

Planning and Highways Committee
5^h February 2024

REPORTS FOR CIRCULATION

REPORT BY EXECUTIVE DIRECTOR – CITY DEVELOPMENT

PURPOSE OF REPORT

This report is circulated to the Committee. It includes additional information received after the preparation of the Committee Report. This information may allow a revised recommendation to be made.

LIST OF CIRCULATED ITEMS

Application 1 of Item 4

22/00970/FUL

Land at Harrogate Street and Amberley Street, Sunderland

Since the publication of the main agenda report, further landscaping plans for the development have been submitted by the applicant for the Council's consideration. The submitted plans are currently being reviewed by the Council's Landscape team.

In the event the submitted details are considered acceptable, draft condition 2 can be amended to include the list of submitted plans. Draft condition 6 would also no longer be required.

If, however, the submitted details were not considered acceptable, the landscaping drawings currently listed in draft condition 2 would be removed and draft condition 6, which requires the submission and approval of final landscaping details, would remain.

For the reasons set out in the main agenda report, the application is considered acceptable in respect of all other relevant matters. An amended recommended decision, which addresses the position relative to landscaping as detailed above, is provided below.

RECOMMENDATION:

Delegate to the Executive Director of City Development who is **MINDED TO APPROVE** the application subject to agreement of final landscaping details,

the draft conditions outlined within the report (subject to amendments to landscaping conditions as necessary) and the completion of a S106 Agreement.

Application 2 of Item 4

23/00747/FUL

Land to the south of Colliery Lane, Hetton-le-Hole, DH5 0HU

Applicant: Aldi Stores Limited, National Association of Clubs for Young People and Hellens Land Ltd

There have, since the publication of the Report on Applications, been a further three representations received expressing support for the proposed development.

The recommendation within the Report on Applications will be repeated below.

Delegate the application to the Executive Director of City Development who is Minded to APPROVE the application subject to:

Grant planning permission; subject to:

- *The successful completion of a legal agreement for a financial contribution towards off-site biodiversity net gain.*
- *The receipt of a positive consultation response from the Local Highway Authority (including any additional / amended condition and / or obligations by way of legal agreement).*
- *The draft conditions below.*

In terms of the second point, the recent advice from the Local Highway Authority will be repeated below.

Based on the evidence supplied by the applicant, the level of parking provided within the development site is considered to be appropriate to meet customer demand.

The submitted Transport Assessment considered the operation of three junctions. The site access (to inform on its design), Colliery Lane/Lyons Avenue and A182/B1284/Colliery Lane (Four Lanes End). Both existing junctions will be able to operate within capacity during peak hour demands.

The remaining information including assessment of turning manoeuvres within the site is acceptable.

The proposed highway conditions are still applicable.

Based on the above, there are no objections to the proposal on highway grounds.

The advice from the Local Highway Authority therefore satisfies the second point within the Report on Applications.

The amendments below are also recommended for the draft conditions.

Condition 21

Amend as below, with addition as **bold italic** and deletion ~~strikethrough~~

*“Prior to the proposed supermarket being brought into use, final details of the proposed boundary treatment (**including details of who would be responsible for the maintenance of the boundary treatment**), shall be provided for approval, and subsequently installed, in accordance with those details. The proposed boundary treatment should be prepared in consultation with Hetton Lyons Cricket Club. **The approved boundary treatment shall be installed before the supermarket is first brought into use and retained thereafter for the lifetime of the development hereby approved.***

*If the submission includes a fence **boundary treatment** with a height of greater than 2 metres, then a separate grant of planning permission would be required. The planning permission would need to be granted before the development is first brought into use **and the boundary treatment installed before the supermarket is first brought into use and retained thereafter for the lifetime of the development hereby approved.***

Reason: To ensure that the proposed development would be compatible with the existing cricket club and to preserve amenity, in accordance with policy HS1 of the Core Strategy.”

Condition 26

Should refer to condition 25, rather than condition 24.

Condition 27

The opening times Monday – Saturday should be 08:00-22:00, rather than 08:00-23:00; in accordance with the submitted Noise Assessment.

Additional condition

The Local Highway Authority have also recommended an additional condition, which will be repeated below:

The development hereby approved shall not be brought into first use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in

accordance with the approved Travel Plan.

Reason: To ensure sustainable travel, in accordance with policies ST2 and ST3 of the Core Strategy.

Additional condition

There have been two drawings submitted showing the proposed levels, one of which shows steps from the car park to the footpath to the west of the site. The Agent has confirmed that these stairs are not proposed for inclusion within the proposed development. Officers would recommend that the matter could be dealt with via a condition ensuring the submission of an amended levels plan, removing the stairs in question.

No development shall commence until an amended Proposed Levels Plan (Drawing No. -2000, Revision P03) has been submitted to and approved in writing by the Local Planning Authority. The amended Plan shall show the removal of the steps shown on the western boundary (annotated as "9 No. 150mm STEPS").

Reason: To preserve amenity, in accordance with policy HS1 of the Core Strategy.

Given the above, the recommendation should be amended as below:

RECOMMENDATION

Delegate the application to the Executive Director of City Development who is **MINDED TO APPROVE** the application subject to:

- The successful completion of a legal agreement for a financial contribution towards off-site biodiversity net gain.
- The draft conditions within the Report on Applications.
- The additional / amended draft conditions within this Report for Circulation.

Application 6 of Item 4

23/02160/LP3

**City Contracting Services, Parsons Depot, 13 Parsons Road
Parsons, Washington, NE37 1EQ**

This report is to make Members aware that, following the publication of the Committee Report, further consideration has been given to ecology mitigation as suggested by the Council's Ecology Officer. It is considered that the installation of bat and bird boxes could be secured in the adjacent woodland to the north given that it is Council owned land. It is therefore recommended

that the following additional condition be attached to any planning permission:

Additional Condition 4

Within two calendar months of the commencement of development hereby permitted, details of bat and bird boxes to be installed within the adjacent woodland to the north shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a. The detailed design(s) and / or make and model of bat and bird boxes to be installed;*
- b. The location of proposed habitat boxes shown on appropriate scale maps and plans;*
- c. The timetable for implementation; and*
- d. The persons responsible for implementing the works.*

The bat and bird boxes shall be carried out / installed strictly in accordance with the approved details and in accordance with the timetable for implementation.

Reason: To ensure a satisfactory standard of development, to mitigate impacts on protected species, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

RECOMMENDATION

It is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members **GRANT CONSENT** for the proposal subject to the draft conditions provided in the main report and the additional Condition 4 above.

Application 8 of Item 4

23/02495/VA3

Land South of High Street West, Sunderland, SR1 3DZ

The Agent has recently submitted an amendment to the east elevation clarifying how much of the proposed building would be visible from High Street West.

The Agent has further recently submitted a small amendment to the south elevation showing the doors for the ground floor deliveries and substation.

The details sought by the third condition have already been approved via an application to discharge the same condition attached to an earlier grant of planning permission.

Given the above, the recommendation should be amended as below:

RECOMMENDATION

It is recommended that Members **GRANT CONSENT** under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended); subject to:

- the draft conditions within the Report on Applications.
- Within condition 2, amend “South Elevation (3820-FBA-XX-XX-DR-A-00_52 P02)” to “South Elevation (3820-FBA-XX-XX-DR-A-00_52 P4)”
- Within condition 2, add “East Elevation (Drawing No 3820-FBA-XX-XX-DR-A-00_67 P2)”
- Replace condition 3 with:

The construction phase shall be undertaken in accordance with the plans and reports below:

- Construction Environmental Management Plan (24 November 22) (approved via: 22/02577/DIS)
- Re: Culture House, Sunderland Remediation Letter (DUN_D10545_01_00) (approved via: 23/01425/DIS)

Reason: To address the potential impacts to the local environment arising from site works; in accordance with policies HS1, HS3, ST2 and ST3 of the Core Strategy and Development Plan (2015-2033).

Application 10 of Item 4

23/02556/LP3

Land at Herrington Country Park, Chester Road, Shiney Row.

Further to the publication of the main agenda report, the Council’s Environmental Health team has confirmed that there are no objections to the proposed development.

In terms of public consultation, no further representations have been submitted since the publication of the main agenda report. The public consultation period does not, however, expire until 6th February 2024, the day after this Committee meeting.

Officers would recommend that Members be minded to Grant Consent for the proposed development once the public consultation period has ended. In the event any representations are received which raise matters which have not already been considered by the main report, the application would be referred to the next available Planning and Highways Committee to enable Members to consider the content of the representation and an updated recommendation would be provided by Officers.

RECOMMENDATION

It is recommended that Members be **MINDED TO GRANT CONSENT** under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) subject to the expiry of the public consultation period with no further representations, or representations only raising matters already addressed by the main report, being received, and subject to the draft conditions set out in the main report.

Application 11 of Item 4

23/02561/LP3

Roker Park, Roker Park Road, Sunderland

At the time of publication of the main report, the public consultation period had not yet expired. The consultation period ended on 29th January 2024 and no further representations have been received.

In addition, since the publication of the main report, comments have been received from the Council's Built Heritage officer. The submitted comments note that Roker Park is a Registered Historic Park and Garden which is within the Roker Park Conservation Area. The proposed development is within the setting of several Listed and non-Listed heritage assets located in the park, including the Grade-II Listed bandstand and drinking fountain. The Built Heritage officer notes that the Roker Park Conservation Area Management Strategy seeks to 'manage and enhance the special historic interest of Roker Park.... whilst allowing it to reach its full potential as a valued urban park and seafront attraction'.

The Built Heritage officer suggests that the proposed Changing Places building will improve facilities within Roker Park and its simple, functional design will mean it generally blends into its surroundings and sit quite subtly in the proposed location and not compete with nearby heritage assets.

The Built Heritage officer considers it preferable, however, for natural hardwood to be used as the external cladding material as opposed to composite timber and it is suggested that a condition be imposed to require final details of external details to be agreed. This would replace draft condition 3 provided on the main agenda report.

It is also suggested that it would be beneficial for existing trees/shrubbery around the site of the building to be retained in order to provide screening. The submitted details do not suggest that any trees/shrubbery would have to be removed to accommodate the building, whilst the removal of any large shrubs and trees would require the submission of a notice to the Local Planning Authority due to the site's location within the Conservation Area. An informative note can be added to the decision notice to address this matter.

Consultation comments are, however, still awaited from The Gardens Trust. It

is recommended that Members be Minded to Grant Consent for the proposed development, subject to there being no objection to the development from The Gardens Trust, or an objection which only raises matters not already addressed by the main report, and subject to any additional conditions recommended by The Gardens Trust. In the event The Gardens Trust object to the application in respect of matters not already addressed by the main report, it would be referred to the next available Planning and Highways Committee to enable Members to consider the objection and an updated recommendation would be provided by Officers.

RECOMMENDATION

It is recommended that Members be **MINDED TO GRANT CONSENT** under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to there being no objection to the application from The Gardens Trust, or an objection which only raises matters not already addressed by the main report, and subject to the draft conditions provided in the main report, the replacement condition 3 below and any further conditions requested by The Gardens Trust.

Replacement condition 3

The building hereby approved shall not be installed until details of the final treatment of the external materials used in its construction have been agreed with the Council as Local Planning Authority. The building shall then be constructed in accordance with the agreed details.

Reason: to ensure materials used in the construction of the building are acceptable and to comply with the objectives of policies BH1, BH7 and BH8 of the Council's CSDP.

END OF REPORT