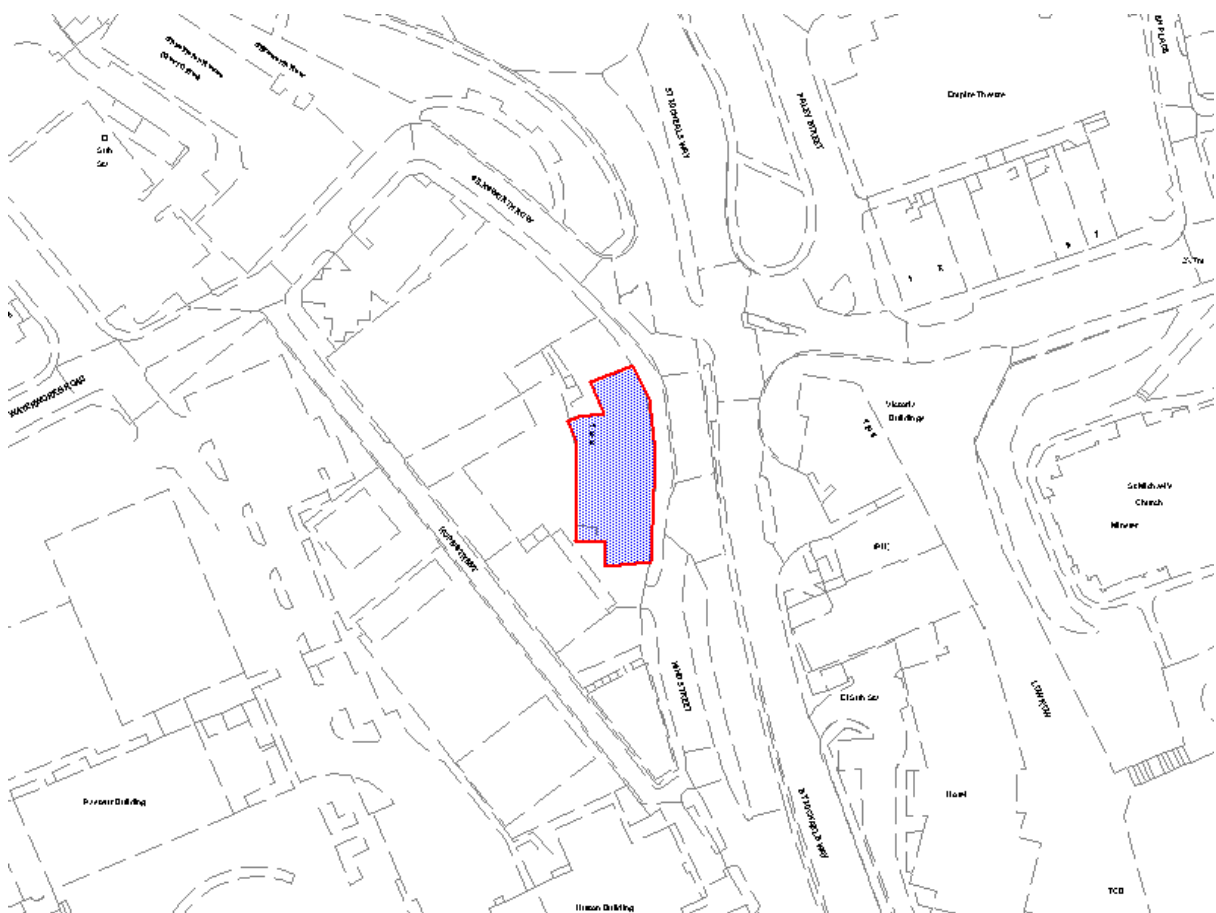
Ward: Millfield

Applicant: University Of Sunderland

Date Valid: 5 January 2015

Target Date: 2 March 2015

### Location Plan



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### PROPOSAL:

Listed Building Consent is sought for the demolition of the existing lean-to structure to the rear (west) elevation of the former Gas Board offices, 1-3 Hind Street, Sunderland City Centre, SR1 3QD.

This application for Listed Building Consent affects the highly-attractive former Gas Board offices at 1-3 Hind Street in Sunderland city centre. The building,

which is Grade-II Listed, dates from c. 1900 and is currently owned by the City Council. It is three storeys in height, with the second-floor windows contained within the peaks of ornately-decorated gables projecting into the eaves of the building, and constructed from bright red brick with yellow 'faience' dressings and a Lakeland slate roof.

The subject building is detached and faces eastward across the modern dual-carriageway road of St. Michael's Way, the construction of which severed the historic road network in the area. The building's facade curves gently to respect the former road layout. The former Gas Board building stands just outside the Bishopwearmouth Conservation Area, the boundary of which runs along the opposite (east) side of St. Michael's Way, behind buildings fronting Low Row.

A new hotel is currently being constructed on land immediately to the north of the building, which Members may recall was granted planning permission at the Development Control (South area) Sub-Committee on 30th October 2012 (planning application reference 12/02236/FUL). The hotel scheme also involved the refurbishment of the Gas Board building, together with some external alterations and the demolition of 20th century extensions and other outbuildings. These works required a separate application for Listed Building Consent (app. ref. 12/02234/LBC).

In addition, Members should note that applications for full planning permission and Listed Building Consent (application refs. 14/02522/FU4 and 14/02770/LB4 respectively), which propose the internal refurbishment of the Gas Board offices and the construction of a new four-storey building to create an Enterprise and Innovation Centre for the University of Sunderland, have also been submitted and are due to be heard by the Council's Development Control (South area) Sub-Committee on 24th February 2015.

The current application seeks Listed Building Consent to demolish the existing lean-to extension to the rear of the main building to first floor slab level (the building is essentially set in to a steeply sloping site and the land at the rear is built-up to its first floor level). The extension is of a simple design and appearance and constructed from brick with a slate roof. It has a width of approximately 16 metres, a projection of 5.2 metres from the main building's rear wall and its mono-pitch roof has a height of 6 metres above the first floor slab level.

Following demolition, the abutment line and lead abutment flashing of the extension against the main building's exposed rear wall are to be made good and existing niches and pockets from timber trusses are to be in-filled. Two large openings in the exposed rear wall of the main building will also be enclosed with timber hoarding, which is to be left safe and secure ready for any future development at the site. The agent of the applicant has advised that elements of the extension, such as windows, slates and bricks can be re-used in the refurbishment of the main building.

A statement provided by the applicant's agent has indicated that the extension proposed to be demolished was originally intended to be repaired, but the development now proposed for the site (i.e. the University's Enterprise and Innovation Centre) has no use for the extension. The removal of the extension will provide an attractive frontage to a new mid-level plaza forming part of the new development proposal.

The current application for Listed Building Consent has been submitted by the University of Sunderland, with a notice of the application served on the City Council as owner of the affected building.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted

**CONSULTEES:**

Millfield - Ward Councillor Consultation  
Amenities Societies  
Tyne and Wear Archaeology Officer  
The Society for The Protection Of Ancient Buildings  
The Georgian Group  
The Ancient Monuments Society  
The Council for British Archaeology  
Victorian Society  
Campaign to Protect Rural England

Final Date for Receipt of Representations: **10.02.2015**

**REPRESENTATIONS:**

Public consultation - no representations received.

Tyne and Wear County Archaeologist - no comments to make.

National Amenity Societies (i.e. the Ancient Monuments Society, the Council for British Archaeology, the Georgian Group, the Society for the Protection of Ancient Buildings and the Victorian Society) - these societies were required to be consulted as a consequence of the proposal involving the demolition of part of a Listed building. Responses to the consultation were requested by 2nd February 2010, but comments have not been forthcoming and it is consequently presumed that there are no objections to the proposals from any of the societies.

**POLICIES:**

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

B\_8\_Demolition of listed buildings

**COMMENTS:**

**CONSIDERATION OF PROPOSALS**

In considering the merits of the proposal, regard must be had to the guidance provided by the National Planning Policy Framework (NPPF), the overarching aim of which is for the planning system to deliver 'sustainable development. One of the core principles of the NPPF is that heritage assets (such as Listed buildings and Conservation Areas) should be conserved in a manner appropriate to their significance.



Also relevant is paragraph 131 of the NPPF, which requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets, whilst paragraph 132 states that great weight should be given to the asset's conservation; significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and any harm or loss should therefore be clearly and convincingly justified.

On a local level, policy B8 of the UDP seeks to protect Listed buildings from complete or substantive demolition, with such works only appropriate in exceptional circumstances.

The City Council's Planning Implementation (Built Heritage Protection) team has, in response to consultation, advised that the extension affected by the current application was added to the Gas Board building soon after its construction in c. 1900, at the same time as the extensions recently allowed to be demolished as part of the aforementioned earlier application (ref. 12/02234/LBC).

It is noted that the extension now proposed to be demolished was originally envisaged to be utilised in any future re-use of the Gas Board offices but that the proposed use of the Gas Board building as part of the University's Enterprise and Innovation Centre (aforementioned app. refs. 14/02522/FU4 and 14/02770/LB4) renders the extension obsolete and the scheme requires its removal to allow light into the rear ground floor of the new building and provide access to a new landscaped square.

The Built Heritage team acknowledges that the loss of the extension will essentially assist in securing a viable re-use of the Gas Board offices, whilst it makes a minimal contribution to the significance of the Gas Board building, being very plain, with no architectural features of merit, and is clearly secondary to the original building. Consequently, it is considered that, as with the extensions already allowed to be demolished, the demolition of the lean-to extension is justified on the basis that its loss will not result in any harm to the significance of the Gas Board building's value as a designated heritage asset. Indeed, their removal will serve to reveal the original form of the Listed building as built c. 1900.

Given the above, the Council's Built Heritage team has advised that there is no objection to the proposed demolition of the extension. Detailed proposals for the repair and modification of the exposed rear elevation are included as part of the application for the Enterprise and Innovation Centre application, but the proposed temporary making-good works proposed by the current application are generally acceptable, although samples of the bricks for in-filling the pockets and niches and for making good the abutment lines are required for approval. The bricks to be used should be salvaged from the demolished extension and the mortar used in pointing should match that found throughout the building.

In the event Members are minded to grant Listed Building Consent for the proposed demolition works, it is suggested that a condition be imposed requiring the submission of samples of the bricks to be used in the making-good works.

Subject to the satisfactory discharge of the aforementioned suggested condition, it is considered that the proposed demolition will not harm the heritage value and

significance of the Gas Board building and so the proposal accords with the requirements of paragraphs 131 and 132 of the National Planning Policy Framework and policy B8 of the UDP. It is consequently recommended that Members should be minded to grant Listed Building Consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 and subject to the conditions set out below.

#### **RECOMMENDATION: GRANT PP Under Regulation 4**

##### **Conditions:**

- 1 The works to which this permission relates must be begun not later than 3 years beginning with the date on which permission is granted, as required by section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the works are carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

the location plan received 05/01/2015, the site plan, existing elevations and first floor plan and proposed elevations and first floor plan received 24/11/2014 (drawing nos. 700211/A/003, 700211/A/001 and 700211/A/002 respectively).

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

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until samples of the bricks to be used in the proposed making-good works to the exposed rear wall of the Gas Board building have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall not be carried out other than in accordance with the approved details; in the interests of maintaining the heritage value and significance of the subject building and to comply with the requirements of paragraphs 131 and 132 of the NPPF.

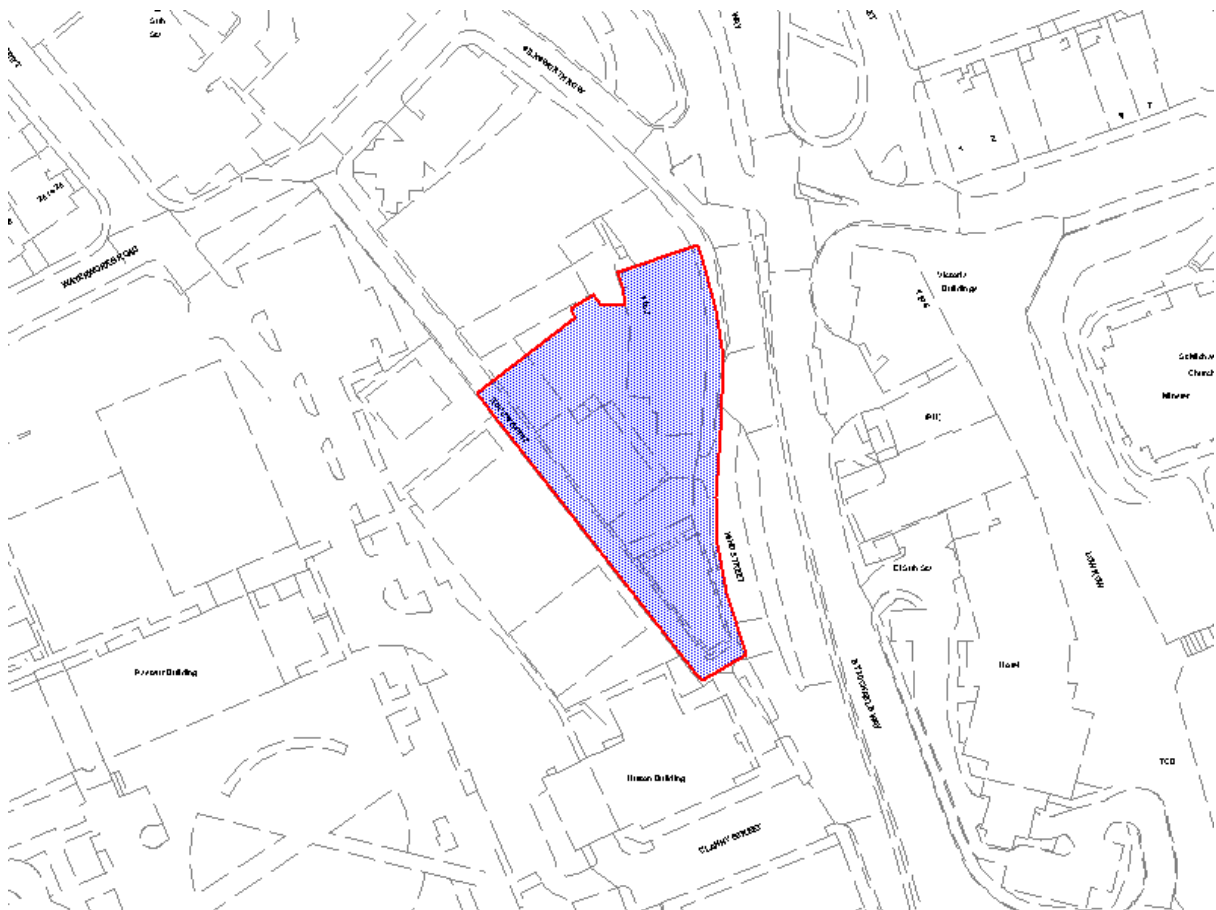
**Reference No.:** 14/02770/LB4 Listed Building Consent (Reg 4)

**Proposal:** Internal refurbishment and insertion of new windows to rear of existing 3 storey Grade II listed office building and construction of new 4 storey building linked to the existing with associated landscaping.

**Location:** The Art Studio 1 - 3 Hind Street Sunderland SR1 3QD

**Ward:** Millfield  
**Applicant:** Mr Iain Garfield  
**Date Valid:** 18 December 2014  
**Target Date:** 12 February 2015

### Location Plan



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### PROPOSAL:

Listed building consent is sought for the internal refurbishment and insertion of new windows to the rear of the existing three storey Grade II former Gas Board

offices, and the construction of a new 4 storey building linked to the existing with associated landscaping at 1-3 Hind Street, Sunderland.

This application for Listed Building Consent, forms part of the overall development works on the site, that have seen the construction of the adjacent Premier Inn Hotel to the north of the site, demolition and ongoing repair works to the listed building and landscaping to create a public realm area to the north of the listed building.

The building, which is Grade II listed, dates from c 1900 and is currently owned by the City Council, the building has been subject to extensive repair works over the past two years in order to facilitate a future end user. It is three storeys in height, with the second-floor windows contained within the peaks of ornately-decorated gables projecting into the eaves of the building, and constructed from bright red brick with yellow "faience" dressings and Lakeland slate roof.

The listed building is detached and faces eastwards across the St. Michael's Way dual carriageway. The building's facade curves gently to respect the former road layout and overlooks the Bishopwearmouth Conservation Area, the boundary of which runs along the opposite (east) side of St. Michael's Way, behind buildings fronting Low Row. To the rear of the building lies the main University City Centre Campus.

The new "Premier Inn Hotel" is currently reaching completion on land immediately to the north of the building, which Members may recall was granted planning permission at the Development Control Sub-Committee held on 30th October 2012 (planning application reference 12/02236/FUL). The hotel scheme, also involved the refurbishment of the Gas Board building, together with some external alterations and the demolition of 20th century extensions and other outbuildings. These works were carried out under a separate application for Listed Building Consent (ref. 12/02234/LBC) with the intention of safeguarding the integrity of the structure until a full time occupant was secured.

In addition, Members should note that applications for full planning permission and Listed Building Consent (refs. 14/02236/FU4 and 14/02667/LB4 respectively), which propose the internal refurbishment of the Gas Board offices and the construction of a new four-storey building to create an Enterprise and Innovation Centre for the University of Sunderland along with the demolition of and existing lean-to structure have also been submitted and are due to be heard by the Council's Development Control Sub-Committee on the 24th February 2015.

The proposed works to the listed building as part of this application generally comprise alterations to its rear elevation and internal conversion, adaptation and fit-out works to facilitate its new use. In summary the works proposed are listed below:

1. Removal (and replacement) of the internal staircase; minor interventions and alterations as described below
2. Interventions include the formation of new masons openings in the rear/west elevation to allow installation of new windows at first and second floor levels (levels 3&5); Presently bricked up windows on the south elevation will be reinstated; Existing roof lights will be replaced with new conservation roof lights.
3. Structural alterations require a new access link to the building at the south west corner at ground, first and second floor levels (Levels 1,3 &5); Adjustments

to the first floor openings through the rear elevation to suit new fenestration; The removal of the existing stair case will require the introduction of a new structural cross wall and associated steel framing.

4. Additions - Secondary glazing to existing windows to front / east elevation; injected cavity wall insulation; Replacement of roof lights; Thermal insulation underlining to the soffit of the exposed roof pitches at the upper level.

The current application for Listed Building Consent has been submitted by the University of Sunderland, with a notice of application served on the City Council as owner of the affected building.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

Northumbrian Water  
Network Management  
Environment Agency  
Environmental Health  
Tyne and Wear Archaeology Officer  
Force Planning and Police Architectural Liaison Officer

Final Date for Receipt of Representations: **13.02.2015**

**REPRESENTATIONS:**

No letters of representation have been received.

**County Archaeologist.**

As a result of the consultation period and should Members be minded to grant consent, the County Archaeologist has recommended that three conditions should be attached to any consent. These conditions would cover the following.

- 1) Archaeological Excavation and Recording Condition.
- 2) Archaeological Post Excavation Report Condition.
- 3) Archaeological Publication Report Condition.

**Environment Agency**

No Objections.

**POLICIES:**

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

- B\_10\_Development affecting the setting of listed buildings
- B\_11\_Measures to protect the archaeological heritage of Sunderland (general)
- B\_13\_Sites and monuments of local importance affected by development

## **COMMENTS:**

In considering the merits of the proposal, regard must be had to the guidance provided by the National Planning Policy Framework (NPPF), the overarching aim of which is for the planning system to deliver "sustainable development." One of the core principles of the NPPF is that heritage assets (such as Listed Buildings and Conservation Areas) should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

In determining applications paragraph 128 of the NPPF states in part that:

"Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."

With the above in mind the application has been supported by a Heritage Statement which clearly sets out the development impact, justification and mitigation.

Also of particular relevance is paragraph 131 of the NPPF which requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Whilst paragraph 132 states that great weight should be given to the asset's conservation; significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and any harm or loss should therefore be clearly and convincingly justified.

In addition to the above Policy B10 of the saved adopted Unitary Development Plan is of particular relevance, stating that:

"The City Council will seek to ensure that development proposals in the vicinity of listed buildings do not adversely affect their character or setting."

Following consultations with the City Council's Built Heritage Protection Team it is considered that the submitted supporting Heritage Statement provides a reasonable assessment of the impact of the proposals on the significance of the listed building, including both the physical works to the building and the effect of the new development on its setting.

External alterations are proposed to the north gable, rear elevation and rear roof slope, all of which are considered to be acceptable.

The proposed "opening up" the rear elevation of the listed building (following the removal of the lean-to extension currently under consideration ref.14/02667/LB4) to provide an active frontage to the proposed mid level plaza is not considered to result in the loss of any significant elements of the listed building, but will enhance the appearance of the much altered rear elevation and make a positive contribution to the overall development proposals. The arrangement and proportions of the new window openings relate well to the remainder of the building, and subject to an appropriately worded condition should Members be minded to grant consent are considered to be acceptable.

The link from the new building to the listed building has been designed and constrained by the difference in ground levels and subsequent requirement to have floor levels heights that operate across both buildings. With this in mind, any concerns over the proposed linked building penetrating through the listed building roof are considered to be outweighed in view of the wider benefits of the scheme in bringing the building back into long term beneficial use, and the conservation benefits of recent repair and restorations works to the more significant parts of the building, most notably its faience dressings and architectural detailing. Should Members be minded to grant consent it is considered that a section detail of this penetration point showing details of construction and external finish shall be conditioned.

As detailed in the full planning application for the proposed works (ref 14/02522/FU4) concern over the recently refaced north gable wall of the listed building remain, however enhancements to this elevation are currently being explored and should Members be minded to grant consent it is considered that full details of the enhancements of the gable elevation wall can be conditioned.

In terms of works within the public realm, it is noted that the applicant has taken on board concerns relating to the attractive gateposts that exist on site and a new landscaping plan is currently being prepared illustrating the repositioning of such posts. Should Members be minded to grant consent the exact location and method statement for dismantling and rebuilding can be conditioned along with the submission of an amended landscaping plan.

With regards the alterations to the inside of the listed building the works are generally considered acceptable, given that the building is largely devoid of features of architectural interest with the exception of some surviving cornicing, skirtings and window architraves and it is recommended by means of condition that a drawing is submitted should Members be minded to grant consent indicating these features.

The key consideration in assessing the acceptability of the proposed new building in design and townscape terms is the impact of the development on the setting of the listed building. In this regard, it is accepted that the siting, overall form, height, massing, alignment, proportions, contemporary design approach, detailing and proposed palette of materials should respond sensitively to the character and architectural qualities of the listed building.

It is considered that the relatively lightweight form and clean geometric lines of the design of the new building should allow it to sit well alongside the listed building, the two buildings being clearly read separately, contrasting and complimenting each other as good examples of historic and modern architecture.

The proposed height of the new building will marginally exceed the height of the listed building by 2-3 metres, however it will be lower than the adjacent Premier Inn Hotel development and its height is staggered back so that its highest elements will be viewed beyond the listed building and read amongst other high buildings behind and around the listed building. Added to this its relatively lightweight contemporary appearance, with a predominance of glazing and its clean lines, will not over dominate the listed building or compete with its prominence on the St. Michael's Way frontage. The strong ornamental features of the frontage of the listed building will allow it to remain the dominant feature in the street scene.

The glazed entrance link is considered to provide a suitable visual break between the two buildings, further reducing the impact of the new build on the setting of the listed building and providing an appropriate lightweight transition between the old and the new.

Ultimately, the quality and thus acceptability of the scheme will be dependent on the articulation of the built form and detailing of the building, particularly with regard to the fenestration and choice of materials. In this regard it is considered that the proposed relatively simple palette of high quality materials responds well to the listed building.

In summary, it is considered that the proposal will secure the return to full beneficial use a prominent and architecturally impressive listed building on one of the main vehicular routes into the City Centre and one of the main pedestrian thoroughfares between the University and the City Centre. The conversion and adaptation of the listed building to facilitate its re-use has been carried out on a generally sympathetic and well informed basis having due regard to the significance of the listed building. Furthermore it is considered that the new build development alongside and linked to the listed building displays a high quality contemporary design that sits well next to the listed building and within the wider townscape. Overall the development scheme provides a high quality, attractive and innovative development of considerable regenerative benefit that further integrates the University with the City Centre, enhancing the townscape and vitality of a key and prominent site.

Subject to the satisfactory discharge of appropriate conditions, it is considered that the proposed development will not harm the heritage value and significance of the Gas Board building and as such it is considered that the proposal accords with the requirements of policy B10 of the saved adopted UDP and paragraphs 131 and 132 of the NPPF. It is consequently recommended that Members should be minded to grant Listed Building Consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 and subject to the conditions set out below.

#### **RECOMMENDATION: GRANT PP Under Regulation 4**

##### **Conditions:**

- 1 The works to which this permission relates must be begun not later than 3 years beginning with the date on which permission is granted, as required by section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the works are carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawing No. (00)100 - Site Location Plan, received 05.11.2014.  
Drawing No. SO1 Rev A - Existing Site Plan, received 11.12.2014.  
Drawing No. SO2 Rev A - Existing Building Floor Plans, received 11.12.2014.



Drawing No. SO8 Rev A - Existing Sections and Elevations, received 11.12.2014.  
 Drawing No. SO9 Rev A - Proposed Demolitions, received 11.12.2014.  
 Drawing No. SK01 Rev G - Proposed Plans - Levels 1\_ 2, received 11.12.2014.  
 Drawing No. SK02 Rev G - Proposed Plans - Levels 3 \_ 4, received 11.12.2014.  
 Drawing No. SK03 Rev G - Proposed Plans - Levels 5 \_ 6, received 11.12.2014.  
 Drawing No. SK04 Rev F - Proposed Plans - Level 7, received 11.12.2014.  
 Drawing No. SK05 Rev C - Proposed Roof Plan, received 11.12.2014.  
 Drawing No. SK06 Rev A - Proposed Site Layout Plan, received 11.12.2014.  
 Drawing No. SK20 Rev F - Proposed Elevations - S/W \_ N/E, received 11.12.2014.  
 Drawing No. SK21 Rev F - Proposed Elevations - S/E \_ N/W, received 11.12.2014.  
 Drawing No. SK22 Rev F - Proposed Sections - 1 of 2, received 11.12.2014.  
 Drawing No. SK23 Rev F - Proposed Sections - 2 of 2, received 11.12.2014.  
 Drawing No. SK30 Rev F - Proposed Views - S/E \_ N/W, received 11.12.2014.  
 Drawing No. SK31 Rev F - Proposed View - S \_ N/E, received 11.12.2014.

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

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and /or samples of the materials and finishes to be used for the external surfaces, including new windows, doors, bricks, railings etc. has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in strict accordance with the approved details; in the interest of visual amenity and to comply with policy B2 of the saved adopted Unitary Development Plan.
- 4 Notwithstanding the approved plans, no part of the works hereby granted consent shall be commenced, until a full method statement and specification for all masonry repairs and repointing (including mortar mix) of the listed building is provided by a specialist stone mason and has been submitted to and approved in writing by the Local Planning Authority, in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 5 Notwithstanding the approved plans, no part of the works hereby granted consent shall be commenced, until a detailed cross-section showing details of new build through the rear roof of the listed building and finishing/making good of the penetration junction has been submitted to and approved in writing by the Local Planning Authority, in the interest of maintaining the historic fabric of the building and to comply with the

requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.

- 6 Notwithstanding the approved plans, no part of the works hereby granted consent shall be commenced, until full details, including cross-sections, of the proposed new windows to the rear elevation have been submitted to an approved in writing by the Local Planning Authority. For the avoidance of doubt these windows should replicate the original windows in style, detailing and operation in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 7 Notwithstanding the approved plans and prior to the installation on site, full details of the conservation rooflights, including model and size shall be submitted to and approved in writing by the Local Planning Authority, in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10: Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 8 Notwithstanding the approved plans, no part of the works hereby granted consent that require structural repair shall be commenced, until a full method statement/specification, including cross section of such repair work has been submitted to and approved in writing by the Local Planning Authority, in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 9 Notwithstanding the submitted plans and prior to the installation of measures to improve energy efficiency within the building, full detailed drawings, method statements and specifications shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt these include secondary glazing, insulation and ventilation in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework
- 10 Notwithstanding the approved plans, and prior to any internal alterations to the building, full details of the retention and repair of surviving cornicing, skirtings and architraves and any other features of interest shall be submitted to and approved in writing by the Local Planning Authority in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 11 Notwithstanding the submitted plans and prior to the installation of any signage / artwork to be applied to the north gable, full details shall be submitted and approved in writing by the Local Planning Authority in the interest of visual amenity and to maintain the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework and to comply with policy B2 of the Unitary Development Plan.

- 12 Notwithstanding the approved plans, and prior to the removal of the existing gateposts, a full method statement and specification for the careful dismantling, re-siting and rebuilding of the gateposts, including measures to ensure the brickwork and stone coping features are not damaged shall be submitted to and approved in writing by the Local Planning Authority in the interest of maintaining the historic fabric of the building and to comply with the requirements of Section 10 : Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
- 13 No groundworks or development shall take place until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest and the investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved adopted Unitary Development Plan Policies B11 and B13 and NPPF paragraph 141.
- 14 The building(s) shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 13 has been submitted to and approved in writing by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest and the investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with saved adopted Unitary Development Plan Policies B11 and B13 and NPPF paragraph 141.
- 15 The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal. The site is located within an area identified the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 141 of the National Planning Policy Framework.

4.

South  
Sunderland

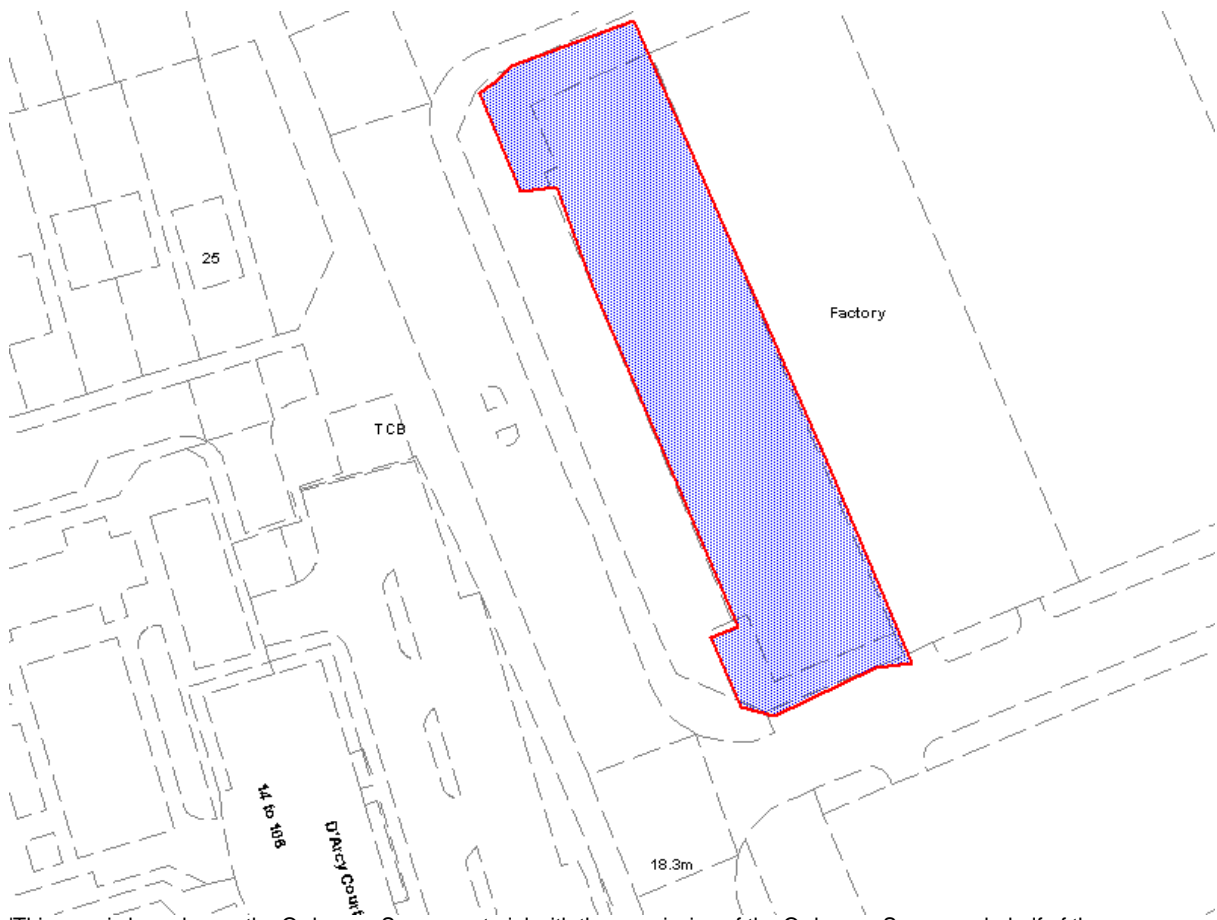
Reference No.: 15/00002/FUL Full Application

Proposal: **Change of use from warehouse (B8) to a combination of light industrial (B1); warehouse (B8); and ancillary retail showroom (A1).**

Location: Barringtons Furniture 2 Go Hendon Road Sunderland SR1 2JD

Ward: Hendon  
Applicant: Total Sport NE Ltd  
Date Valid: 5 January 2015  
Target Date: 6 April 2015

### Location Plan



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## **SITE DESCRIPTION**

The subject premises comprises of a flat roofed, single-storey building situated on the edge of the Hendon Industrial Area. The existing elevations are to remain unaltered with the predominately glazed west elevation retained with roller security shutters.

The premises has a long and narrow footprint, measuring approximately 68 metres in width by 16 metres in depth. The property fronts onto Hendon Road which is part of the Southern Radial Route, from which it is separated by a narrow grassed highway verge. To the north of the site lies Woodbine Street and the south is Hendon Street, whilst adjoining to the east (rear) is a unit used for commercial storage. It is anticipated approximately 16 no. parking spaces can be accommodated at the site; 8 perpendicular to the north elevation (accessed from Woodbine Street) and a further 8 perpendicular to the south elevation (accessed from Hendon Street).

The Hendon Industrial Area in which the property is located is characterised by commercial and industrial development where premises are predominantly occupied for offices, light / general industry, and storage / distribution purposes. Such uses are classified as use classes B1, B2 and B8 respectively under The Town and Country Planning (Use Classes) Order 1987 (as amended). The west side of Hendon Road, which faces the principal elevation of the premises is residential in character, with D'Arcy Court residential tower block standing directly opposite.

## **PROPOSAL**

Planning permission is sought for the change of use from warehouse (B8) to a combination of light industrial (B1); warehouse (B8); and ancillary retail showroom (A1) at Former Furniture 2 Go, Hendon Road, Sunderland, SR1 2JD.

The subject building has been vacant for some time with a small section of the unit being used for trade floor sales.

Additional information has been provided by the applicant regarding the proposed use with the percentage of each element of the use specified on the application form and provided within the description of the proposed change of use. The predominant use is identified as B1 and accounts for approximately 60% of the use. Warehousing is to account for approximately 25% of the use with the remaining 15% attributed to ancillary retail sales.

The application has been submitted by Total Sport NE Ltd, a company currently located at Silksworth Row in Sunderland which provides a variety of sporting goods. The company supply sports clothing and associated equipment whilst also offering bespoke items utilising light embroidery and printing equipment and machinery.

The proposed floor plan illustrates warehouse/ storage areas, embroidery bays, office space while separate printing/ manufacturing areas are also provided. To the centre of the property is an area which is to be divided from the remainder of the unit and is to be used for retail showroom. Pedestrian access is to be achieved via a central door where paving has been laid between the footpath adjacent to Hendon Road and the property entrance over the highway verge.

The proposed facility is intended to open between 08:00 and 20:00 Monday to Friday with the retail element to operate between 9:00 and 17:30. Reduced hours are proposed on Saturdays between 08:00 and 14:00 with the retail element to remain 09:00 and 17:30. The applicant has stated the property is to be closed on Sundays and Bank Holidays.

## PLANNING HISTORY

The planning history associated with the site has been summarised below:

- Change of use of part of premises to factory shop for retail of textiles (Ref: 86/0305) approved 18.04.2006
- Erection of a non-illuminated free standing double sided sign (Ref: 01/01651) granted 15.10.2001
- Alterations to front elevation and entrance to warehouse/distribution centre (Ref: 03/00806/FUL) approved 12.06.2003
- Erection of five advertising flags and non-illuminated fascia signs to front elevation (Ref: 03/00807) granted 12.06.2003
- Change of use from warehouse to retail showroom and alterations to west elevation (RETROSPECTIVE) withdrawn 09.09.2009
- Change of use from warehouse to retail showroom and alterations to west elevation (RETROSPECTIVE ) refused 02.12.2009
- PLANNING APPEAL - Change of use from warehouse to retail showroom and alterations to west elevation (RETROSPECTIVE ) dismissed 15.12.2010
- Change of use from warehouse (B8) to a gym facility (Ref: 14/02342/FUL) approved for 12 months 28.01.2015

### TYPE OF PUBLICITY:

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

### CONSULTEES:

Hendon - Ward Councillor Consultation  
Network Management  
Business Investment  
Environmental Health  
Health, Housing And Adult Services - Sports And Leisure  
Port Manager  
Nexus  
NE Ambulance Service NHS Trust  
Force Planning and Police Architectural Liaison Officer

Final Date for Receipt of Representations: **10.02.2015**

### REPRESENTATIONS:

#### PUBLIC CONSULTATIONS

Upon the expiry of the public consultation period inclusive of neighbouring occupier consultation letters, site and press notices, no representation have been received.

## **CONSULTEES**

### **Network Management**

The Engineers noted the likely increase in staffing numbers to 8 full time and 9 part time staff. Given the majority of parking at the premises extend beyond the ownership of the applicant and onto the public highway, it is stated staff would likely park on the public highway, with visitors in the surrounding streets.

The appropriateness of the spaces provided at the site has also been questioned as they are perpendicular to the carriageway which is undesirable for frequently used spaces, particularly given the proximity to the Hendon Road junctions.

Additional information was requested by the Engineers to clarify the servicing and delivery arrangements. In this respect the applicant has confirmed that the servicing and delivery arrangements would amount to approximately 4 vehicle movements on a particularly busy day and would be undertaken from vehicles of a transit van scale.

The consultation comments will be considered within the "impact of the proposed development on highway and pedestrian safety" section below.

### **Business Investment**

It is noted Business Investment are tasked with encouraging the growth of local businesses. In this respect, the Business Investment Team stated that they are encouraged that the proposed uses are consistent with the range of uses operating in the locality.

### **Environmental Health**

The Environmental Health Section offered no objection to the proposed change of use.

### **Nexus**

Nexus have offered no objection to the application and confirmed that the site is well served by bus services 18 and 19.

### **POLICIES:**

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

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

EC\_2\_Supply of land and premises for economic development purposes

EC\_3\_Support for new and existing economic activity

EC\_4\_Retention and improvement of existing business and industrial land

SA\_1\_Retention and improvement of existing employment site

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

T\_22\_Parking standards in new developments

### **COMMENTS:**

### **ISSUES TO CONSIDER**

The National Planning Policy Framework (NPPF) provides the current Government planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out a

series of 12 'core planning principles' which underpin plan-making and decision-taking and are considered to contribute to the over-arching aim of delivering sustainable development.

Particularly relevant in this case is the principle that the planning system should always seek to proactively drive and support sustainable economic development, with every effort made to objectively identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth, taking into account market signals. The planning system should also encourage the effective use of land by re-using land that has been previously developed.

The relevant guidance of the NPPF detailed above feeds into policies B2, EC2, EC3, EC4, SA1, T14 and T22 of the City Council's adopted Unitary Development Plan (1998), which are consequently considered to be pertinent to the determination of this application.

Reference is also made in this section of the report to policies within the Council's emerging Core Strategy and Development Management Policies Development Plan Document (DPD). This document is currently at the Draft Revised Preferred Options stage and is not anticipated to be formally adopted by the Council until 2017. As such, the policies referred to can only be given limited weight in the determination of the planning application, but they do provide an indication of how the Council's approach to considering this type of planning application is likely to take shape in the next 2-3 years.

With regard to the above, it is considered that the main issues to consider in the determination of this application are as follows:

1. the land use allocation of the proposal site;
2. the principle of the proposed change of use;
3. the impact of the proposed use on the existing employment area;
4. the impact of the proposed development on highway and pedestrian safety;

#### **1. Land use allocation of the proposal site**

The subject building is situated within an area allocated for economic development by the proposals map of the City Council's adopted Unitary Development Plan (1998). Policy EC4 of the UDP states that within existing areas, uses falling into use classes B1 (offices and businesses), B2 (industry) and B8 (storage and distribution) are most appropriate. Possible ancillary uses where required to meet the needs of each site are identified as use class A1 (shops up to 50sqm), use class A2 (offices where services are provided for the general public), use class A3 (food and drink outlets), use class C1 (hotels), use class D1 (community facilities), use class D2 (assembly and leisure) and open space.

Policy SA1 of the UDP is site specific to the South Sunderland area and also relates to economic development and advises established industrial/ business areas and sites within them will be retained and improved. The primary and ancillary land uses echo those identified within UDP policy EC4.

In accordance with the above, the proposed uses which fall within class B1 (offices and businesses) and B8 (storage and distribution) are considered to be



appropriate in this location whilst use class A1 (shops up to 50sqm) are only deemed appropriate where required to meet the needs of each site.

The Council's UDP was adopted some time ago, but the area in which the subject property stands is continued to be identified as an established 'Key Employment Area' by the aforementioned emerging Core Strategy and Development Management Policies Development Plan Document (DPD). This designation is based upon the most up-to-date employment land assessments available to the Council.

City-wide policy CS3.3 of the draft Core Strategy states that 'key' employment areas will be maintained through the improvement, development and intensification of land and premises for economic development (i.e. B1, B2 and B8 use classes) purposes. In addition to the above, policy DM3.1 is considered to be applicable which identifies alternative ancillary uses in Key Employment Areas as A1 and A3 use classes whilst other acceptable or appropriate uses are identified as including D1 and D2 uses, subject to the tests within policy DM3.2 of the DPD.

## **2. Principle of the proposed change of use**

The proposed use of the premises for a use falling within use classes B1 and B8 of the Order is considered to be fully compliant with the land and property uses considered to be most appropriate within this employment area, as set out by policies EC4 and SA1 of the UDP and policy CS3.3 of the draft Core Strategy.

The proposed ancillary A1 use does not strictly accord with the abovementioned UDP policies as the proposed floor area exceeds 50sqm and the use is not required to meet the needs of the site. Similarly shops (use class A1) are identified within policy DM3.1 of the Core Strategy as an acceptable small scale ancillary use required to support, maintain or enhance the business and employment function of the area.

With regard to the above, the proposed A1 element of the use provides an ancillary provision to the predominant use of the building. The A1 use accounts for approximately 15% of the expected business and is to occupy approximately 23% of the proposed floor area. As such, this element of the proposal is considered to contribute to the primary function of the site and supports the economic viability of the property.

In addition, it is recognised that the building in question has been vacant for some time and has been actively marketed since September 2012 for either sale or to let. Given the proposed predominant use of the building (use class B1 and B8) fully accords with the above policies and accounting for the limited ancillary use of the premises, the proposal is considered to be acceptable in principle.

In order to determine whether the proposed use of the building is acceptable, all other relevant material planning considerations must first be satisfactorily addressed.

## **3. Impact of proposed use on remaining employment area**

Draft policy DM3.2 of the emerging Core Strategy require consideration to be given to the effect of the introduction of a land use which is not usually appropriate within an employment site and the impact it may have upon the

vitality and viability of the remaining site. It is observed, however, that draft policy DM3.2 identifies Hendon as a 'key' employment area, rather than a 'primary' employment area, giving it a secondary importance in the employment land hierarchy. The policy reflects this and accepts the need to adopt a sensible approach to development proposals for non-employment uses, with greater protection given to the employment land of greatest value.

The proposed primary use of the property is fully compliant with land use allocations as detailed above and is unlikely to result in any detrimental impact to the remaining employment area. As such it is the ancillary element of the proposal which requires further consideration.

Given the limited floor area set aside for retailing and the low percentage of the business the proposed retail showroom will account for, this use is not deemed to significantly erode the amount of employment land available within the Hendon Area. The limited retailing element and associated visiting members of the public to the site are also unlikely to compromise or impact on the functioning of the remaining employment area.

Notwithstanding the above, appropriately worded conditions can be placed on the decision notice to ensure the retailing element does not account for a larger proportion of the proposed floor space than that indicated on the submitted plans or that the A1 use becomes an independent self-contained retail unit separate from the predominant use of the property, thereby safeguarding the employment area should Members be minded to grant consent.

As such, it is considered that in this case, the change of use of the building, inclusive of the proposed A1 use, would not result in a detrimental impact to the integrity, function and operation of the remaining employment area of Hendon, in accordance with the requirements of draft policy DM3.2 of the emerging Core Strategy.

#### **4. Impact of proposed development on highway and pedestrian safety**

Policy T14 of the UDP states that new development proposals must not result in conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires new development to be afforded an appropriate level of dedicated car parking provision.

In response to consultation, the City Council's Network Management team have noted that the proposal is likely to result in an increase in staffing numbers to 8 full time and 9 part time staff from that of the previous use.

In addition, it is stated that the majority of parking provision at the premises extend beyond the ownership of the applicant and onto the public highway. In this regard it is stated staff would likely park on the public highway, with visitors in the surrounding streets.

Notwithstanding the above, the neighbouring premises are light industrial and the previous use of this particular property would likely generate a similar number of visitors. As such, the Engineers have offered no strong objection to the proposed change of use in terms of highway and pedestrian safety.

Additional information was requested by the Engineers and subsequently provided by the applicant, in terms of servicing and delivery arrangements. The applicant has confirmed that the property would require a maximum of 4 vehicle movements on a particularly busy day and those movements would comprise of vehicles of a transit van scale. These arrangements have been deemed acceptable by the Engineers.

In accordance with the above, the proposal is considered to be compliant with the requirements of policies T14 and T22 of the UDP.

## **CONCLUSION**

The proposed use of the premises for a combination of light industrial (B1); warehouse (B8); and ancillary retail showroom (A1), is considered to be generally in accordance with policies EC4 and SA1 of the UDP and draft policies CS3.3, DM3.1 and DM3.2 of the Council's emerging Core Strategy and Development Management Policies Development Plan Document (DPD). The proposal is therefore considered to be acceptable in land use terms in the Hendon employment area without compromising the remaining employment land. In addition, the proposed change of use raises no concerns in terms of highway and pedestrian safety in accordance with policies T14 and T22 of the UDP.

In light of the above, Members are therefore recommended to approve the application subject to the following conditions.

## **RECOMMENDATION: Approve**

### **Conditions:**

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

The location plan, received 05.01.2015

The existing elevations and floor plans, received 05.01.2015

The proposed elevations and floor plans, received 05.01.2015

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

- 3 The premises shall not be operated for the purposes hereby approved outside the following hours:

Monday to Friday (except Bank Holidays) 06:00 to 22:00;

Saturdays, Sundays and Bank Holidays 08:00 to 18:00;

In order to protect the amenities of the area in accordance with policy B2

of the UDP.

- 4 The area of retail showroom floor space hereby approved shall be restricted solely to the area labelled on the proposed floor plan, received 05.01.2015, unless the Local Planning Authority first agrees any variation in writing; in the interests of maintaining the primary function of the estate and to comply with policies EC4 and SA1 of the UDP.
- 5 The only goods to be sold from the retailing area hereby approved shall be goods which have been stored within the remaining floor space identified on the proposed floor plan, received 05.01.2015 and at no time shall the retailing area become an independent self contained retail unit unless the Local Planning Authority first agrees any variation in writing; in the interests of maintaining the primary function of the estate and to comply with policies EC4 and SA1 of the UDP.

5.

South  
Sunderland

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Reference No.: 15/00110/FU4 Full Application (Reg 4)

Proposal: **Erection of single storey extension to North elevation.**

Location: Valley Road Community Primary School Corporation Road  
Sunderland SR2 8PL

Ward: Hendon

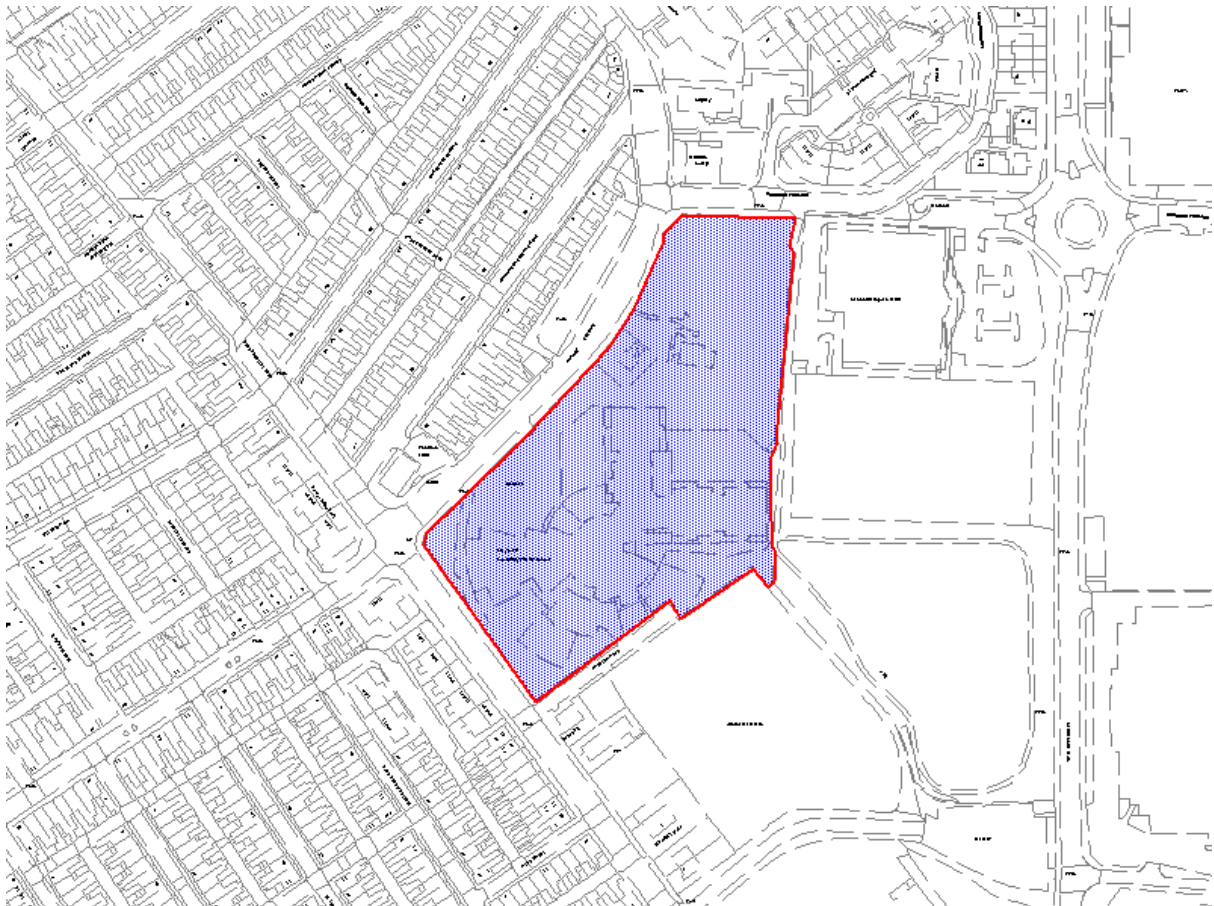
Applicant: Valley Road Community Primary School

Date Valid: 22 January 2015

Target Date: 19 March 2015

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### Location Plan



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### PROPOSAL:

The application relates to the erection of a single storey extension to north elevation of the eastern most part of the building at Valley Road Community Primary School, Corporation Road, Sunderland, SR2 8PL.

Valley Road Community Primary School is located within a predominately residential area with dwellings located to the northwest and southwest of the site. Further afield to the southwest of the School is Villette Road, which accommodates a number of commercial properties and to the southeast allotment gardens. The Raich Carter Sports Centre is located to the east of the site, beyond which are industrial units in Hendon.

The proposed extension is to be located to the eastern most section of the school building towards the school boundary shared with The Raich Carter Sports Centre. The extension is limited in scale and is to be constructed either side of a WC section of the existing building without exceeding the existing projection.

The single storey extension is to have a maximum projection of 2.1 metres and a combined width of approximately 18.4 metres which includes the WC structure. The proposal is to be constructed with a roof design to match the existing and essentially extends the eaves level forward over the development. The proposed roof is to have an eaves height of 2.9 metres increasing to a maximum of approximately 3.1 metres which ties into the existing roof. The overhang section of the roof is marginally lower to a maximum height of 2.8 metres.

The proposed extension is to be constructed from materials to match the existing school inclusive of facing brickwork, aluminium cladding to the roof and aluminium treated doors and windows. Sections of cement render are to be utilised to the WC pod.

**TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

Hendon - Ward Councillor Consultation  
Network Management

Final Date for Receipt of Representations: **24.02.2015**

**REPRESENTATIONS:**

Neighbours

No representations or observations have been received to date. However, it should be noted that the neighbour consultation letters do not expire until 19 February 2015 whilst the site note expires 24 February 2015, which is after the deadline for preparation of this report however on the date of the Sub-Committee Meeting. As such, should any representations be received, they will be reported at the Sub-Committee Meeting.

Consultees

**Executive Director of City Services (Transportation)**

Following consultation with the Transportation Section, no objections or recommendations were received in relation to the proposal. The proposal is noted as being a minor extension and does not result in any increase in staffing or pupil numbers.

## **POLICIES:**

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

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

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

L\_7\_Protection of recreational and amenity land

## **COMMENTS:**

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

- Principle of development
- Design and external appearance
- Highway implications

### **Principle of development**

There are no relevant policies associated with the proposal within the Council's adopted Unitary Development Plan (UDP) (1998) and, as such, the scheme is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain. As the proposal relates to the limited extension to the existing building, it is considered that the proposal accords with the above policy.

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

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

In accordance with the above, the proposal is particularly limited in scale occupying an area of hard standing and as such, is likely to have a limited impact to the amenity, recreational or wildlife habitat of the site. The proposal is required for the enhancement of the educational facility and as such the proposal is considered to accord with UDP Policy L7.

### **Design and external appearance**

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

With regard to policy B2 detailed above, it is considered that the size and form of the proposed extension will not detract from the appearance of the existing school or wider area. The proposal appears as a limited extension and is to be constructed from materials and a design to match the existing building. As such it is considered that the design and appearance of the limited extension is acceptable and complies with the requirements of Policy B2 of the adopted UDP.

## Highway implications

Policy T14 of the UDP states that new development proposals must not result in conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires new development to be afforded an appropriate level of dedicated car parking provision.

In response to consultation, the City Council's Network Management team have offered no observations or recommendations and note that there are to be no increase in staff or pupil numbers. As such, the proposal is considered to be compliant with the requirements of policies T14 and T22 of the UDP.

## Conclusion

For the reasons given in this report it is considered that the principle of development is acceptable and the proposal is of an appropriate design and appearance without resulting in any adverse impact to visual amenity. The proposal raises no concerns in terms of highway or pedestrian safety and as such the proposal is considered to comply with policies EN10, B2 and L7 of the adopted UDP.

Accordingly it is recommended that Members grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended) subject to no representations being received prior to the expiry of the consultation period on the 24 February 2015 and subject to the conditions below. If any representations are received prior to the Sub-Committee meeting, these will be relayed at the Sub-Committee Meeting and the recommendation reappraised if necessary.

## RECOMMENDATION: GRANT PP Under Regulation 4

### Conditions:

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

The location plan, received 22.01.2015

Drawing No. 397/01: Building floor plan, received 22.01.2015

Drawing No. 397/02: Plan and elevations as existing, received 22.01.2015

Drawing No. 397/03: Plan and elevations as proposed, received 22.01.2015

Drawing No. 397/04: Elevations and section as proposed, received 22.01.2015

In order to ensure that the completed development accords with the



scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>14/01638/FUL</b>	Marikal Ltd	Proposed executive residential development for 8 no. bespoke eco homes (amended details received 8/1/15)	06/08/2014	01/10/2014
<b>Barnes</b>	Land East Of Durham Road And Tudor Grove (Humbledon Hill)Durham RoadSunderland			

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
14/02730/LBC	J Noble & Sons Ltd	Works to facilitate conversion of building to comprise 128 units of accommodation providing 164 student bed spaces and ancillary facilities.	04/12/2014	29/01/2015
Millfield	Galen BuildingGreen TerraceCity CentreSunderland	Removal of second floor roof extensions, rear roof and part of east elevation and construction of a second floor extension, construction of new dormer and repairs to existing dormer to rear, removal of lower ground floor extension, construction of new accommodation area to the rear to include creation of external/amenity areas to the rear and alterations to doors, windows and boundary railings. Repair and redecoration of existing cupolas, recovering of rear roof, repointing of parapet coping stones, partial demolition and rebuilding of chimney and siting of condensers and air handing units on flat roof. Installation of secondary glazing system and internal alterations to form the new accommodation.		

<b>Application Ref and Ward</b>	<b>Applicant and Address</b>	<b>Proposal</b>	<b>Date Valid</b>	<b>Determination Date</b>
<b>14/02729/FUL</b>	J Noble & Sons Ltd	Conversion of building to comprise 128 units of accommodation providing 164 student bed spaces and ancillary facilities. Removal of second floor roof extensions and rear roof and part of east elevation and construction of a second floor extension, construction of new dormer to rear, removal of lower ground floor extension, construction of new accommodation area to the rear to include creation of external/amenity areas to the rear and associated external alterations.	04/12/2014	05/03/2015
<b>Millfield</b>	Galen BuildingGreen TerraceCity CentreSunderland			
<b>14/01461/OUT</b>	Partner Construction Limi	Residential development of upto 250 no. residential dwellings, including landscaped open space and footpath connections, and details of site access.	23/06/2014	22/09/2014
<b>Silksworth</b>	Land AtSilksworth Lane/Silksworth RoadSilksworthSunderl and			

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Appeals Received In January 2015 For  
Sunderland South

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## Appeals Received South Sunderland

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Between 01/01/2015 and 31/01/2015

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Ref No	Address	Description	Date Appeal Lodged
15/00002/REF	22 Percy TerraceHendonSunderlandSR 2 8SE	Change of use from 7 bedroomed residential home to 8 bedroomed HMO and construction of dormer to the rear.	08/01/2015

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No Appeals Determined In January 2015 For  
Sunderland South

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