

## **DEVELOPMENT PLAN**

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

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

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

## **STANDARD CONDITIONS**

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

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

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

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

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

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

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

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

Janet Johnson  
Deputy Chief Executive

1.

North  
Sunderland

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Reference No.: 11/03585/VAR Variation of Condition

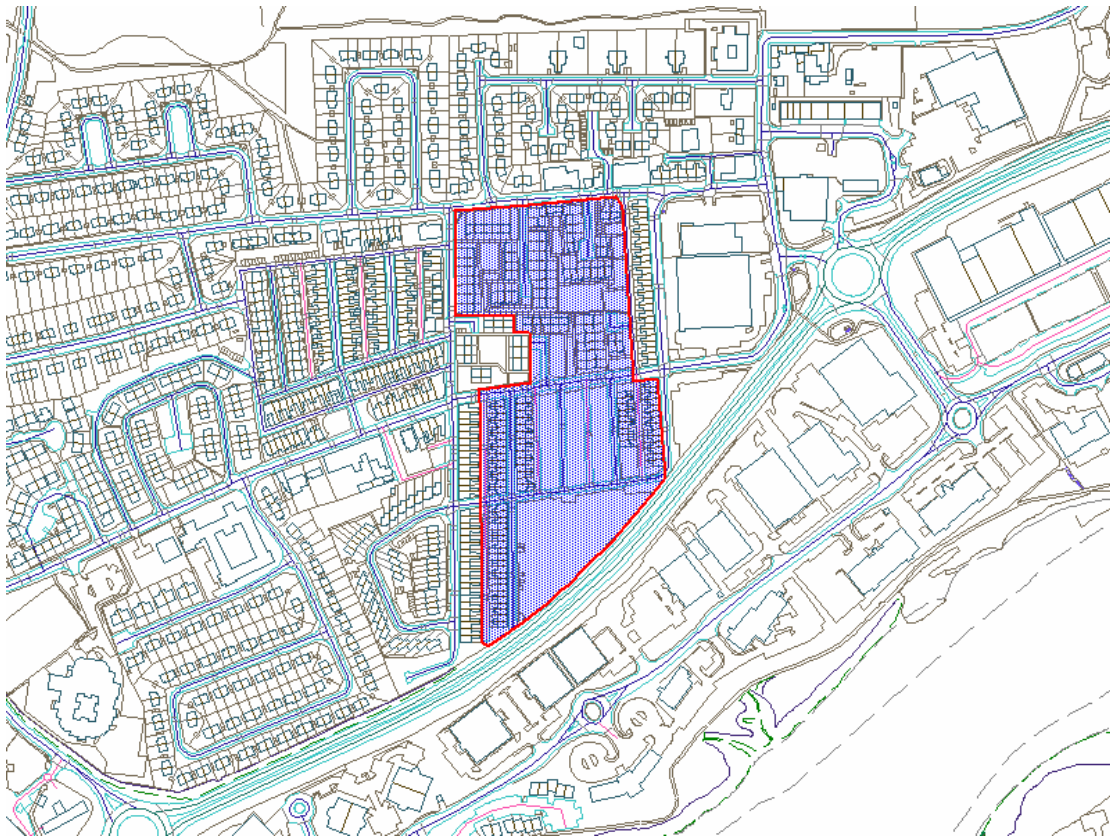
**Proposal:** Variation of condition 2 of planning approval 09/02977/FUL (Change of use from previous allotments and erection of 144no dwellings to include stopping up of existing highway).In relation to the list of approved plans.

**Location:** Land North and South Of Chaffinch Road Sunderland

**Ward:** Castle  
**Applicant:** Gentoo Sunderland  
**Date Valid:** 7 December 2011  
**Target Date:** 7 March 2012

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### Location Plan



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### PROPOSAL:

Member may recall in 2009, a planning application was granted for the erection of 145 houses.

This application seeks to vary the plans on the previously approved planning application 09/02977/FUL.

Phase one of the development is complete and many of the properties are now occupied. Phase 2 is the subject of this variation; no development has commencement on site.

The proposal seeks to vary the following elements of the scheme:-

#### Changes of house types

Plot 92 Type 5 - Changed to 5C & Detached

Plot 93 Type 7 - Changed to Type 14 & Detached

Plot 94 Detached

Plot 88 Type 5 - Changed to Type 5B

Plot 99 Type 3 - Changed to Type 3N

Plot 100 Type 3 - Changed to Type 3N

Plot 101 Type 3 - Changed to Type 3N

Plot 110 Type 4 - Changed to Type 4B

Plot 117 Type 5 - Changed to Type 5B

Plot 118 Type 5 - Changed to Type 5B

Plot 130 Type 5 - Changed to Type 5B

Plot 138 Type 5 - Changed to 5A

Plot 139 Bungalow Floor Plans & Elevations Revised

Plot 140 Type 3 - Changed to Type 1 now a bungalow

Plot 141 Type 3 - Changed to Type 1 now a bungalow

Plot 142 Type 3 - Changed to Type 1 now a bungalow

Plot 143 Type 3 - Changed to Type 1 now a bungalow

Plot 144 Type 3 - Changed to Type 1 now a bungalow

Plot 145 removed

Phase 2 of the development now has 65 units compared to the previously approved scheme which had 66 units; therefore there is a net loss of 1 unit.

#### Changes to Parking arrangements

Minor alterations have been made to the parking arrangements within the following plots:-

Plot 80 - Front access from Fairleigh Road changed to be accessed from Back Lane of East Castle View.

Plot 82 - Front access from Fairleigh Road now changed to be accessed from the rear via access between plots 94 and 102.

Plots 83-85 & 93-94 Parking Bays now in-curtilage accessed from the rear via access between plots 94 & 102. The residential court in this area has been revised.

#### Through Road

The through road from Linnet Grove onto Castleview is now proposed to be closed off as part of the re-design of Phase 2.

Additional consideration as part of the variation of the scheme is the consideration of bin stores and shed as indicated on plan GEN-O2B-200(2) received the 25.01.2012.

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

Press Notice  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Network Management  
The Highways Agency

Final Date for Receipt of Representations: **01.02.2012**

#### **REPRESENTATIONS:**

Neighbours

No representations have been received as a result of the consultation exercise undertaken in conjunction with this planning application.

Consultees

Highways Agency

The Highway Agency has issued no objections to the proposed variation of planning application.

Network Management

No objection to the closing off of the through road from Castleview to Linnet Grove.

## **POLICIES:**

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

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

B\_12\_Preservation of scheduled ancient monuments

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

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

R\_1\_Working towards environmentally sustainable development

R\_2\_Taking account of spare infrastructure / reduced travel / vacant & derelict land

T\_1\_Promote the development of a varied, balanced, integrated & sustainable transport system

T\_2\_Promote the role of public transport, improving quality, attractiveness and range

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

L\_9\_Retention of land used for allotments

NA\_10\_Seek improvements to the environment of older private residential area

NA\_24\_Improvements to existing allotment sites

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

H\_1\_Provision for new housing

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

T\_22\_Parking standards in new developments

H\_21\_Open space requirements in new residential developments (over 40 bed spaces)

## **COMMENTS:**

The key issues to consider as part of the variation are:-

- The appearance and layout of the development
- The impact on neighbouring properties
- Highways Issues
- Variation of the existing legal agreement attached to planning application 09/02977/FUL.

The site falls within the Castletown Masterplan Area, for which the masterplan was approved as an interim Supplementary Planning Document in December 2008. The Masterplan includes guidelines for the development of the site, incorporating the requirements of the City Council and the HCA. This application does not need to consider the principle of the development as this has already been established by the 2009 application.

The appearance and layout of the development.

Policy B2 of the UDP requires that the scale massing layout or setting of new developments should respect and enhance the best qualities of nearby properties and the locality, relating harmoniously to adjoining areas.

The design and access statement which has been submitted with the application provides useful background information in relation to the design concept and

justification for the proposed design approach. The layout of the proposed scheme has evolved through numerous pre-application discussions which have taken place between Gentoo and Council Officers. It is considered the layout submitted includes good urban design solutions including perimeter blocks and adequate levels of natural surveillance, interspersed by green spaces and key feature areas across the site. The Council's recommended spacing standards between dwellings are also met throughout.

The proposed addition of bins stores and the erection of sheds within various plots throughout the scheme are considered acceptable in principle as they do not have any detrimental impact on the neighbouring properties.

In terms of scale, the application proposes a range of building types and heights varying from 1 storey bungalows to 2 storey family housing. It would appear efforts have been made to ensure that street and roofscapes are varied to add visual interest, and key primary vistas and entrances are suitably animated. The scale and massing of the scheme therefore appears to be appropriate and acceptable. The changes to the various house types are detailed in the proposal element of the report.

To conclude issues relating to design and layout, the proposal is considered on the whole to be well-conceived and in accordance with policy B2 of the UDP.

The impact upon neighbouring properties.

Expanding upon UDP Policy B2, the Council also has additional guidance, in the form of Supplementary Planning Guidance (SPG) and a Supplementary Planning Document (SPD). These documents contain further recommended standards and examples of good design practise in which to inform proposals.

As mentioned in the design and layout section above, the Council's recommended spacing standards between dwellings has been met throughout the new development. With regards to the relationship between the new development and the existing properties around the periphery of the site, these standards are also achieved. The proposed changes of house type and their relationship with the surrounding area are considered as being acceptable and as such accords with Policy B2 of the UDP and SPG / SPD guidance.

#### Highways

As detailed in the proposal section of the report, there are minor alterations to parking arrangements for various plots. These changes are considered acceptable in principle as they create a more accessible and safe level of curtilage parking for the residents.

The major change to the scheme is the closing off of the through road from Castleview to Linnet Grove. This change is considered acceptable in principle as it will achieve a satisfactory form of development and contribute to the overall layout of the scheme, in reducing through traffic through the proposed layout.

#### Play Space Provision.

As part of the 2009 application the developer contributed £101,645 under a section 106 agreement for the provision of off-site play provision. The monies

would contribute towards the facilities sited at the Billy Hardy, Hylton Castle and Castletown Primary School Play Areas.

A deed of variation is currently being drafted to ensure the section 106 monies are tied into Phase 2 of the development.

Conclusion.

Taking the above into consideration, the proposal is considered to contribute positively to the regeneration of the Castletown area, providing some much-needed environmental improvements, close to the main retail / community core of the area. In design terms the proposed variation to the scheme is considered to be a well conceived solution to the redevelopment of this brownfield site, introducing a varied range of housing stock into the area. It is therefore recommended that the variation of planning permission be Granted subject to the signing of the Deed of Variation and conditions 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 the original permission was granted 06.11.2009 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:
  - GEN-08B-200(1) Revision P2 Phase 2 Site Layout
  - GEN-08B-205 Revision P1 External Materials Plan
  - GEN-08B-240 Revision P1 Block 1 Plots 80 -82 Plans and Elevations
  - GEN-08B-241 Revision P1 Block 2 Plots 83 -84 Plans and Elevations
  - GEN-08B-242 Revision P1 Block 3 Plots 85 -86 Plans and Elevations
  - GEN-08B-243 Revision P1 Block 4 Plots 87 -88 Plans and Elevations
  - GEN-08B-244 Revision P1 Block 5 Plots 89-92 Plans and Elevations
  - GEN-08B-245 Revision P1 Block 6 Plots 93 -94 Plans and Elevations
  - GEN-08B-246 Revision P1 Block 7 Plots 95 -98 Plans and Elevations
  - GEN-08B-247 Revision P1 Block 8 Plots 99 -102 Plans and Elevations
  - GEN-08B-248 Revision P1 Block 9 Plots 103 -110 Plans and Elevations

- GEN-08B-249 Revision P1 Block 10 Plots 111 - 117 Plans and Elevations
- GEN-08B-250 Revision P1 Block 11 Plots 118 - 124 Plans and Elevations
- GEN-08B-251 Revision P1 Block 12 Plots 125 - 130 Plans and Elevations
- GEN-08B-252 Revision P1 Block 13 Plot 131 Plans and Elevations
- GEN-08B-253 Revision P1 Block 14 Plots 132 - 133 Plans and Elevations
- GEN-08B-254 Revision P1 Block 15 Plots 134-135 Plans and Elevations
- GEN-08B-255 Revision P1 Block 16 Plots 136-138 Plans and Elevations
- GEN-08B-256 Revision P1 Block 17 Plot 139 Plans and Elevations
- GEN-08B-257 Revision P1 Block 18 Plots 140-144 Plans and Elevations

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 Prior to the commencement of works, the following details shall be submitted to and agreed in writing by the Local Planning Authority: Samples of all external materials and finishes, comprising roof cladding, wall facing materials, window glass, door and window frames (including a colour schedule), decorative features and rainwater goods etc. Sample panels of brickwork, demonstrating the colour, texture, face bond and pointing. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and in order to comply with policies B2 of the Unitary Development Plan.
- 4 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 prior to commencement of the development. The agreed boundary treatment(s) shall be completed before occupation or in accordance with an agreed timetable and be maintained as per the agreed details thereafter, in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 5 Prior to the commencement of development a plan shall be submitted to and approved in writing by the Local Planning Authority providing details of proposed ground level sections across the site and details of the finished



slab levels of each property. Once agreed the development shall be built in complete accordance with these details, unless otherwise agreed in writing with the Local Planning Authority, in order to achieve a satisfactory form of development and to comply with policy B2 of the Unitary Development Plan.

- 6 No ground works or development work shall take place until a programme of archaeological work (to include evaluation trenching and where appropriate, mitigation) has been completed. This shall be carried out in accordance with a specification(s) provided by the County Archaeologist. The archaeological report(s) shall be submitted to and approved by the Local Planning Authority before the development commences, in order to ensure that any archaeological remains on the site can be preserved wherever possible and recorded and to accord with Policies B12 and B13 of the Unitary Development Plan.
- 7 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the Local Planning Authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the Local Planning Authority, in the interests of residential amenity and to comply with policy EN14 of the Unitary Development Plan.
- 8 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority, in the interests of residential amenity and to comply with policy EN14 of the Unitary Development Plan.
- 9 Should any contamination not previously considered be identified during construction works a method statement regarding this material shall be submitted to the Local Planning Authority for approval, in the interests of residential amenity and to comply with policy EN14 of the Unitary Development Plan.
- 10 Prior to the commencement of development, a detailed scheme for the diversion of Northumbrian Water apparatus (including sewers and water mains) or confirmation that the proposal will not result in building over by the development hereby approved will be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Once agreed, the development will be constructed in complete accordance with the approved details, in order to achieve a satisfactory form of development and to comply with Policy EN12 of the Unitary Development Plan.
- 11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of traffic calming. All works shall be completed in accordance with the approved details before the first house is occupied in the interests of highway safety and to comply with policy T14 of the Unitary Development Plan.

- 12 Prior to development commencing on the site precise details (and samples where necessary) of all surfacing materials to be used on footway areas throughout the development shall be submitted to and approved in writing by the Local Planning Authority, In the interest of highway safety and to achieve a satisfactory form of development on site and to comply with the requirements of Policies T14 and B2 of the Unitary Development Plan.
- 13 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 details of all proposed hard surfacing, (including the precise layout and location of footways, means of enclosure, lighting columns, bollards and any other street furniture) and planting (including a schedule of the sizes and species of plants), in the interests of visual amenity and to comply with policy B2 of the 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 Unitary Development Plan.
- 15 No operations shall commence on site in connection with development hereby approved (including soil moving, temporary access construction or any other operations that involve the use of motorised vehicles or construction machinery) until all areas for new tree planting have been plotted onto a site layout plan indicating such tree constraints. These areas shall then be protected from damage (especially soil compaction) by the erection of barriers and / or ground protection. The size and specification of these barriers is to be agreed in writing with the Local Planning Authority prior to its implementation, in the interests of visual amenity and in order to comply with policy B2 of the Unitary Development Plan.
- 16 Unless otherwise agreed in writing with the Local Planning Authority, the construction works required for the development hereby approved (including deliveries made to the site) 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 Unitary Development Plan.
- 17 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.

- 18 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.
- 19 Notwithstanding the submitted plans, none of the dwellings shall be occupied until the estate roads which give access to them have been completed to at least base coarse level in accordance with the submitted plans, in order to achieve a satisfactory form of development and to comply with policy B2 of the Unitary Development Plan.
- 20 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.
- 21 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.
- 22 Prior to the completion of the first dwelling, details of energy efficiency and/or renewable energy measures should be submitted to and agreed in writing with the Local Planning Authority. For the avoidance of doubt, such details shall include a justification for the type of measures chosen, including estimations of energy saved / created by such measures. Following the approval of such details, the agreed measures shall be implemented prior to the occupation of each building and maintained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority, in the interests of sustainable development and in order to comply with policy R1 of the Unitary Development Plan.

23 Notwithstanding the provisions of the current Town and Country Planning General Permitted Development Order; no gates, fences, walls or other means of enclosure, extensions to the dwellings or other development shall be undertaken within the curtilages of the dwellings hereby permitted without the prior written consent of the Local Planning Authority, in order that the Local Planning Authority may retain control over the development and to comply with policy B2 of the Unitary Development Plan.

24 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

B) An explanation about the removal of Permitted Development rights, with particular regard to the alteration of boundary enclosures.

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.

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Reference No.: 11/03692/FUL Full Application

**Proposal:** **Erection of two-metre high fencing to facilitate the change of use of public open space and former housing land to private open space in preparation for the erection of a fire station and change of use of former housing land to public open space and diversion of public footpath (AMENDED DESCRIPTION 01.02.2012)**

**Location:** Land North Of Marley Crescent West of Old Mill Road Sunderland

**Ward:** Southwick

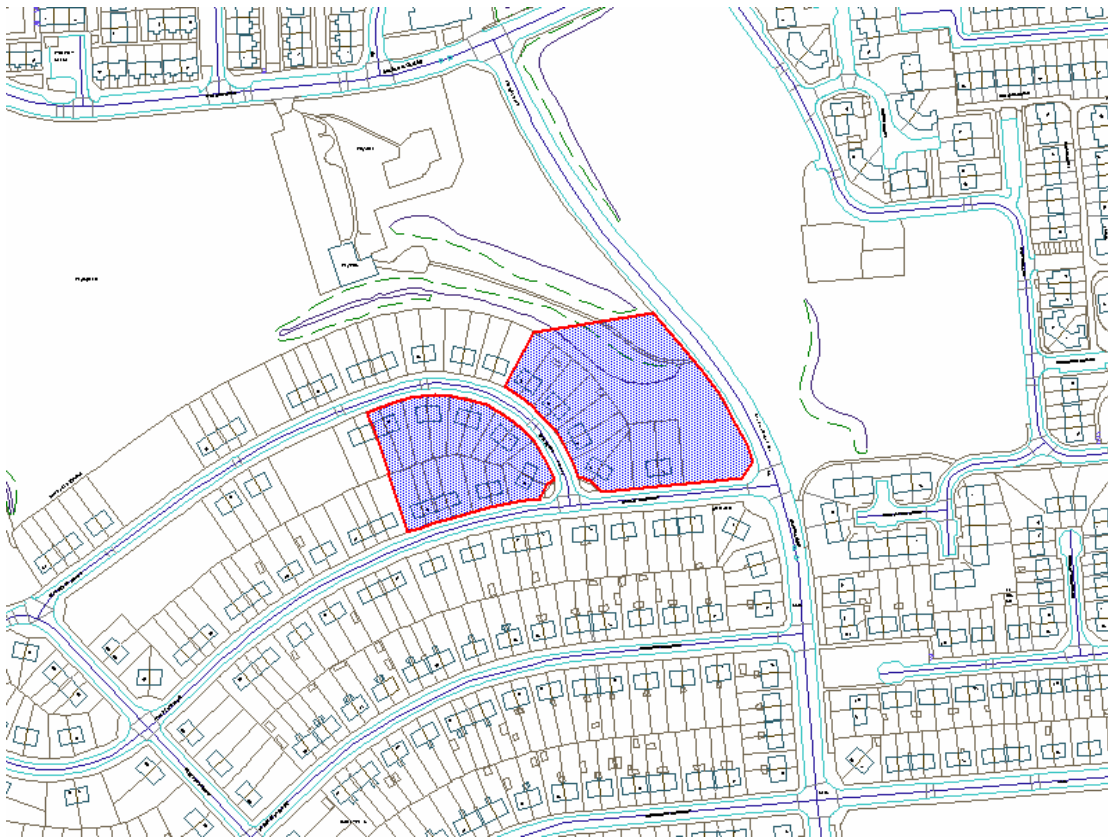
**Applicant:** Tyne and Wear Fire And Rescue Service

**Date Valid:** 19 January 2012

**Target Date:** 15 March 2012

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### Location Plan



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## **PROPOSAL:**

The application site is split into 2no. distinct sections, separated by Maplewood Avenue, both of which are situated on the north side of Marley Crescent. The site forms part of an area of cleared housing stock and a series of two-storey semi-detached and link-terraced dwellings exist along the south side of Marley Crescent. As Members may recall, the current application site abuts the site of an approved application submitted by Gleeson Homes and Regeneration Ltd. for a development of 70no. dwellings which was heard at the Development Control (Sunderland North) Sub-Committee of 02 November 2011.

Planning permission is sought to erect Paladin fencing around the eastern section of the application site to facilitate its change of use to private open space in preparation for a potential future development of the site to provide a fire station. The proposed fencing measures 2m in height and would encompass an existing public footpath, which would be diverted along the outside of the proposed enclosure; it was originally proposed to retain the footpath in its current form, which would be flanked by the proposed fencing, however it was considered that such an arrangement would be undesirable from a crime prevention perspective by restricting natural surveillance. A section of the eastern side of the site, adjacent to Old Mill Road, would be set off the footway to provide a visibility splay and a set of 1.5m wide, 2m high double gates would be incorporated in the northern section of the boundary enclosure, all of which would be coloured RAL 6005: Moss Green. In order to compensate for the open space which would be lost, the use of the western section of the application site, a cleared housing site, would be changed to public open space.

The eastern section of the site has an area of approximately 6200m<sup>2</sup> and forms the prominent northwest corner of Marley Crescent and Old Mill Road. Around half of this part of the site, its northeasternmost extent, forms part of a wider area which is allocated by the UDP as existing open space over 1ha and by the Open Space Register as equipped children's playspace. The remainder of the site previously contained 5no. pairs of two-storey semi-detached dwellings, which have since been cleared and the area turfed. Open-boarded fencing currently runs through the plot, dividing the allocated open space and the cleared housing stock sections of this part of the site, whilst open railings run along the corner of the site and its side which fronts onto Old Mill Road. The site contains a number of sparsely planted semi-mature trees, is heavily contoured and raised above street level.

The westernmost section of the site has an area of around 3870m<sup>2</sup> and forms the western corner of Marley Crescent and Maplewood Avenue. This part of the site previously contained 8no. pairs of two-storey semi-detached dwellings, 3no. of which were linked and all of which have been cleared and the area turfed along with other dwellings on the north side of Marley Crescent for the aforementioned housing development. This western section of the site is unenclosed and comprises a gradual downward slope from east to west and from north to south.

There is no record of any relevant planning applications relating to the site, although notification was provided to the Council, acting in its capacity as Local Planning Authority, by Gentoo to demolish dwellings which previously existing on and within the vicinity of the site.

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

City Services - Network Management  
Street Scene (Environmental Service)  
County Archaeologist

Final Date for Receipt of Representations: **28.02.2012**

## **REPRESENTATIONS:**

The County Archaeologist confirmed that, whilst an archaeological desk-based assessment is required for any forthcoming application to erect a fire station, such an assessment is not required for the proposed fencing as this would result in only minimal ground disturbance.

The Council's Executive Director of City Services: Network Management raised no objections, but recommended that the proposed footpath diversion be carried out and made available for use prior to the closure of the existing footpath. In addition, the tying-in of the proposed footpath with the existing should be done over a large radius, following the desire line and avoiding any angular connection, to reduce the likelihood of pedestrians walking on the adjacent grass rather than utilising the footpath.

No representations have been received from neighbouring residents to date, although the statutory period for the receipt of representations has yet to expire.

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
B\_3\_Protection of public/ private open space (urban green space)  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
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 as follows:

- Principle of the Proposed Change of Use
- Impact on Visual Amenity of Streetscene
- Impact on Residential Amenity
- Highway Implications

The final date for the receipt of representations is 28 February 2012, subsequent to the preparation of this report but prior to the Sub-Committee meeting. Accordingly, it is anticipated that the relevant issues will be addressed on a supplementary report to the Sub-Committee, which will include consideration of any representations already received and those received in the interim and a recommendation on the application.

**RECOMMENDATION: Deputy Chief Executive to Report**