

**Development Control (Sunderland South and City Centre)
Sub-Committee**

28 February 2012

SUPPLEMENTARY REPORT ON APPLICATIONS

REPORT BY DEPUTY CHIEF EXECUTIVE.

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

South Area

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| S4 | Land adjacent to Stockton Road, Ryhope, Sunderland |
| S5 | Ryhope General Hospital, Stockton Road, Ryhope, Sunderland |
| S6 | Land at Burdon Lane, Sunderland. |

**Development Control
(Sunderland South and City Centre) Sub-Committee**

SUPPLEMENT

28 February 2012

Item Number:	S4
Application Number:	11/03401/FUL
Proposal:	Two storey development to provide a new hospice for Sunderland Teaching Primary Care Trust with associated landscaping, access and parking.
Location:	Land Adjacent To Stockton Road Ryhope Sunderland
Ward:	Ryhope
Applicant:	Sunderland Teaching and Primary Care Trust
Date Valid:	1 December 2011
Target Date:	1 March 2012

Further to the main agenda report in connection with this application additional consideration has been given to highway related matters. These issues still remain under consideration and it is therefore anticipated that further detailed consideration of these matters, along with a recommendation on the application, will be made on a report to be circulated at the meeting.

RECOMMENDATION: Deputy Chief Executive to Report

Item Number:	S5
Application Number:	11/03478/FUL
Proposal:	Erection of a new 140 bed Mental Health Hospital with associated landscaping, parking and associated highway works
Location:	Ryhope General Hospital Stockton Road Ryhope Sunderland SR20LY
Ward:	Ryhope
Applicant	Northumberland Tyne and Wear NHS Foundation Trust
Date Valid:	6 December 2011
Target Date:	6 March 2012

Further to the main agenda report in connection with this application additional consideration has been given to highway and ecological related matters. Both issues still remain under consideration and it is therefore anticipated that further detailed consideration of these matters, along with a recommendation on the application, will be made on a report to be circulated at the meeting.

RECOMMENDATION: Deputy Chief Executive to Report

Number: S6

Application Number: 11/03345/SUB

Proposal: Residential development comprising of 77 dwellings with associated access and landscaping. (Resubmission of 11/02474/FUL - amendments to site layout and house types) (As Amended 13.02.2012)

Location: Land At Burdon Lane Sunderland

Ward: Doxford

Applicant: Bellways

Date Valid: 24 November 2011

Target Date: 23 February 2012

Ecology

Natural England has no objections to the proposal as the site is considered to be of low ecological value. Natural England has requested that should planning permission be granted a condition is required to ensure the mitigation measures are implemented as stated in the Phase 1 Habitat Survey report.

Highways

Background

Members may recall in determining to approve the proposed housing to the rear of Bevan Avenue officers explained the planning history of this area and it is considered sensible to provide a similar explanation in relation to the present application.

At the time that the Ryhope to Tunstall Periphery Planning Guidance was adopted in 1999 it was envisaged that the proposals for new hospital accommodation and enabling housing development at the Cherry Knowle site would take place in the near future. A plan of the Ryhope to Doxford Park Link Road (RDPL) taken from the Guidance document is appended to this report and a larger scale drawing will be displayed at committee.

Moreover this scheme would have funded a considerable length of the RDPL (at a cost of £3,888,000). This would have enabled housing schemes such as Rushford Phases 1 and 2 to pay only a fair share of the road costs. The Burdon Lane scheme forms part of Phase 2.

This did not happen quickly and in reality the only development to date within the Guidance area has been Rushford Phase 1 and the small residential development at Viewforth (now known as Hawksley Grange) at the eastern end of RDPL. However, development is now coming forward.

A Masterplan for the area, developed by consultants working for the Homes and Communities

Agency (in conjunction with Council officers) has been endorsed by the Council's Executive Management Team. The Masterplan acknowledges the continued planning policy context provided by the UDP, the LDF Core Strategy and the Ryhope Tunstall Periphery Planning Guidance. This means that at the present time that document remains the overall planning guidance for the Periphery Area although the detail of the existing hospital area is likely to evolve in line with the new Masterplan. In practice the RDPL may take a slightly different line (horizontally and vertically) than envisaged in the Periphery Guidance, but it is still required to be built and future developers will have to make sufficient contributions to ensure that the whole road is built. These contributions will need to be higher than shown in the 1999 Guidance, partly due to inflation and partly because the rest of the road costs need to be shared out as fairly as possible but in relation to proposals, particularly those for health related development which differ in terms of siting from those than pictured in 1999.

The planning application for this phase of Rushford is therefore in accord with both the UDP and the Guidance document.

In addition Members approved the proposals for land to the rear of Bevan Avenue and the proposals for both the hospital development and the hospice have been considered earlier on this agenda.

Furthermore Homes and Communities are now in a position to provide £3 million towards this road; approximately 650m of road at present day costs and have already asked for a screening opinion on the need for an Environmental Impact Assessment for the road prior to submitting a planning application. This means that only 2 stretches of the whole RDPL will not be in place in the foreseeable future i.e. the link south west to Doxford Park and the stretch of road between roundabout 3 and 4 on the enclosed plan. The latter road would have then been able to access the Burdon Lane site but without the need for Burdon Lane to remain open as a through route.

The developers for the Burdon Lane site have agreed to contribute £380,113.00 towards these stretches of road, but this sum would not pay for all the works. The proposal would be to retain this money until further contributions come forward in relation to other housing sites to the east of this site (shaded brown on the plan) come forward. Any section 106 agreement would be worded to allow this pooling of funds.

In the meantime the site would have to be accessed from Burdon Lane and this is why significant amendments to the scheme incorporating off-site road improvements have been requested and now obtained, such that the access proposals would be acceptable even if the RDPL was never completed. A drawing of the amended proposals will be displayed at committee.

Proposals

The original layout submitted raised several concerns in respect of the site access, road widths, footways, visibility, street lighting, speed limits, road signs and marking, internal layout, future road infrastructure and the public right of way which adjoins the site.

A revised scheme has been submitted to address the concerns raised. The scheme has been altered to include the following key features:-

The proposal would see the main means of access taken from the C517 Burdon Lane, approximately 100 metres west of the junction with Bevan Avenue. The application is supported by a Transport Statement (TS), which includes an assessment of the traffic and road safety issues arising from the proposals. The TS concludes that development traffic will not have a material impact on the surrounding road network.

The revised plans have significantly improved the visibility at the junction of the site, the plan indicates works outside the redline boundary on Burdon Lane to the east and west of the site, these works will form part of the Section 278 and Section 38 Agreement which network management will be dealing with. A Grampian condition should be attached should planning permission be granted to ensure the road is constructed prior to the commencement on site and occupation of any of the dwellings.

Key changes to the layout include:-

The road width has been altered to achieve the desirable standard within the vicinity of the site access.

The applicant has agreed to extend the proposed westwards footway connection to accommodate the desire line for the frontage properties.

The proposed scheme now addresses the concerns in respect of street lighting, speed limit signs and markings.

Additional street lighting along the frontage of the development is proposed as part of the revised layout. This will have the effect of extending the existing 30mph zone which applies within Ryhope village, to a point at least 100m further west along Burdon Lane.

Additional signs and road markings have been included in the revised layout. These would warn motorists of their approach to the extended 30 mph area and would have the effect of reducing the speed of traffic entering Ryhope along Burdon Lane and particularly adjacent to the proposed access to the development.

Future Road Infrastructure

The Ryhope Tunstall Periphery Planning Guidance (RTPPG) sets out the principle of phased development and the delivery of highway infrastructure with Burdon Lane being severed by the proposed Ryhope Doxford Park Link road (RDPL). The applicant has agreed to this and has contributed a commuted sum which is defined in the Heads of Terms section on this report, the monies will be secured for a period of 10 years from the completion of the site. Prior to the completion of this road the site will be accessed from Burdon Lane improved in the manner described above.

Internal Layout

The internal layout has been amended to incorporate minor design features, such as visitor parking, increased road widths and traffic calming measures. The proposed amendments are considered acceptable in principle.

Public Right of Way

The applicant has agreed to fund works to the eastern boundary of the site which abuts Ryhope Footpath 7. The footpath will be upgraded to a nominal 3m wide, street lit bridleway, to cater for increased demand generated by the development, this will form part of the section 106 agreement.

Travel Plan

The applicant has agreed that should planning permission be granted, this could be controlled by planning condition.

In conclusion the revised layout has addressed the outstanding highways issues which had been raised. The proposed layout is considered acceptable in principle and complies with policy T14 of the adopted Unitary Development Plan.

Summary of Representation received.

Full consideration of the two objectors concerns have been addressed in the points contained within the main agenda report and this supplementary report. Issues regarding the highways, ecology and spacing standards are all considered acceptable and comply with the Council's guidance on the relevant matters.

Conclusion.

The proposed development is considered to be acceptable in terms of design, layout, highway and residential amenity and is therefore recommended for approval. Accordingly Members are recommended to approve the application, subject to the conditions as listed set out below:-

- 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:
 - Site Location Plan - Drawing number 238-BEL-001 Received the 11.11.2011
 - Site Plan as Proposed Drawing 238-BEL-100F Received the 15.02.2012
 - Existing Sections and Levels Drawing No A-21 Rev A received 11.11.2011
 - Visibility Plan - Drawing JN0483- DWG-0004A received 13.02.2012
 - Gateway Plan - Drawing JN0483- DWG-0005 received 13.02.2012

 - Drawing S36259 -The Brampton Plans and Elevations received 29.01.2012

- Drawing S3632 - The Salisbury Plans and Elevations received 11.11.2011
- Drawing S3752 - Stanford Plans and Elevations received 11.11.2011
- Drawing S3635 -The Stourton Plans and Elevations received 11.11.2011
- Drawing S3656 - Sandhurst Plans and Elevations received 11.11.2011
- Drawing S3628 - Belsay Plans and Elevations received 29.01.2012
- Drawing S3633 - Brampton Plans and Elevations received 29.01.2012
- Drawing S3613 - Brentwood Plans and Elevations received 29.01.2012
- Drawing L6496 -The Eastleigh Plans and Elevations received 29.01.2012
- Drawing L6493 - The Eastleigh Plans and Elevation received 29.01.2012
- Drawing L5728 - The Faceby 2 Plans and Elevations received 29.01.2012
- Drawing L5729 - The Faceby 2 Plans and Elevations received 29.01.2012
- Drawing L5945 - The Wedmore Plans and Elevations received 29.01.2012
- Drawing S3654 - Somerton Plans and Elevations received 29.01.2012
- Drawing S3650A - Weston Plans and Elevations received 29.01.2012
- Drawing S3636 - The Bracknell Plans and Elevations received 29.01.2012
- Drawing S3634 - The Montagu Plans and Elevations received 29.01.2012

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 of the submitted plans, development shall not be commenced on site until further details of the off-site highway improvements have been submitted to and approved in writing by the Local Planning Authority, none of the development hereby approved shall be occupied until those improvements have been implemented to the satisfaction of the Local Planning Authority. In order to comply with policy T14 of the Unitary Development Plan.
- 4 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 UDP.
- 5 Notwithstanding any specifications on the submitted plans 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 policy B2 of the UDP.
- 6 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 of the UDP
- 7 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 and CN18 of the UDP.

- 8 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 CN18 of the UDP.
- 9 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 10 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 / sales 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 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 approved Unitary Development Plan.
- 12 Prior to the completion of the development, a Green Travel Plan, based upon the submitted Travel Plan Framework (dated 22 September 2009) shall be submitted to and agreed in writing by the Local Planning Authority. Prior to the occupation of the development, the developer shall appoint a Travel Plan co-ordinator to implement the Green Travel Plan, once approved and thereafter its effectiveness shall be monitored and reviewed for a period of not less than 5 years after completion of the development. The implementation, monitoring and review of the Green Travel Plan is to ensure that the site is accessible by alternative modes of travel, in the interests of traffic mitigation and environmental sustainability and to comply with Policies T1, T2 and T14 of the Unitary Development Plan.
- 13 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 Local Planning Authority. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to

a minimum standard of Code Level 3, in the interests of sustainability and in order to comply with Policies R1 and R4 of the Unitary Development Plan and Policies SPDF1 and SPDF2

14 Prior to the occupation of the development, details of any "Welcome Pack" information should be submitted to and agreed in writing with the Local Planning Authority. For the avoidance of doubt, such details shall include information about the following:-

a. The existence of and the aims and objectives of the site Green Travel Plan

Once such details have been approved, a copy shall be made available at each apartment / dwelling, prior to their occupation, in the interests of achieving a sustainable and satisfactory form of development, in order to comply with Policies T1, T2 and B2 of the Unitary Development Plan.

15 The proposed ecological mitigation works shall be implemented and carried out in complete accordance with section D of the Extended Phase 1 and Protected Species Survey by E3 Ecology received the 11.11.2011. In order to comply with policy CN22 of the Unitary Development Plan.

16 Before the development is commenced on site the County Archaeologist must be informed, in order that arrangements can be made for an archaeologist, with a watching brief, to be present on site while foundation trenches are dug and topsoil removed, in order that potential archaeological information can be recovered and to comply with policy B11 of the UDP.

17 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number 17 to number 19 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 19 has been complied with in relation to that contamination. To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

18 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

human health

property (existing or proposed) including building, crops, livestock, pets, woodland and

service line pipes,
adjoining land,
groundwaters and surface waters,
ecological systems,
archaeological sites and ancient monuments.
(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11.' To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan

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

20 The remediation scheme approved under Condition number 17 (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.

21 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 17 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the

requirements of condition number 19 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 18 (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