

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

AGENDA

**Extraordinary Meeting to be held in Committee Room No. 6 on
Wednesday, 18th April, 2012 at 4.45 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Applications made under the Town and Country Planning Acts and Regulations made thereunder	1
	Report of the Deputy Chief Executive (copy herewith).	

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

Civic Centre,
SUNDERLAND.

5th April, 2012

Development Control (North) Sub-Committee

18 April 2012

REPORT ON APPLICATIONS

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. Trinity Hall Resource Centre Cato Street Sunderland
2. Billy Hardy Sports Complex, Grange Road, Sunderland
3. Monkwearmouth Hospitals Newcastle Road Sunderland
4. Land At Rockingham Road Hylton Red House Sunderland

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 Technical Manager (Development Control) (561 1552) email address 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/

Janet Johnson
Deputy Chief Executive

Reference No.: 12/00125/FUL

Proposal: Erection of 12 no. dwellings consisting of, 10 no. 3 bedroom and 2 no. 4 bedroom properties with associated parking, access and landscaping.

Location: Trinity Hall Resource Centre Cato Street Sunderland

Ward: Southwick

Applicant: Gentoo Sunderland

Date Valid: 24.01.2012

Target Date: 24.04.2012

Location Plan



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PROPOSAL:

The application is for the erection of 12 houses on the site of the former Trinity House Resource Centre, at the junction of Cato Street and Gordon Terrace, Southwick. The scheme comprises Phase 5 of the Southwick Regeneration Scheme. The site has been used as the compound and site office for the works during the earlier phases of construction.

The proposal includes the construction of 12 houses for social rent consisting of :

- 10 no. 3 bed, 5 person houses;
- 1 no. 4 bed, 6 person house; and
- 1 no. 4 bed, 7 person house.

The scheme will provide a residential court at the end of Hayton Close with a homezone style shared surface and appearance carried through from the earlier development.

The application is accompanied by the following documents:

- Design and Access Statement;
- Statement of Community Involvement;
- Affordable Housing Statement
- Site Waste Management Plan
- Residential Travel Plan Framework
- Geo-Environmental Appraisal
- Services Strategy
- Ground Investigation Interpretive and Summary Reports
- Gas Monitoring Report
- Draft S106 agreement

TYPE OF PUBLICITY:

Press Notice
Site Notice Posted
Neighbour Letter

CONSULTEES:

Nexus
City Services - Network Management
Director Of Children's Services
Street Scene (Environmental Service)
Northumbrian Water
Force Planning And Police Architectural Liaison Officer
Northumbrian Water

Final Date for Receipt of Representations: **09.03.2012**

REPRESENTATIONS

Pre Application Consultation

Prior to submitting the application Gentoo Homes undertook pre-application discussions with officers of the City Council as well as conducting a door to door consultation with occupiers of dwellings adjacent to the site in November 2011 and liaison with Northumbria Police. The results of the public consultation indicated that the vast majority of nearby residents preferred the cul-de-sac arrangement rather than a through road on to Cato Street to link with Greystone Terrace. This was also the view expressed by Northumbria Police from the crime prevention viewpoint.

Neighbours

No representations have been received to date.

Consultees

Nexus - has no objections to the proposal but has suggested that additional information could be included for prospective residents in the Green Travel Plan Framework in respect of bus services and ticketing and safe pedestrian and cycling routes.

Executive Director of City Services: Network Management - has indicated that he has no objections to the proposal but would require a condition on any consent issued in respect of the agreement of the scope of highway works, particularly in respect of the removal of existing accesses to Cato Street and Gordon Terrace on any consent issued.

Executive Director of City Services: Environmental Services - has no objections to the proposal but has requested conditions in respect of additional ground survey work, hours of operation and control of dust, fumes, noise and vibration during construction.

Executive Director of City Services: Sport Leisure and Community Development - has indicated that a contribution towards offsite provision of children's play provision will be required. The proposed sites for use of that contribution are one or more of the new Southwick Play Area, Thompson Park or Church Street.

Director of Children's Services - has indicated that the development is not of sufficient size to have an impact on the provision of school places in the vicinity.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

NA_9.1_ Maximising benefits (open space / community facilities) from new housing development

T_8_ The needs of pedestrians will be given a high priority throughout the city

T_9_ Specific Provision will be made for cyclists on existing / new roads and off road

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

H_21_Open space requirements in new residential developments (over 40 bed spaces)

COMMENTS:

The main issues to be considered in the determination of the application are:

- The Principle of the development;
- The highway Implications of the proposal (including the travel plan);
- Land contamination issues;
- Provision for Children's Play;
- Impact on residential amenity; and
- Design and Impact on the Street Scene

The Principle of the Development

The site is subject to policy NA9.1 in the adopted Unitary Development Plan (UDP) which identifies the Central Southwick area public sector housing stock for improvement to ensure that it continues to effectively meet housing needs. In addition the recently issued National Planning Policy Framework (NPPF), at section 6, indicates that housing schemes should be considered in the context of the presumption in favour of sustainable development and deliver schemes which seek to achieve sustainable, inclusive and mixed communities.

Because the site is proposed for less than 15 houses the question of the provision of affordable housing does not need to be addressed, although it is noted that the houses are to be made available for social rent.

While the site was previously in use for community purposes as a church hall, it was demolished some years ago. The site has been used as a site compound during the renewal of this part of Southwick by Gentoo Homes. The proposal to use the site for social housing is consistent with the aims of policy NA9.1 and the aims of the NPPF, while the provision of the new Southwick primary school and its community use more than compensate for the loss of the Trinity Hall Resource Centre. The principle of the use of the site for housing is therefore considered to be acceptable.

The Highway Implications of the Proposal (including the travel plan)

In the adopted UDP policies T8, T9 and T14 seek to ensure that adequate provision is made for pedestrians, cyclists and the maintenance of highway safety respectively. The recently issued National Planning Policy Framework (NPPF) seeks to encourage sustainable modes of transport in new developments (section 4), in particular seeking the submission of Travel Plans with development proposals which are likely to result in large amounts of traffic movements (para 36).

The proposal seeks to extend an existing cul de sac (Hayton Close) utilising a shared surface treatment. A revised site plan has been submitted by the applicant following discussions with clients which amends the vehicular access and parking arrangements for plots 4 - 7. Plot 6 is shown as now taking access to an in-curtilage car parking space, direct from Cato Street, rather than having a parking space and garage accessed from the cul de sac via a small parking court at the rear of plots 4 and 5. Plots 4 and 5 benefit by having their allocated parking spaces and garages entirely within curtilage.

The Executive Director of City Services: Network Management has indicated that details of the means of closing of the existing redundant accesses to the site will

need to be agreed. It is considered that this can be achieved through the imposition of an appropriately worded condition on any consent issued.

The applicant has submitted a Travel Plan with the application, however, Nexus has indicated that it considers that additional bus timetable and ticket information should be provided within it. This information has been passed to the applicant. It is considered that a revised Travel Plan could be sought through a condition imposed on any consent issued in order to ensure that future residents are given the best possible encouragement to use modes of transport other than the car.

It is considered that the development would be unlikely to result in conditions prejudicial to highway safety and that with the imposition of appropriately worded conditions, as identified above, would accord with the requirements and aims of policies T8, T9 and T14 of the adopted UDP and guidance in section 4 of the NPPF.

Land Contamination Issues

Policy EN14 of the adopted UDP seeks to ensure that adequate investigation is undertaken of ground conditions where there is potential for contamination from previous uses of the site.

The Executive Director of City Services: Environmental Services has indicated that the ground investigation reports submitted with the application are those for the wider Southwick regeneration area and that the information for the Trinity Hall Resource Centre site is limited. It is considered that further exploratory hole testing should be undertaken together with additional chemical testing for hydrocarbons and asbestos as well as further gas monitoring in view of the quality and quantity of made ground on site and the proximity of landfill to the south. A revised Phase II Investigation and Remediation strategy for the site is recommended. It is considered that this can be achieved via appropriately worded conditions on any consent issued.

With the imposition of the conditions identified above it is considered that the proposal will accord with the aims and objectives of policy EN14 of the adopted UDP.

Provision for Children's Play

All new housing developments of 10 houses or more are required by policy H21 of the adopted UDP to make adequate provision for children's play either on site or through provision nearby. In recent years such provision as usually been achieved through the making of financial contributions towards facilities off site.

In this instance the applicant has submitted a draft s106 agreement with the application for a financial contribution of £8412 towards the provision and/or improvement of off site children's play facilities. The Executive Director of City Services: Sport, Leisure and Community Development has indicated that such a contribution, which accords with the council's guidance of £701 per dwelling, should be used for the provision/improvement of facilities at one or more of the following:

- Thompson Park;
- Shakespeare Street Play area; and
- Church Street.

It is considered that with the completion of the s106 agreement the scheme would meet the requirements of policy H21 of the adopted UDP.

Impact on Residential Amenity

Policy B2 of the adopted UDP requires that new development takes account of the best qualities of the neighbouring area and provides acceptable levels of privacy for both existing and proposed residents.

The proposed layout is considered to afford acceptable levels of privacy and amenity to both the prospective tenants of the houses and those of the existing adjacent housing in Hayton Close and Cato Street. Likewise there is no significant overshadowing of existing houses or of houses within the development.

The proposal is therefore considered to accord with the requirements of UDP policy B2 as regards residential amenity.

Design and Impact on the Street Scene

New development is required through policy B2 of the adopted UDP to accord with the best qualities of the vicinity, with detailed guidance on layout being set out in the council's Supplementary Planning Document, " Residential Design Guide" The recently issued NPPF attaches great importance to the design of the built environment (section 7) encouraging local distinctiveness but not so as to unduly stifle innovative design. At para 64 it indicates that planning permission should generally be refused for poorly designed development.

The design of the houses is in line with that of the remainder of Hayton Close. using the same palette of materials While it differs in style to the terraced houses in Cato Street which lie to the east, the difference is not so significant as to warrant a refusal. The proposed houses are both wider and taller than those properties but not such as to overpower their neighbours. The use of dual and mono pitch roof styles adds interest to the street scene and is a significant improvement on the existing vacant site surrounded by hoardings. The incorporation of solar/photo-voltaic panels into the roof of the new properties adds to the sustainability of the scheme and accords with the aims of policy R4 by reducing reliance on power from fossil fuel sources.

The scheme is considered to be of a satisfactory design in accord with guidance in the NPPF and the requirements of policy B2 of the adopted UDP.

Conclusions

The proposed development is considered to be acceptable with no significant adverse environmental impacts anticipated. Consequently, it is considered that if Members are so minded the determination of the application could be delegated

to the Deputy Chief Executive for approval subject to the signing of a s106 agreement in respect of children's play facilities and subject to the conditions set out below. In the event that the s106 is not signed by 24th April 2012 then the application should be refused on grounds related to the inadequate provision made for children's play.

RECOMMENDATION: DELEGATE TO THE DEPUTY CHIEF EXECUTIVE TO:

Either

APPROVE subject to the satisfactory completion of a n agreement under s106 of the Town and Country Planning Act 1990 by 24th April 2012 (or such other date as might be agreed in writing by the Deputy Chief Executive) in respect of a financial contribution of £8412 towards off site children's play provision and subject to the conditions set out below;

Or, if the s106 is not signed by 24th April 2012 (or such other date as might be agreed in writing by the Deputy Chief Executive)

REFUSE on grounds that the application makes inadequate provision for children's play.

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 No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include: siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the adopted Unitary Development Plan.

Land Contamination 1

3. 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 4 to number 6 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 7 has been complied with in relation to that contamination.

Reasons: 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 adopted Unitary Development Plan.

Site Characterisation

4. 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; and
 - 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.'

Reasons: 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 adopted Unitary Development Plan.

Remediation Scheme

5. 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.

Reasons: 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 adopted Unitary Development Plan.

Implementation of Approved Remediation

- 6 The remediation scheme approved under Condition number 5 (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 (referred to in PPS 23 as a validation 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.

Reasons: 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 adopted Unitary Development Plan.

Land Contamination 5

- 7 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 4 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 5 (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 6 (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.

Reasons: 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 and in accordance with policy EN14 of the adopted Unitary Development Plan.

- 8 The development shall not commence until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and the development shall not be occupied until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policy B24 of the adopted Unitary Development Plan.
- 9 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 adopted Unitary Development Plan.
- 10 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.
- 11 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. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the adopted Unitary Development Plan.
- 12 Prior to the occupation of any dwelling hereby permitted a detailed Travel Plan, including specific targets measures and monitoring arrangements building upon the Travel Plan Framework (prepared by Cundall Johnson and Partners and dated 20 January 2012) shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in full accordance with the agreed details in order to ensure that the Travel Plan targets are being met and to ensure that the use of modes of transport other than the private car are promoted and to comply with policy T14 of the adopted Unitary Development Plan
- 13 The construction works required for the development hereby approved

shall only be carried out between the hours of 07.30 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the adopted Unitary Development Plan.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.
- 15 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans and documents:

Drawings:

Location Plan GEN/13E/001 Rec'd 24 January 2012;
Topographical survey GEN/13E/002 Rec'd 24 January 2012;
Proposed Site Plan GEN/13E/003 P2 Rec'd 14 March 2012;
Proposed Roof Plan GEN/13E/004 P1 Rec'd 14 March 2012;
Proposed Setting Out Plan GEN/13E/005 P1 rec'd 14 March 2012;
House Type 4A Plans and Elevations GEN/13E/009 Rec'd 24 January 2012;
House Type 4 Plans and Elevations GEN/13E/0010 Rec'd 24 January 2012;
House Type 5 Plans and Elevations GEN/13E/011 Rec'd 24 January 2012;
House Type 5A Plans and Elevations GEN/13E/012 Rec'd 24 January 2012;
House Type 6 Plans and Elevations GEN/13E/013 Rec'd 24 January 2012;
House Type 6A Plans and Elevations GEN/13E/014 Rec'd 24 January 2012;
House Type 8 Plans and Elevations GEN/13E/015 Rec'd 24 January 2012;
House Type 10 Plans and Elevations GEN/13E/016 Rec'd 24 January 2012;
Proposed Street Elevations GEN/13E/025 P1 Rec'd 14 March 2012;
Detached Single Garage Details GEN/13B/030 Rec'd 24 January 2012;
Detached Double Garage Details GEN/13B/031 Rec'd 24 January 2012;
Boundary Wall /Fence Details - Types A, B and CGEN/13E/800-01 Rec'd 24 January 2012;
Boundary Wall /Fence Details - Type D GEN/13E/800-02 Rec'd 24 January 2012;
Boundary Wall /Fence Details - Type F GEN/13E/800-04 Rec'd 24 January 2012;
Boundary Wall /Fence Details - TypeG GEN/13E/800-05 Rec'd 24 January

2012;
Boundary Wall /Fence Details - Type H GEN/13E/800-06 Rec'd 24
January 2012;
Bin store details GEN/13E/900 Rec'd 24 January 2012;
Timber Shed details GEN/13/901 Rec'd 24 January 2012;

Documents:

Design and Access Statement rec'd 14 March 2012;
Services Strategy (Cundall johnson and Partners 20/01/2012) rec'd 24
January 2012;
Residential Travel {Plan Framework (Cundall Johnson and Partners, 20
January 2012) rec'd 24 January 2012;
Site Waste Management Plan Smartwaste 18 January 2012) rec'd 24
January 2012;
Statement of Community Involvement (January 2012) rec'd 24 Jan 2012;
Affordable Housing Statement rec'd 24 January 2012.

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.

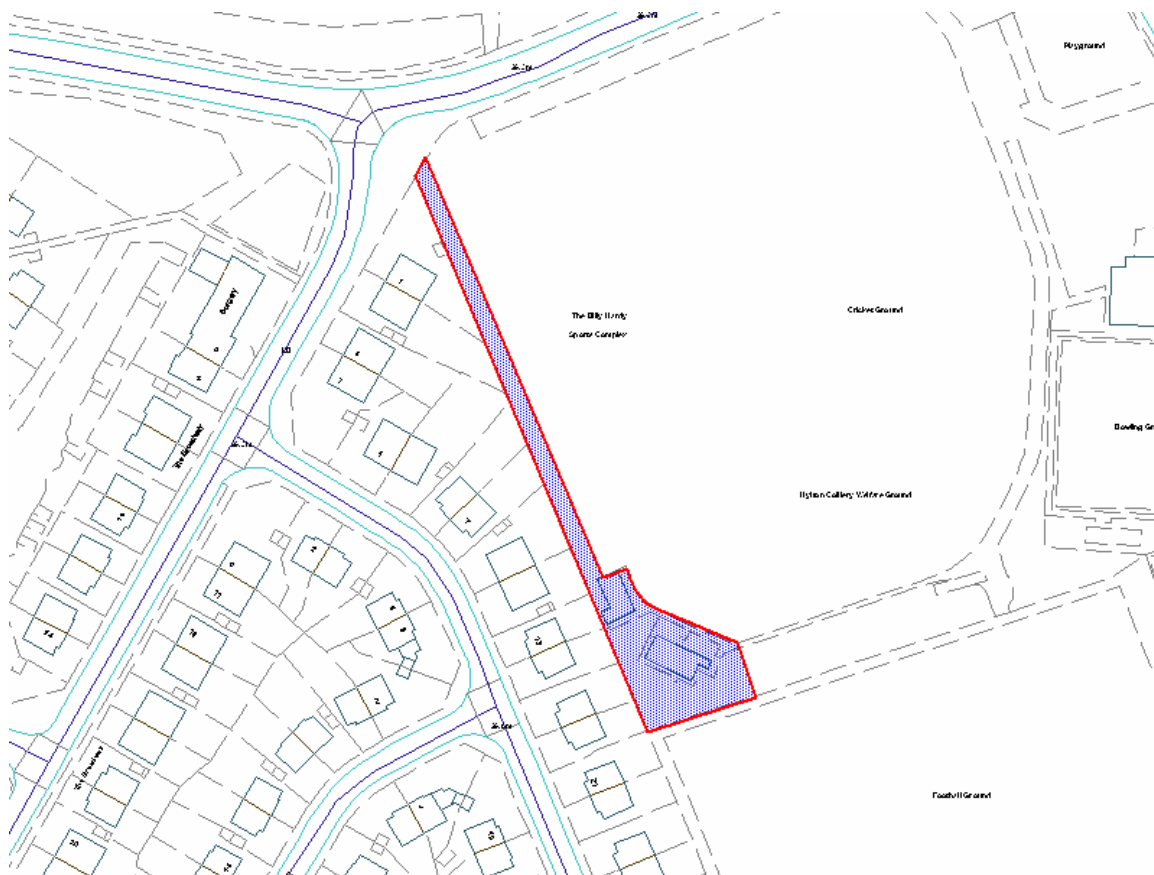
Reference No.: 12/00190/LAP Development by City(Regulation 3)

Proposal: **Demolition of existing changing rooms and erection of new changing pavilion to include 4no. changing rooms, 4no. officials changing rooms, male, female and accessible W.C.s, ancillary accommodation and covered viewing area and proposed resiting of existing scorers hut. (Amended drawings received 15.03.2012)**

Location: Billy Hardy Sports Complex Grange Road Sunderland SR5 3EQ

Ward: Castle
Applicant: Su Yip
Date Valid: 13 February 2012
Target Date: 9 April 2012

Location Plan



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PROPOSAL:

The site to which the application relates is the Billy Hardy Sports Complex, located adjacent Grange Road, Sunderland. The site is also commonly referred to as the Hylton Colliery Welfare Ground and hosts sports such as cricket, football and bowls. There are currently two changing rooms and an official's changing facility that is used by numerous cricket and football teams. The existing building is located on the western boundary of the site between the cricket and football pitches.

Planning permission is sought to demolish the existing changing rooms and replace them with a new changing pavilion for cricket and football to include 4no. changing rooms, 4no.officials changing rooms, male, female and accessible W.C's, ancillary accommodation and covered viewing area along with the re-siting of existing scorers hut. (Amended drawings received 16.03.2012).

The site is bounded by Grange Road to the north from where the main entrance to the site is located, Baron's Quay Road to the east. To the south east there is a car garage and petrol station and further to the south there is Wessington Way (A1231). The western boundary is shared with semi-detached residential properties, a 2 metres high perimeter fence divides the rear gardens from the sports pitches along with a protective mesh fence which is approximately 6 metres in height.

The proposed pavilion seeks to be located between the existing tea rooms and the scorers hut, to the rear of properties located between Nos.13 - 19 Rydal Mount. The scorers hut requires re-siting as part of the development to retain a view of 100% of the cricket field.

The footprint of the building measures 20.9 metres in length, 18.7 metres in depth with both of the rear corners of the building splayed so that the building runs parallel with the perimeter of the site. Set in a distance of approximately 6 metres, the building is designed with a dual pitched roof that measures 3.15 metres in height at eaves level and 6.3 metres in height at ridge level, with proposed building materials to reflect the surrounding context, namely red brick.

The proposed development has been designed to both the England and Wales Cricket Board and Northern League Standards for cricket and football respectively.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Northumbrian Water
City Services - Network Management
Sport England

Final Date for Receipt of Representations: **23.04.2012**

REPRESENTATIONS:

Neighbours

No representations received to date.

Consultees

Sport England has been sent details of the changing facilities and a response is awaited.

POLICIES:

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

B_3_Protection of public/ private open space (urban green space)

B_2_Scale, massing layout and setting of new developments

L_1_General provision of recreational and leisure facilities

L_7_Protection of recreational and amenity land

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

COMMENTS:

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

- i) Principle of the Development
- ii) Design, Siting and Appearance
- iii) Highway Issues

Principle of the Development

The site forms part of an area of allocated open space and is therefore covered by policies B3 , L1 and L7 of the Council's Unitary Development Plan (UDP). In addition, the recently published National Planning Policy Framework (NPPF) aims to strengthen local decision making and reinforce the importance of up-to-date plans. In terms of recent guidance provided within the NPPF, paragraph 73 states in part that:

"Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of the communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision."

Policy B3 of the Council's UDP relates to public and private open space stating it will be protected from development which would have an adverse effect on its amenity, recreational or nature conservation value.

Policy L1 relates to the provision of recreation and leisure facilities and states that the Council will seek to provide a range of high standard recreational, sporting, cultural and community facilities. Whilst policy L7 states that land allocated for open space or outdoor recreation will be retained in its existing use.

As detailed above, the proposal seeks to replace an existing building with a more fit for purpose structure, that aims to provide a venue for the community to play and watch local sport. In this regard, the proposal does not impact upon the usability of the open space and will improve the required ancillary changing facilities. The proposal is therefore considered to accord with policies B3, L1 and L7 of the UDP which are also considered to be in general conformity with more recent guidance provided within the NPPF.

Design, Siting and Appearance

Policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

Furthermore due consideration has been given to the increase in size of the proposal and any implications to the protection of the privacy of the occupiers of adjacent properties. The Residential Design Guide Supplementary Planning Document (SPD) Section 10 gives specific guidance on space, light, outlook and privacy and requires the below standard to be met, unless it can be demonstrated through careful design that a lesser distance would be acceptable.

Main facing windows facing side or end elevation (only with secondary window or no window): 1-2 storeys - minimum of 14 metres from any point of main window. In this particular instance the proposed structure is approximately 15.3 metres from the nearest residential properties and therefore the increased footprint of the proposal is in accordance with the Council's adopted spacing standards.

In terms of design and appearance the proposed development is to be constructed in materials in keeping with the existing buildings on site, such as the tea rooms, incorporating a red facing brick, dark grey mortar, with dark grey windows and doors and roof tiles. A covered spectator viewing area is included to the front of the property with the pitched roof designed to allow the majority of the services for the building to be stored above ground level.

The layout of the proposal is dominated by the four changing rooms; two of which are accessed from the front (north elevation) and two from the rear (south elevation).

Three small trees will need to be removed to facilitate the development, however it is proposed to plant eight new trees following the completion of the building phase of the proposal. Should members be minded to approve the application a condition can be imposed to ensure the delivery of the trees on site.

In summary, the proposal aims to replace a flat roofed brick structure, that no longer provides adequate facilities for the sports complex with a more sustainable, fit for purpose building, providing facilities for both football and cricket and games officials along with facilities in the form of WC's for spectators. Designed sympathetically in relation to the adjacent buildings and local context the pavilion is sited so as to be considerate to levels of residential amenity currently afforded surrounding properties.

This element of the proposal accords with policy B2 of the UDP and paragraph 9 of the NPPF which seeks to replace poor design with better design and is therefore considered to be acceptable.

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 and pedestrians and indicate how parking requirements will be met.

The proposed development is located within a site with good public transport links, the development does not propose to increase the number of activities on site and as such the number of parking spaces will neither increase nor decrease.

In light of the above, it is considered that the guidance provided within the NPPF in paragraph 32 is of particular relevance.

"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

The Executive Director of City Services (Network Management) has raised no observations or recommendations in connection with the proposed development. It is not considered that the works proposed would have adverse implications on the highway network or the availability of car parking in the vicinity of the application site. For these reasons, the proposed development is considered to accord with UDP policy T14 and paragraph 32 of the NPPF.

Conclusion

For the reasons set out above, the principle of the development is considered to be acceptable, the impact of the development is not considered to be detrimental to either visual amenity or levels of residential amenity currently afforded the surrounding neighbouring properties and furthermore the proposal is not considered likely to cause an adverse impact on highway safety.

As the proposal remains under consideration, until the expiry of the consultation period with Sport England dated 23.04.2012, a conclusion of the assessment of this application, along with details of any representations received will be made by way of a supplementary report.

RECOMMENDATION: Deputy Chief Executive to Report

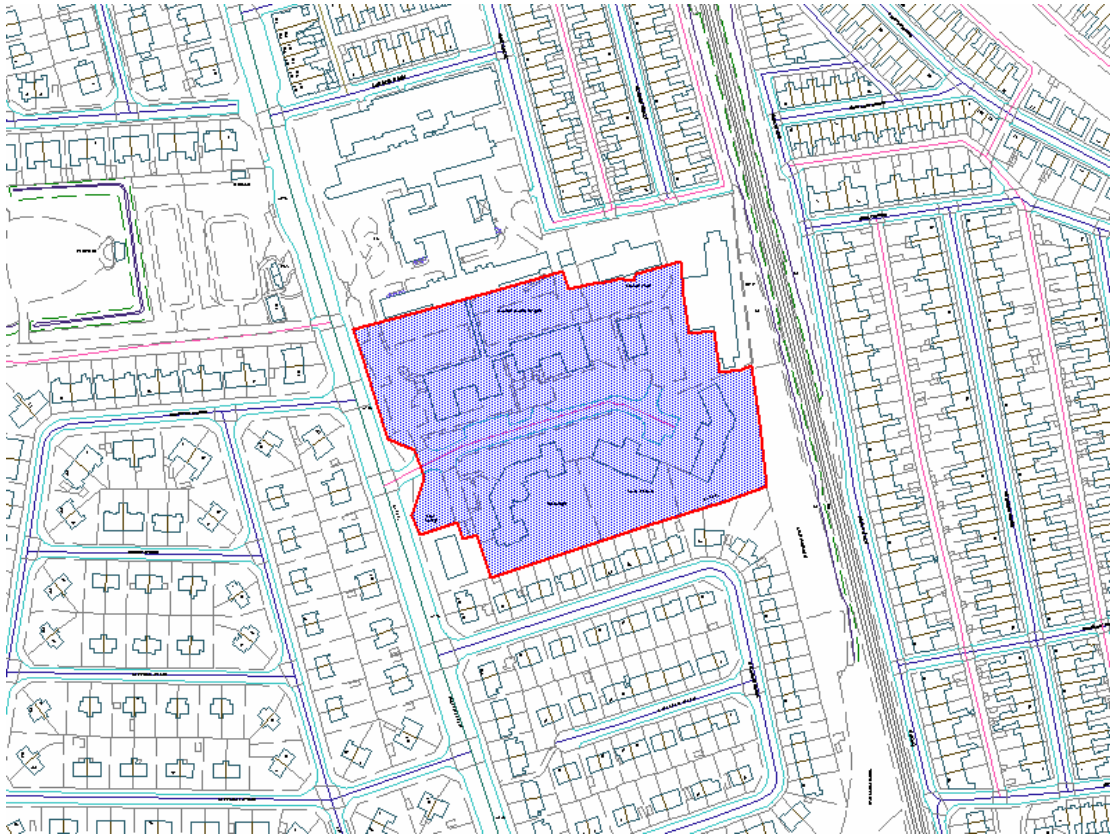
Reference No.: 12/00231/FUL Full Application

Proposal: **Erection of 24 bed purpose-built dementia care centre including visitor and support accommodation, additional parking and associated landscaping.**

Location: Monkwearmouth Hospitals Newcastle Road Sunderland SR5 1NB

Ward: Fulwell
Applicant: Mr Tony Railton
Date Valid: 6 February 2012
Target Date: 7 May 2012

Location Plan



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PROPOSAL:

The proposal is for the erection of a new 24 bed dementia care facility located within the existing grounds of Monkwearmouth hospital.

The proposal will involve the demolition of Newhaven Treatment Unit and the LD Treatment Unit, the proposed demolition is subject to a prior notification application which the applicant has not currently submitted. This does not effect the determination of this application.

The Trust's brief for the proposed development is to provide clinical and supported accommodation in the form of:-

Two single sex assessment and treatment wards each containing 12 ensuite bedrooms with a swing zone between each ward to allow for flexibility with admissions.

A range of shared accommodation for patients, staff and visitors is to be included in the front of house component.

The intention of the proposed facilities is to encapsulate the latest findings in dementia related research.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
Northumbrian Water
Street Scene (Environmental Service)
Director Of Health,Housing And Adult Services
Environment Agency
Natural England

Final Date for Receipt of Representations: **13.03.2012**

REPRESENTATIONS:

Consultee Reponses

Network Management

No comments in terms of car parking arrangement.

Observation have made on conditioning the implementation of the Travel Plan should members be minded to grant permission.

Executive Director of City Services (Environmental Health)

No objection to the proposal subject to the imposition of planning conditions relating to ground contamination, operational noise and construction noise, dust and vibration.

Environment Agency

A flood risk assessment has been submitted and concludes that the site is not at risk of flooding from watercourses or the sea. The proposed drainage system is intended to be designed to adoptable standards. The Environment has no comments to make on the proposed development.

Northumbrian Water

No objection to the proposed development.

Neighbour Representations

One letter of representation has been received, the main areas of concern are:-

Increased parking on Newcastle Road
Potential for accidents on Newcastle Road
Restricted access to Footpaths on Newcastle Road.

POLICIES:

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

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood
CN_22_Developments affecting protected wildlife species and habitats
B_2_Scale, massing layout and setting of new developments
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments

COMMENTS:

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

1. Principle of development
2. Design considerations
3. Highway considerations
4. Residential and visual amenity considerations
5. Tree and Ecology considerations
6. Sustainability considerations

Principle of Development

The proposal involves the demolition of two single storey buildings to the rear of the Monkwearmouth Hospital site to provide the land for the erection of the new purpose built 24 bedroom dementia facilities.

The site is allocated in the Unitary Development Plan as EN10, the policy states that the development should be compatible with the surrounding land uses. The hospital site is predominately surrounded by residential properties and a small parade of shops. The proposed facility is not intensifying the use on the site, due to the demolition of the existing two buildings.

The proposed development is considered to comply with policy EN10 of the adopted Unitary Development Plan. In light of the recently published National Planning Policy Framework (NPPF) which became a material consideration in planning decisions on the 27th March 2012, the policies relevant to this decision are considered to be in accordance with the framework as it supports improvement to health facilities and has overall good design principle.

Design considerations

In assessing the design merits of the scheme UDP policy B2 requires the scale, massing and layout of new developments to respect and enhance the best qualities of the area.

The proposed building is single storey and is approximately 80 m long, 38m wide with a maximum height of 8.5m. The proposed building has been designed to complement the existing hospital layout; this particular part of the site is currently accommodated with single storey developments. The proposed building is located 22m away from the residential properties on Wearmouth Drive. It should be noted that there is currently an 11m planting strip between the back of the residential gardens on Wearmouth Drive to the hospital boundary, this strip of landscaping will remain.

In this regard the site layout is considered to be well thought out and appropriate, sensitively responding to the physical site constraints and the retained and existing built form.

It is essential that the proposed hospital development creates a pleasant and positive environment that is beneficial to patients, staff and visitors and therefore the appearance of the building is critical in achieving this requirement. Notwithstanding this requirement, the building also needs to perform a number of varying functions and respond to the existing retained built form and, as a consequence, the choice of building materials has been heavily informed by the existing development on the site.

In conclusion from a design perspective there are no objections to the proposed scheme subject to the inclusion, should Members be minded to approve the application, a condition requiring details of materials to be submitted to ensure that the high quality specification of materials included in the proposed design are realised in the construction of the development.

Highway considerations

UDP policy T14 requires new development to provide adequate parking and be readily accessible by pedestrian and cyclists, whilst proposals should not cause traffic congestion or highway safety problems and make appropriate safe provision for access and egress.

The proposed development has altered the car parking facilities within the site to accommodate the new facility; in doing this it has increased the number of parking bays within the site. Therefore this addresses the concerns of the objector, as the proposed development is considered to have adequate parking facilities and will not lead to increased parking demands for parking on Newcastle Road.

In respect of the ongoing parking situation on Newcastle Road, this is outside the remit of this planning application and cannot be considered.

The application is accompanied by a Transport Assessment and Travel Plan. Network Management has requested that should planning permission be granted a condition should be imposed to ensure the Travel Plan is implemented.

Residential and visual amenity considerations

Policy B2 of the UDP requires the scale, massing and layout of new development should retain acceptable levels of privacy and relate harmoniously to adjoining areas. Section 10C of the Residential Design Guide Supplementary Planning Document requires minimum interface spacing of 21m between main facing windows on two storey development.

The proposed development is 22m away from the nearest residential property on Wearmouth Drive, with the 11m retained planting strip remaining acting as buffer in between the two forms of development. This is considered acceptable in principle especially as the proposed facility is only single storey, there are no issues in respect of overlooking or loss of residential amenity.

No objections have been received from the residents on Wearmouth Drive.

In this regard, it is not considered that the proposed hospital development will adversely impact on the wider areas and as such the proposal is considered to accord with policy B2 of the UDP.

Tree and Ecology considerations

UDP policy CN17 requires the retention of trees in all new developments where possible, whilst policy CN22 highlights that development which would adversely affect any animal or plant species afforded special protection will not be permitted.

As previously stated the existing tree planting strip will be retained and additional landscaping would be implemented should members be minded to approve the application.

In respect of ecology consideration the application is accompanied by an ecological report and landscaping plans.

The site is considered to be of low ecological value. However the trust considers there is an opportunity to enhance the bio-diversity of the site- by implementing the following:

- Bird and Bat boxes
- More sympathetic management scheme
- The sowing of wildflower seed mixes

Incorporating these measures would go some way to meeting UK and Local Bio-Diversity targets. It should also be note that if any trees or shrubs are to be removed this should be done outside the Bird Breeding season (March to August). This is covered by the Wildlife and Countryside Act 1981 (as amended).

The proposed ecology information is considered acceptable in principle subject to condition being imposed should members be minded to approve the application in respect ensuring the mitigation measures are implemented following the demolition and construction process of the existing and proposed buildings, in respect of the bird and bat boxes.

Sustainability considerations

UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage. Policy 39 of the Regional Spatial Strategy (RSS) required planning proposals to facilitate the generation of at least 10% of the North East region's consumption of electricity from renewable source by 2010.

The application is accompanied by a Low and Zero Carbon Technology Appraisal, the purpose of which is to consider low - zero carbon technologies in the current proposal. The report looks at a number of options such as biomass, ground source heat pumps, air source heat pumps, photovoltaic, solar hot water, wind energy technology and heat recovery ventilation.

Whilst the report does not identified the chosen Low-Zero Carbon options for the development it is considered that this matter can be adequately dealt with by way of condition should Members be minded to approve the application.

Therefore to satisfy policy R1 of the UDP it is suggested that a planning condition requiring the developer to submit a Post Construction Review Report carried out by a licensed assessor, together with a BREEAM Final Code Certificate, in order to ensure the development will be built to the stated BREEAM rating

The erection of a new dementia facility is considered acceptable in principle and is in accordance with relevant UDP, SPG policies and National Planning Policy Framework.

It is therefore considered that Members should be minded to approve the application subject to the condition listed below.

RECOMMENDATION: Approve

Conditions:

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

Design and Access Statement A_MO_X_Z_DC_0002 03 Feb 2012
 Statement of Community Involvement A_MO_X_Z_DC_0026 03
 Feb 2012
 Planning Statement A_MO_X_Z_DC_0027 03 Feb 2012
 Stage 1 Flood Risk Assessment 03 Feb 2012
 Supplementary Ground Investigation Report C_MO_O_X_DC_0001
 03 Feb 2012
 Ecological Survey C_MO_O_X_DC_0002 03 Feb 2012
 Travel Plan C_MO_O_X_DC_0003 03 Feb 2012
 Transport Statement C_MO_X_DC_0004 03 Feb 2012
 Northumbrian Water Sewerage Record Plan D_MO_X_DC_0001 03
 Feb 2012
 Drainage Strategy Statement C_MO_X_DC_0004 03 Feb 2012
 Construction programme Monkwearmouth Planning Programme 03
 Feb 2012
 Site :Location Plan A_MO_0_X_1000 03 Feb 2012
 Existing Site Plan A_MO_0_X_1001 03 Feb 2012
 Proposed Masterplan A_MO_0_X_1002 03 Feb 2012
 Site Wide Sectional Elevations A_MO_1_X_1001 03 Feb 2012
 Ground Floor General Arrangements A_MO_1_G_1031 03 Feb 2012
 Roof Plan General Arrangements A_MO_1_R_1032 03 Feb 2012
 Building Elevations A_MO_1_X_1040 03 Feb 2012
 Typical Sectional Elevations Sheet 1 A_MO_1_X_1041 03 Feb 2012
 Typical Sectional Elevations Sheet 2 A_MO_1_X_1042 03 Feb 2012
 Planning Application Form 03 Feb 2012

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.

- 4 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy EN6 of the UDP.
- 5 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 and EN6 of the UDP
- 6 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, CN23 and T14 of the UDP.
- 7 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 and CN23 of the UDP.

- 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. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 9 The felling of any trees, shrubs or hedgerows as a consequence of the development, hereby approved, shall be undertaken outside the bird nesting season, (i.e. not during the period March - August inclusive), unless otherwise agreed in writing with the Local Planning Authority, so as to avoid the risk of disturbance to nesting birds and in order to comply with Policies CN18 and CN22 of the adopted UDP.
- 10 Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor and a BRE Final Code Certificate shall be submitted to and approved in writing by the LPA. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to at least the BREEAM 'Excellent' standard, unless otherwise agreed in writing with the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the UDP.
- 11 The development hereby approved shall implement the measures and monitoring strategy as set out in the Travel Plan, January 2012 (prepared by WSP Consultants Ltd) to ensure that the Travel Plan targets are being met and subsequently reviewed, in the interests of reducing the impact of the development on the highway network and to accord with policy T14 of the approved UDP.
- 12 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 12 to number 14 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 14 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.

- 13 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

- 14 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.

- 15 The remediation scheme approved under Condition number 12 (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 (referred to in PPS 23 as a validation 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 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.

- 16 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 12(Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 13 (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 14(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 and in accordance with policy EN14 of the Unitary Development

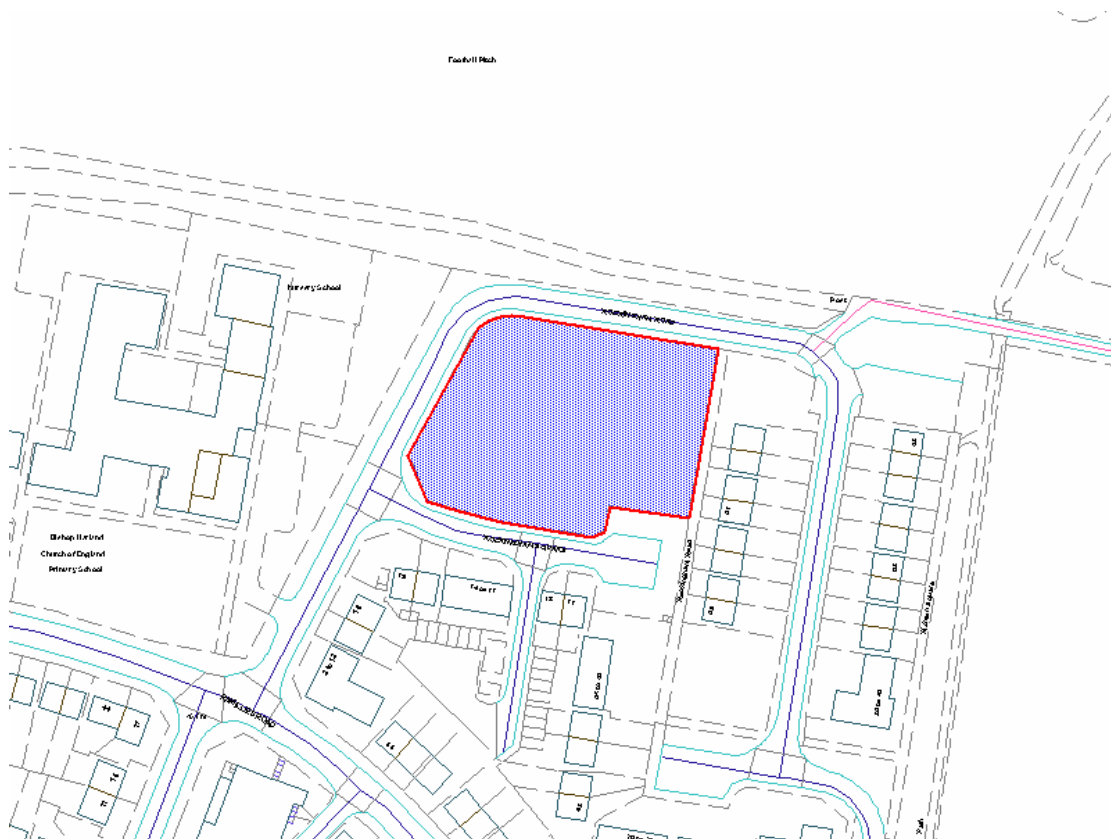
Reference No.: 12/00441/SUB Resubmission

Proposal: **Erection of 14 no 2 and 3 bed, 2 storey dwellings with incurtilage parking spaces and 4 no. visitor parking spaces. (Resubmission)**

Location: Land At Rockingham Road Hylton Red House Sunderland

Ward: Redhill
Applicant: Gentoo Sunderland
Date Valid: 28 February 2012
Target Date: 29 May 2012

Location Plan



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PROPOSAL:

The application is for the erection of 14 dwellings on vacant land bounded by Rockingham Road and Rockingham Square, Red House Sunderland . The scheme comprises 10 no. 3/4 bed roomed semi-detached houses, 2 no. 3/4 bed roomed detached houses and 2 no. 2/3 bed roomed semi-detached houses each with 2 car parking spaces to the side and gardens to the rear and a total of 4 visitor car parking spaces. The site was previously occupied by 6 blocks of

maisonettes, providing 28 units, arranged around a central square. The maisonettes were demolished in 2006.

In terms of sustainability the scheme incorporates photovoltaic/solar panels on the roof of each dwelling.

The application is accompanied by the following documents:

- _ a Design and Access Statement
- _ a Flood Risk Assessment
- _ a Geo- Environmental Appraisal
- _ an Extended Phase 1 Habitat Survey.

Members may recall that a similar application was considered by the Sub Committee in January (app. no. 11/03109/FUL). that application was withdrawn as the s106 agreement was not completed within the set time frame. The scheme now under consideration incorporates the revisions which were sought under the previous application.

TYPE OF PUBLICITY:

Neighbour Notifications
Site Notice Posted

CONSULTEES:

City Services - Network Management
Director Of Children's Services
Street Scene (Environmental Service)
Force Planning And Police Architectural Liaison Officer
Northumbrian Water

Final Date for Receipt of Representations: **03.04.2012**

REPRESENTATIONS:

Neighbours

No representations have been received to date on the current application.

However, one representation was received in respect of the initial application for the redevelopment (11/03109/FUL) from the Headmistress of the Bishop Harland CE Primary School which lies immediately to the west of the site on the opposite side of Rockingham Road. The concerns expressed were in relation to the maintenance of safety of staff pupils and parents during the construction phase of the project, as a result of the entrance to the Foundation Year and Year 1 section of the school being directly opposite the site. She requested that full consideration be given to those factors when determining the conditions required to keep school traffic separate from the construction traffic, while maintaining access to the staff car park at all times. Further she requested that she be kept

informed of any potential works which might affect the school's Gas/ Electricity/Water supplies.

Consultees

Executive Director of City Services - Network Management - has indicated that he has no objections or comments on the proposal.

Director of Children's Services - has commented that there is no objection to the proposal as there are sufficient school places available in the area and the scheme is of insufficient size to have a significant impact on school place provision.

Executive Director of City Services - Environmental Services - comments awaited.

Northumbria Police, Architectural Liaison Officer - comments awaited .

Northumbrian Water - has raised no comments on the proposal.

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

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

H_21_Open space requirements in new residential developments (over 40 bed spaces)

COMMENTS:

The main issues to be considered in determining the application are:

- The principle of the development;
- The ecological and landscaping implications of the development;
- The provision of children's play facilities;
- The design of the proposal;
- The impact on the amenities of nearby residents and
- The risk of flooding

The Principle of the Development;

The site is not allocated for any particular use in the approved Unitary Development Plan (UDP), consequently it is subject to policy EN10 which seeks to ensure that any new development proposal is designed so as to be compatible with the predominant use in the locality. The predominant land use to the south and east of the site is residential, while there is a primary school to the

west and open space to the north. The site was previously occupied by residential properties. The recently issued National Planning Policy Framework (NPPF) encourages brownfield development and seeks to achieve a wide choice of high quality homes (section 6) and housing development should be considered in the context of the presumption in favour of sustainable development (para 49). The development is below the threshold (15 houses) for the consideration of affordable housing.

In light of the above it is considered that the construction of houses on the site would be acceptable in principle and would not cause any significant conflict with adjacent uses and would therefore comply with the requirements of policy B2 of the adopted UDP and guidance in the NPPF.

The Ecological and Landscaping Implications of the Development;

The application site lies immediately to the south of the Green Belt which extends around the northern edge of the city. Consequently the site is subject to policy CN4 of the adopted UDP, which seeks to ensure that its visual amenities are not injured by development conspicuous from within the Green Belt. In addition policy CN18 seeks to promote the interests of nature conservation in new development.

As regards the impact on the Green Belt it is considered that this is likely to be minimal. To the north of the site on the opposite side of the Rockingham Road carriageway is a tree belt with a surfaced walkway through it. Those trees are likely to mask views of the site from the Green Belt and therefore the development would not contravene the aims of policy CN4 of the adopted UDP.

The application is accompanied by an extended Phase 1 Habitat Survey which indicated that there was little of ecological significance on the site. Neither the desktop searches nor the scoping survey indicated the presence of any species of interest/importance within the survey area. The flat site showed little potential for ground nesting birds to use the area. Whilst there are areas of ecological interest within the identified 2km search zone the survey concludes that they are unlikely to have any impact on the application site and the development of the site is unlikely to impact on those areas. Further it advises that no additional surveys are considered necessary given the sites limited wildlife interest. However, it is recommended that the development of the site should include features to enhance the biodiversity of the area in accordance with policy CN18

The scheme is also accompanied by a landscaping scheme which proposes the introduction of ten trees within the site to help increase the biodiversity of the site.

The Provision Of Children's Play Facilities

The adopted UDP at policy H21 requires that developments of more than 40 bedspaces (10 houses) should make provision for children's play. The applicant has indicated that in line with current practice it is not proposed to provide on site play facilities. Rather, the applicant is seeking to enter an agreement under s106 of the Town and Country Planning Act 1990, which would result in the applicant making a financial contribution of £9814 towards new or upgraded play facilities off site, at the Community North Wheeled Sports Project (Redhill ward) as

requested by the Executive Director of City Services - Community Services (Sport, Leisure and Community Development).

It is considered that on completion of such an agreement the proposal would comply with adopted UDP policy H21.

The Design Of The Proposal

The adopted UDP seeks to ensure that new development is of an acceptable quality via policy B2 which requires new development to respect and enhance the best qualities of nearby properties, while the council's Supplementary Planning Document "Residential Design Guide" sets out further guidance for applicants for new housing development. In addition, the NPPF encourages good design (section 7) and the delivery of high quality homes (section 6)

The submitted Design and Access Statement (DAS) indicates that the development is laid out to respond to the constraints of the site, which is an essentially square piece of land enclosed to three sides by vehicular highway (north, south and west), on two of those sides by semi-detached housing (east and south), a school on the third (west) and a tree belt on the edge of the Green Belt to the north. The development seeks to comply with the minimum spacing distances set out in the council's Residential Design Guide. This has resulted in a scheme which with a density of 49 dwellings per hectare provides generous gardens and parking provision within the curtilage of each dwelling. The development seeks to provide high levels of natural surveillance with the front elevation of each dwelling facing towards the boundary of the site and minor windows inserted in to some of the gable elevations at first floor levels to provide further potential surveillance. The provision of private rear gardens and small walled front gardens provides each property with defensible space. Access to the properties is proposed direct from the existing carriageways.

It is considered that the design of the scheme follows a perimeter block approach which along with the proposed massing is compatible with the locality. The resubmitted scheme incorporates previous advice from officers that plot 7 on the west edge of the site should be moved further west to remove/reduce the set back relative to plots 6 and 8 and thereby reduce the impact of the in- curtilage parking spaces in the street scene and also improving the outlook in the rear garden of plot 6. In addition the drive and parking space for plot 10 has been moved to the west side of the plot to improve the setting/outlook for plot 9.

It is also considered that the use of buff brick and red roof tiles as proposed in the DAS would not be compatible with the local vernacular and that alternatives to those materials should be used. The applicant has accepted the imposition of a condition to agree the bricks, roof tiles and other materials on any consent issued.

Generally the architectural character and elevational composition of the house types are well ordered and reflect the general character of the area.

It is considered that the layout and design of the proposal is acceptable and complies with guidance in the NPPF and policy B2 of the adopted UDP.

The Impact on the Amenities of Nearby Residents

Policy B2 of the adoptee UDP seeks to ensure that new developments result in satisfactory levels of privacy.

The scheme, as indicated in the DAS seeks to meet the council's minimum spacing distance of 14m between a gable wall and a facing main window and 21m between main facing windows. Only 6 of the 14 plots face existing dwellings and all meet the minimum spacing requirements.

The layout is considered to be acceptable and in accord with the council's Residential Design Guide and policy B2 of the adopted Unitary Development Plan.

The Risk of Flooding

Policy EN12 of the adopted UDP seeks to ensure that new development does not increase the risk of flooding nor adversely affect the quality of ground or surface water. The NPPF and its associated Technical Guidance Document advises against development in areas liable to flooding.

The applicant has submitted a flood risk assessment which has been carried out against the criteria set out in Planning Policy Statement no. 25 (PPS25) Development and Flood Risk. However it should be noted that since submission of the application the PPS has been replaced by the NPPF and its Technical Guidance Document. The latter includes advice specifically on Flood Risk. The site is within Flood Zone 1 with the chance of flooding being 1 in 1000 or less than 0.1%. The assessment indicates that the nearest surface water is an unnamed pond located 83m north east of the site, 1.5m below the level of the site, which is the source of a stream which flows east and north to the River Tyne. The River Wear is the nearest river, some 1500m to the south while Hylton Dene Burn is the nearest watercourse situated south of Wessington Way. Investigations have revealed no record of flooding in the area.

The assessment concludes that the site is not at risk of flooding from either rivers or land. The development of the site for residential purposes is not considered likely to have any significant impact on the principal aquifer which lies below as it is not within a source protection zone and not within 1000m of a recorded groundwater abstraction. As regards flooding from sewers there are no records of any instances of this on the site. However records show that the Bishop Harland CE Primary school to the west experienced flooding from that source over 10 years ago. As a result of that incident a relief scheme was installed by Northumbrian Water comprising of a balancing tank and a throttle pipe which appears to have alleviated the problem with no further incidents reported. The site is bordered by a combined foul and surface water drainage system.

In light of the above it is considered that the development of the site would not increase the risk of flooding either on the site or elsewhere. Consequently, it is considered that the development of the site would not compromise the requirements of adopted UDP policy EN12 or the advice in the NPPF and its Technical Guidance Document.

Conclusion

The proposed redevelopment of the site is considered to be acceptable and in accordance with adopted UDP policies as indicated above and the new national guidance set out in the NPPF and the accompanying Technical Guidance Document.

The period for the receipt of representations has expired but comments from some consultees remain outstanding. However, no objections were received to the initial application for the redevelopment which was considered by Members at the January meeting. Consequently, it is considered that if Members are so minded the determination of the application could be delegated to the Deputy Chief Executive for approval subject to the signing of a s106 agreement in respect of children's play facilities and subject to the conditions set out below. In the event that the s106 is not signed by 29th May then the application should be refused on grounds related to the inadequate provision made for children's play.

RECOMMENDATION: DELEGATE TO THE DEPUTY CHIEF EXECUTIVE TO:

Either

APPROVE subject to the satisfactory completion of an agreement under s106 of the Town and Country Planning Act 1990 by 29th May 2012 (or such other date as might be agreed in writing by the Deputy Chief Executive) in respect of a financial contribution of £9814 towards off site children's play provision and subject to the conditions set out below;

Or, if the s106 is not signed by 29th May 2012 (or such other date as might be agreed in writing by the Deputy Chief Executive)

REFUSE on grounds that the application makes inadequate provision for children's play.

Conditions:

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

Site Location Plan INF - 001 - 001 Rec'd 28.02.2012;
Proposed Street Elevations Drawing No. INF-001-010 P2 Rec'd 28th February 2012;
Proposed Site GA Drawing No. INF-001-002 P4 Rec'd 28th February 2012;

Proposed Roof/Materials Plan, Drawing no. INF-001-020 Rev P2 Rec'd 28.02.2012;
House Type 332 - Plan Nos. INF/01 003-1, INF/01 003-2, INF/01 003-3, INF/01 003-4, INF/01 003-5 and INF/01 003-6, Rec'd 28th February 2012
Unit 335 - Plan No. INF/01 004/1, INF/01 004/2, INF/01 004/3, INF/01 004/4, INF/01 004/5 and INF/01 004/6, Rec'd 28th February 2012
Unit AB-2 - Plan Nos. INF/01 005/1, INF/01 005/2, INF/01 005/3, INF/01 005/4, INF/01 005/5 and INF/01 005/6, Rec'd 28th February 2012
Unit AB-7 - Plan Nos. INF/01 006/1, INF/01 006/2, INF/01 006/3, INF/01 006/4, INF/01 006/5 and INF/01 006/6, Rec'd 28th February 2012
Design and Access Statement Rec'd 28th February 2012
Extended Phase 1 Habitat Survey Rec'd 28th February 2012
Flood Risk Assessment. Rec'd 28th February 2012.
DTA Report - Desktop and Ground Investigation Report. Rec'd 28th February 2012.

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

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.
- 4 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. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the adopted Unitary Development Plan.
- 5 The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the adopted Unitary Development Plan.
- 6 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 policies B2 and CN16 of the adopted Unitary Development Plan.

- 7 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 policies B2 and CN16 of the adopted Unitary Development Plan.
- 8 Details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policies B2, CN17 and T14 of the adopted Unitary Development Plan.
- 9 The development shall not commence until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and the development shall not be occupied until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policies B24 and EN12 of the adopted Unitary Development Plan.
- 10 No development shall take place until a scheme of working has been submitted to and agreed in writing with the Local Planning Authority; such scheme to include siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, a traffic and parking management scheme to avoid conflicts with the school opening and closing traffic peaks, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the adopted Unitary Development Plan.
- 11 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 numbers 12 to 14 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 16 has been complied with in relation to that contamination.

Reasons: 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 adopted Unitary Development Plan.

- 12 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; and
 - 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.'

Reasons: 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 adopted Unitary Development Plan.

- 13 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 has been prepared, submitted to and approved in writing by 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.

Reasons: 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 adopted Unitary Development Plan.

- 14 The remediation scheme approved under Condition number 13 (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.

Reasons: 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 to workers, neighbours and other offsite receptors in accordance with policy EN14 of the adopted Unitary Development Plan.

- 15 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 12 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 13 (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 14 (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.

Reasons: 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 and in accordance with policy EN14 of the adopted 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

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
1	11/03441/FUL St Peters	15 Whickham Street Sunderland SR6 0ED	Mr R Wooller Change of use from warehouse to student accommodation to provide 44no. bedsits and associated works.	23.3.2012	29.3.12	Pending consideration
2	11/03658/FUL Castle	Unit G Hylton Riverside Colima Avenue Sunderland Enterprise Park Sunderland SR5 3XB	BKF Bowling Change of use of industrial unit to bowling alley.	N/A	N/A	Pending consideration