

## **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 (General Development Procedure) Order 1995.

## **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 Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett  
Director of Development and Regeneration Services.

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1.

Houghton

Reference No.: 09/00432/VAR Variation of Condition

**Proposal:** Variation of condition No. 2 of planning permission 07/00428/SUB (Extension to existing care home to provide 30 No. bedrooms with ancillary accommodation) through the relocation of the main entrance to the home.

**Location:** The Pavillion North View Terrace Colliery Row Houghton Le Spring

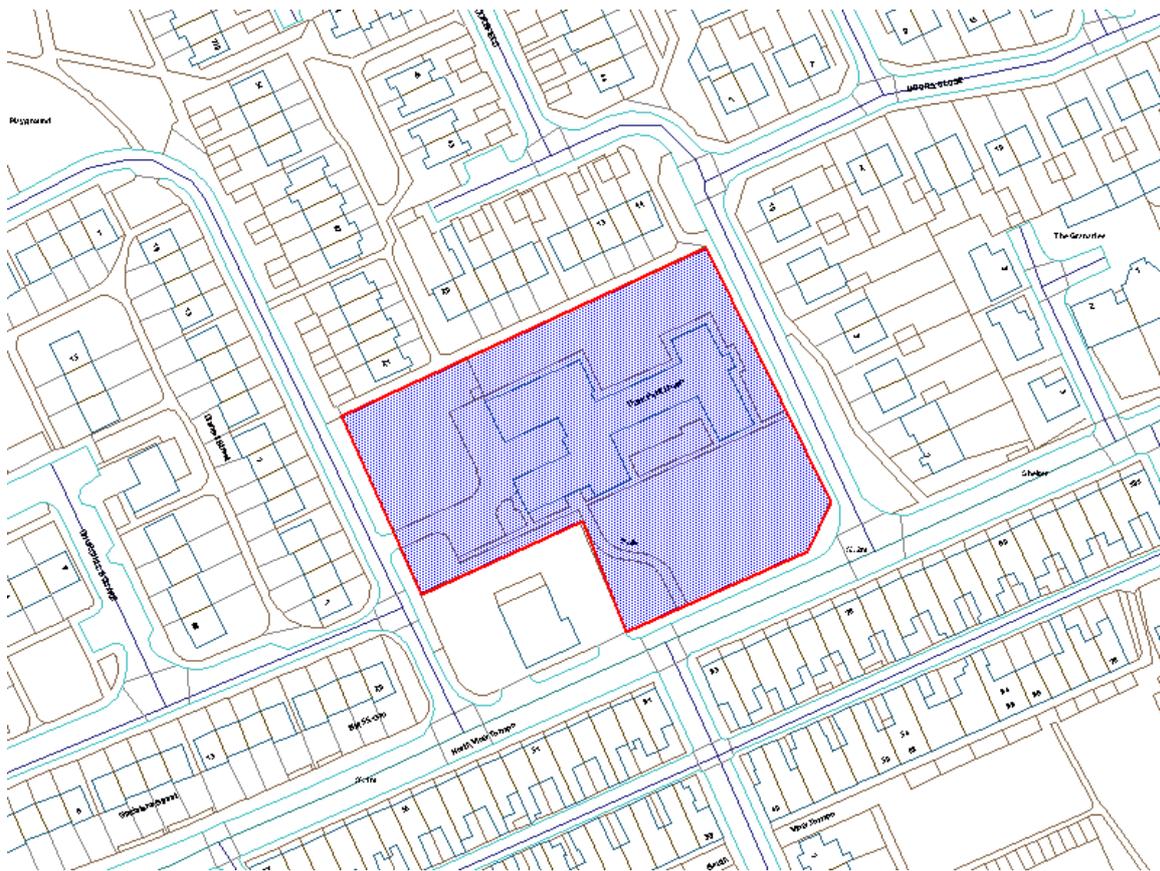
**Ward:** Houghton

**Applicant:** Healthcare Properties (Oxford) LTD

**Date Valid:** 13 February 2009

**Target Date:** 10 April 2009

### Location Plan



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### PROPOSAL:

Planning consent is sought for the variation of condition no.2 on planning consent 07/00428/SUB, for the erection of an extension to provide 30 additional bedrooms at The Pavilion Care Home, North View Terrace, Fence Houses.

Members may recall that this application was reported to the Sub-Committee Meeting on 3 April 2007 when it was resolved to delegate the decision to the Director of Development and Regeneration, who was minded to approve the scheme following expiry of the statutory consultation period. No representations were received prior to the expiry of the consultation period and the application was subsequently approved.

The planning consent has not yet been implemented and has been subject to a review of the scheme by European Care Operations, which has identified that the position in which the main entrance has been approved is unsatisfactory due to the distance from the car park, which could cause difficulty for users of the home with disabilities and also the emergency services.

Condition no. 2 on the planning consent relates to the plans submitted at the time of the previous application and dictated that the development should proceed in complete accordance with the approved plans. Thus the applicant is seeking to vary this condition to allow for the relocation of the main entrance from its approved position on the south east elevation to the south west elevation, close to the car park, with various other associated minor alterations to the fenestration of the building.

This proposal will see the substitution of two bedrooms, relocated from elsewhere in the proposed extension, in place of the originally approved entrance, with windows inserted to match those incorporated to the other bedrooms to this elevation. The proposed new entrance is positioned on the south west elevation and is in place of two bedrooms, which are relocated to the front of the property as detailed above. In addition, externally, the proposal results in the omission of a previously incorporated peak feature to the front elevation above the main entrance.

The proposed new entrance to the south west elevation would see the erection of a canopy 2.8 metres in height and 2.6 metres in width above a new entrance door, with five additional windows inserted due to changes to the internal layout. Internal alterations to the layout of the proposed extension also lead to the relocation of one bedroom from the ground floor to the first floor, although the total of 30 bedrooms is consistent between the original approval and the revised plans.

#### **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Director Of Health, Housing And Adult Services

Final Date for Receipt of Representations: **12.03.2009**

## **REPRESENTATIONS:**

To date, two representations have been received from the occupiers of 1 and 2 Moorsfield. The representations both raise the following concerns:

- The proposed extension would reduce light to the objectors' properties.
- The proposed extension would reduce the privacy of the objectors' properties.
- The proposed extension would increase traffic and cause parking problems.
- The building is large enough now, the proposed extension is too large and will cause overshadowing.

It should be noted that both of the objections are worded so as to relate to the original proposal for the 30 bedroom extension to the care home as opposed to the minor alterations to which this proposal relates. Although no objections in this regard were received at the time of the original application in 2007, these matters were given consideration when determining the original application. It was not considered that there was sufficient reason to refuse consent as the proposed extension was offset from the nearest dwellings in Moorsfield by 26.4 metres, which is in excess of the minimum requirement of 21 metres set out in the Development Control Guidelines Supplementary Planning Guidance and Residential Design Guide Supplementary Planning Document. In addition, the proposed provision of 22 parking bays was considered acceptable at the time of the original planning application.

It should be noted that the consultation period does not expire until 12 March 2009, which is after the deadline for preparation of this report. Should any further representations be received, these will be reported on the supplement report.

## **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  
T\_22\_Parking standards in new developments

## **COMMENTS:**

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

- Principle of the Development.
- Design, siting and external appearance
- Highway Issues

## Principle of the Development

The site in question is not allocated for any specific land use within the Council's Unitary Development Plan (UDP) and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain.

As the development solely represents minor alterations to a previously approved scheme, being an extension to a residential care home in an area characterised by residential properties, the principle of the development is considered to be acceptable with due regard to UDP policy EN10.

## Design, siting and external appearance

In this regard, as detailed above, the only differences to the external appearance of the previously approved building relate to the insertion of two additional bedroom windows in place of the originally proposed entrance and the omission of a peak feature in the roof above this area. In addition, it is proposed to install a new entrance, with canopy over and five additional windows.

UDP policy B2 stipulates that the scale, massing, layout and/or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

Furthermore, the Residential Design Guide Supplementary Planning Document sets out minimum spacing requirements between residential properties, with a separation distance of 21 metres required for two storey properties.

In this regard, the footprint of the building is unchanged, with the proposed extension offset by 26.4 metres to Moorsfield and 27 metres to North View Terrace, facing the elevation where the entrance was originally proposed and in which the two relocated bedrooms are proposed. The area in which it is now proposed to install the entrance overlooks only the car park of the care home and the adjacent petrol filling station. In light of this, it is not considered that the proposed alterations to the approved plans are detrimental to the privacy of adjacent occupiers.

The design, siting and appearance of the proposed variations to the approved plans are considered to be acceptable and it is not considered that they compromise the visual amenities or privacy of the surrounding occupiers. As such, the proposal is considered to accord with the requirements of UDP policy B2 and the spacing standards as set out in the Residential Design Guide Supplementary Planning Document.

## 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. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

The proposed works make no alterations to the highways network or the parking provision around the property and no additional accommodation is proposed within the property beyond that previously approved by application 07/00428/SUB. It should also be noted that the relocation of the main entrance to the proposed position adjacent to the car park is aimed at improving access to the home for people with disabilities. As such, it is considered that the proposal accords with UDP policies T14 and T22.

## Conclusion

The proposal is considered to be acceptable with due regard to the relevant UDP policies detailed above in both principle and scale. It is not considered that the proposal would adversely impact upon the visual amenities of the area.

As the consultation period does not expire until 12 March 2009, which is after the deadline for preparation of this report, it is anticipated that a report setting out any further representations together with a recommendation will be made on the Supplement.

**RECOMMENDATION: Director of Development and Regeneration to Report**