

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

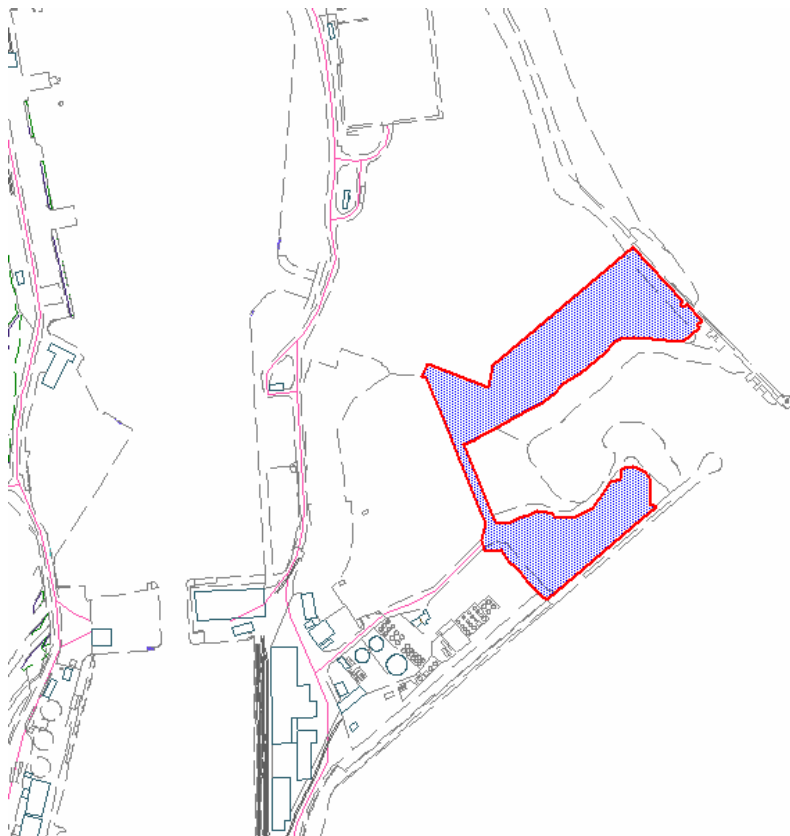
Reference No.: 12/00948/FUL Full Application

Proposal: Extraction of previously tipped aggregate above the Mean High Water Springs (MHWS) including the construction of temporary compound areas, car parking and weighbridge; the processing of extracted aggregate; storage of imported infill material and re-contouring of the land.

Location: Port Of Sunderland Capstan House Barrack Street Sunderland SR1 2BU

Ward: Hendon
Applicant: Mr Barry Scott
Date Valid: 29 May 2012
Target Date: 28 August 2012

Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

PROPOSAL:

Planning permission is sought for the extraction of previously tipped aggregate above the Mean High Water Springs (MHWS) level i.e. the highest level spring tides reach on average. The proposal includes the construction of a temporary compound area, car parking and weighbridge in order to facilitate the processing of the extracted aggregate for export and also to store the imported infill material in order to re-contour the land to create development platforms.

The Site

The application site is the South Outlet, which is located at the eastern side of the Port complex. The Outlet is defined by the North East Pier and the South West Breakwater and remains open to the North Sea. The aggregate, which largely comprises of concrete and bricks, was deposited during the 1970's and 80's. This has resulted in two main areas of tipped aggregate. One area is located to the north of the old slipways and the North East Pier, whilst the second is located to the south, adjacent to the Breakwater and harbour wall. Furthermore, as the Outlet is open to the sea it has led to the creation of a small sandy beach.

The Proposal

The Applicant i.e. the Port of Sunderland (POS) is looking to develop Port land in order to attract commercial enterprises, in particular offshore wind industries. The POS considers the Port to be ideally situated to serve offshore wind industries given the access to the mouth of the River Wear and the North Sea and the road connections to the strategic road network. It is considered that a rationalisation of Port land and the reclamation of disused areas, such as the South Outlet will considerably improve the development platforms and facilities the Port can offer.

The proposal largely relates to the extraction of the previously tipped aggregate from the South Outlet, where the MHWS level is believed to be 2.48m Above Ordnance Datum (AOD). The excavation will not go any lower than 2.98m AOD in order to ensure that no aggregate is removed that may have hydraulic connectivity to the sea, thereby keeping a 0.5m buffer strip.

In terms of the approach to implementing the proposal, should Members be minded to approve, there are two distinct phases, which the Agent, acting on behalf of the Applicant, has described as Phase 1A and Phase 1B:

Phase 1A:

Phase 1A is located within the north-west area of the application site. This part of the process will involve the removal of approximately 41,000 cubic metres of previously tipped aggregate. The extraction will commence at the Pier and move in a south westerly direction towards the processing area i.e. the area of the site which physically abuts Phase 1A. As material is extracted adjacent to the Pier this area will be immediately in-filled with clay material in order to ensure that the structure of the Pier does not suffer. Furthermore, as sufficient space is made available clean inert in-fill material will be brought onto the site and stored. This material will be used in the re-contouring of the land in order to create the development platforms.

Phase 1B:

The second phase, Phase 1B, is located to the south east. This relates to the extraction of approximately 13,500 cubic metres of previously tipped aggregate. The aggregate will be removed in a south westerly direction, from the sea edge to the compound area. It will be transported along the haul road to be processed before being exported from the site.

It is estimated that the removal of all the aggregate above MHWS level will take approximately 24 months. The Agent has explicitly stated that the development proposal does not involve the removal of any of the sand material that forms the back of the beach to the Outlet.

The operations at the site will be served by a site compound area which is to be established in the south west corner. The site compound area will consist of two cabins and will provide welfare facilities and office space. These structures will be 9.75m by 2.5m wide. Immediately opposite these cabins a weighbridge and office area is also proposed. The weighbridge will measure 15m by 4m and all wagons entering or leaving the site will have to pass through it.

A haul road is proposed to be constructed along the existing road that runs at the back of the harbour wall. The road will take vehicles and plant to Phase 1A and the processing area and will have to be increased in width by an additional 2m to accord with Health and Safety requirements. The existing palisade fence that extends around the site will not be removed as part of this proposal. A total of 15 car parking spaces will be marked out for site operatives and visitors.

The submitted Planning Statement estimates that a total of 100 vehicle movements a day would be required to export the extracted and processed aggregate from the site

The operational hours proposed are as follows:

- 07:00 to 17:00 (Monday to Friday)
- 07:00 to 13:00 (Saturday)
- 07:00 to 13:00 (Sunday)

The application is accompanied by detailed drawings, a flood risk assessment and planning statement.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
Environment Agency
Natural England
Port Manager
County Archaeologist
Northumbrian Water
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **06.07.2012**

REPRESENTATIONS:

Neighbours

No letters of representation have been received as a consequence of the neighbour notification/ site notice process.

Environment Agency

The Environment Agency originally objected to the proposal as they considered that insufficient information was submitted to demonstrate that the risk of pollution to controlled waters was acceptable. Initially the information provided with the planning application indicated that the site may have been subject to a potentially contaminative land-use (i.e. infilling with aggregate) and given the environmental sensitivity of the site, in lieu of it lying on and being adjacent to a Magnesium Limestone principal aquifer, a Preliminary Risk Assessment (PRA) was considered to be essential in order to appropriately consider the risk to controlled waters. Since the initial objection the Agent has produced a PRA and after reviewing its content the Agency has now withdrew their objection subject to their suggested conditions. In summary therefore the Agency is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site.

County Archaeologist

The County Archaeologist, although recognising that overall the Port is of considerable industrial archaeological interest, offered no objection or observation to the proposal in view of the aggregate only being deposited in the 1970's and 80's.

Northumbrian Water (NWL)

NWL has considered the application submission and are satisfied with the proposal subject to a condition ensuring suitable protection of their asset (public sewer) which is present on the site.

Natural England

Based on the information submitted Natural England offered no objection to the development proposal, as they considered that the application was not likely to result in significant impacts on statutory designated sites, landscapes or species. Nevertheless, they did make comment on the responsibility of the Local Planning Authority to understand and account for potential impacts on Local Biodiversity Action Plan species or local wildlife sites.

In respect to the latter the Local Planning Authority's Ecologist has confirmed that the Applicant must address ecological issues via a reasoned risk assessment, which will assess in the first instance whether there are likely to be any significant ecological impact considerations. The Agent, acting on behalf of the Applicant, has commissioned the necessary work, which is to be completed and submitted

imminently and will hopefully be reported to Members by way of a Supplement report.

POLICIES:

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

EN_6_Limit exposure of new noise/vibration sensitive developments to existing sources

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

EN_5_Protecting sensitive areas from new noise/vibration generating developments

EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas

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

SA_3_Development of Doxford International

COMMENTS:

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

1. The principle of the development proposal;
2. The impact of the development proposal;
3. The impact of the proposal on the listed structures i.e. the machinery pit and swing bridge;
4. Highway considerations.

1. The principle of the development proposal

The National Planning Policy Framework (NPPF) represents Central Government's latest policy guidance and was issued in March 2012. The NPPF establishes the presumption in favour of sustainable development, balancing the economic, social and environmental aspects of development proposals.

The land use allocation of the site is governed by Strategic Location for Change Policy SA6A.2 of the Unitary Development Plan Alteration No. 2. Policy SA6A.2 states, in part, that the City Council will support the redevelopment of land within the wider area of the Port for employment generating uses. It also states that this policy should be read alongside Policy SA2 of the adopted Unitary Development Plan (UDP).

Policy SA2 states that the South Dock area will be protected for Port related development and activities. The South Dock offers a unique location for any industry requiring ready access to the sea, deep water quays, road and rail connections. It is separated by level and distance from residential areas and is thus considered appropriate for a variety of industrial and storage uses which would not normally be acceptable in more sensitive locations.

It is therefore considered that given the Applicant is preparing the land in order to attract commercial enterprises, in particular offshore wind industries, the removal, processing and recycling of the aggregate material, along with the resultant importation of clean in-fill material in order to create new development platforms, represents Sustainable Development that is in broad accordance with the NPPF and the main land use policies associated with the site. As such the proposal is therefore considered to be acceptable in principle.

2. The impact of the development proposal

UDP Policies EN5 and EN6 aim to ensure that likely noise and vibration problems are investigated, including any necessary mitigation measures, before development is undertaken. Furthermore, Policy EN9 considers potential implications of air pollution, dust etc arising from development proposals, whilst Policy EN14 requires the consideration of ground conditions and to ensure that contamination issues are taken into account.

Furthermore, as stated above Policy S2 recognises the unique set of circumstances the Port offers i.e. an area separated both visually and physically from the nearest residential areas. Furthermore, the application is situated at the eastern most point of the Port complex and is surrounded by industrial land or uses.

Comments have also been received from Environmental Services Pollution Control section who have stated that in light of a minimum of 700m separation distance between the application site and nearest residential properties, in conjunction with the low lying level of the application site, that noise emanating from construction/ earth moving equipment is not considered to be a significant issue.

Regarding dust considerations the Planning Statement submitted in support of the development proposal has explained that the prevailing wind direction i.e. south westerly will result in dust being blown out to sea. Nevertheless, the Planning Statement has stated that in order to ensure dust is controlled on site water bowsers will be made available. The water bowsers will be used to dampen down the haul roads, working areas and any stock piles. Furthermore, the Planning Statement has also highlighted the fact that in light of the screening and crushing equipment a permit would be required from the City Council via Pollution Control. Indeed Pollution Control have noted this within their response and stated that this will require the agreement of dust suppression measures.

Finally, similar to the Environment Agency, Pollution Control has also recognised the potential for land contamination issues and have requested that land contamination conditions be imposed, should Members be minded to approve. It is considered that the conditions proposed by the Agency will ensure the issues raised by Pollution Control will be adequately assessed and accounted for in the development of the proposal.

It is therefore considered that subject to those conditions detailed in this report the proposal is acceptable and in accordance with Policy EN5, EN6, EN9 and EN14 of the UDP.

3. The impact of the proposal on the listed structures i.e. the machinery pit and swing bridge

In light of the application site being in close proximity to the Grade II listed Lock Gates Machinery Pit and Gladstone Bridge it is important to consider potential impact on these structures.

Local planning conservation advice was sought from the Local Planning Authority's Conservation Team, who after reviewing the proposal did not consider the proposal to negatively impact the setting of the two listed structures. Given the development proposal is simply proposing to create two development platforms, and notwithstanding the requirement to temporarily introduce welfare cabins and associated machinery, it is considered to be acceptable in view of the industrial nature of the wider Port complex.

4. Highway considerations

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.

Comments were initially received from City Services' Network Management team who considered the initial information to be insufficient to enable appropriate consideration of the application from a highway engineering perspective. Additional information from the Agent was therefore requested in respect to the number and distribution of vehicle movements; the intended HGV routes from the site and proposed staff and parking levels.

The Agent has since submitted additional correspondence which after considering its content highway engineering colleagues in Network Management have confirmed that they have no objection or observations to make in respect of the application.

In summary, given the working hours proposed it is anticipated that this will equate to on average 10 vehicle movements an hour, whilst the firm who will carry out the works, should Members be minded approve i.e. Holystone Limited, would seek to avoid putting vehicles onto the road network during rush hour times i.e. between 08:00 and 09:00 and 17:00 and 18:00.

Furthermore, given the difficulty in predicting the final destination of the exported material or the starting point of the imported clean in-fill material it is not possible for the Agent to be exact in terms of HGV routes. Nevertheless, the stated intention is to ensure that vehicles use the main trunk roads wherever possible and it is anticipated that the main transit route, to the wider highway network, would be the A1018 i.e. the Southern Radial route to the south and Newcastle Road to the north.

In conclusion, given the industrial nature and setting of the development and in light of their being no objection or observation from colleagues in Network Management the proposal is considered to be acceptable from a highway engineering perspective and in accordance with Policy T14 of the UDP.

Summary

It is considered that the proposal is acceptable in principle and in terms of its impacts on the immediate and wider area, whilst highway engineering considerations are also considered to be acceptable. However, as detailed in the Natural England section of this report, it is envisaged that this aspect of the development proposal will be reported to Members by way of a Supplement.

RECOMMENDATION: Deputy Chief Executive to Report

Reference No.: 12/03404/FUL Full Application

Proposal: **Erection of a multi-storey car park to provide 766 spaces(including 28 disabled spaces).**

Location: Sunderland Royal Hospital (Site Of Car Park C Opposite 24 - 38 Kayll Road) Chester Road/Kayll Road Sunderland SR4 7TP

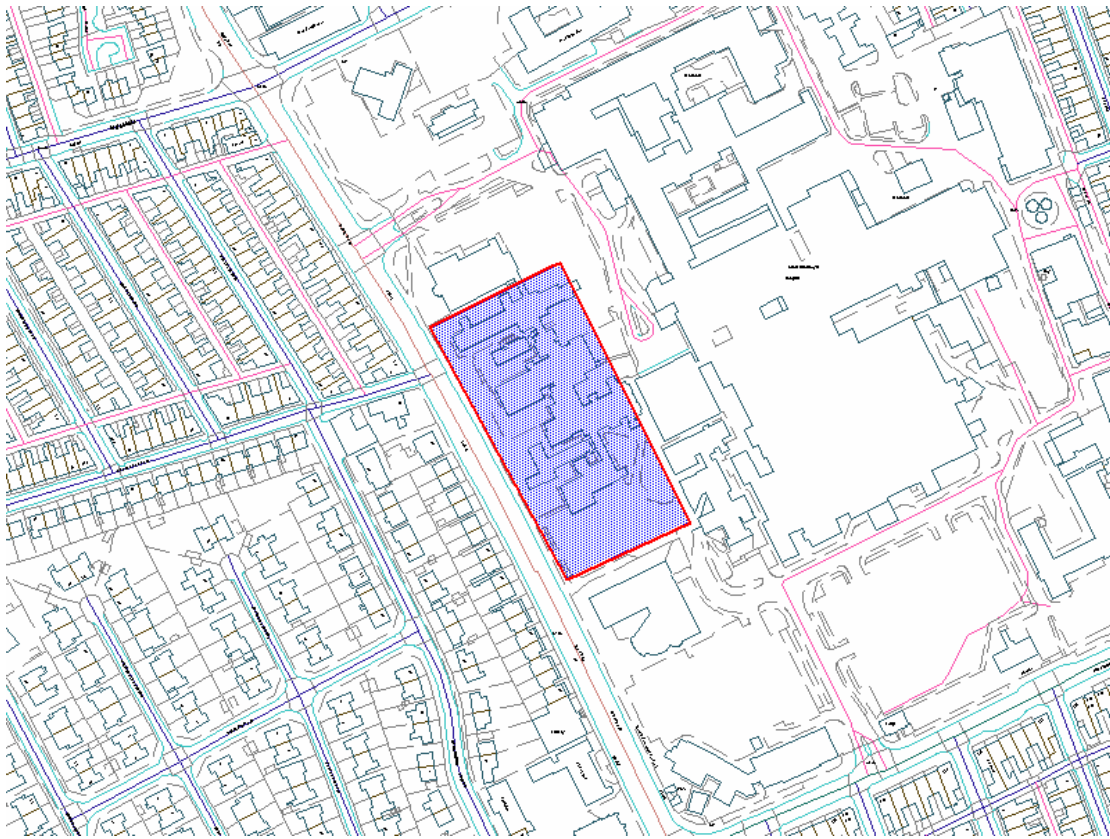
Ward: Millfield

Applicant: City Hospitals Sunderland NHS Foundation Trust

Date Valid: 21 December 2012

Target Date: 22 March 2013

Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

PROPOSAL:

This application seeks permission for an on-site Multi-Storey Car Park (MSCP) at Sunderland Royal Hospital on the part of the site currently occupied by Car Park C.

The Application Site

The hospital is located in a predominantly residential area and is surrounded on all sides by streets characterised with dense, predominantly two-storey terraced housing.

The hospital is bound to the north by Hylton Road; residential units in Sorley Street, Willmore Street and Blackett Terrace to the east; the A183 Chester Road to the south and Kayll Road to the west. Vehicle and pedestrian access to the hospital site is provided both from Chester Road and Kayll Road. Staff, servicing and pedestrian access is further provided from the Hylton Road access.

The proposed site for the MSCP is entirely within the hospital site boundary on the current site of Car Park C. Car Park C currently provides 360 parking spaces (including 34 disabled parking spaces).

Car Park C is located between the Education Centre and the Children's Centre Outpatient Building on the south western boundary of the hospital site where it bounds Kayll Road. The main entrance to the Accident and Emergency Building and the Fracture Clinic will be located to the front of the proposed car park and to the east. A narrow grass strip bounds Car Park C at the Kayll Road boundary. A few young trees are planted in the narrow grassed strip. Immediately opposite Car Park C across Kayll Road to the south west is a long row of two storey terraced housing.

Site History

The site of Sunderland Royal Hospital has a long and varied planning history and has evolved over time to its current form.

In June 2009 planning permission was granted for the construction of a 138 bed ward block and connecting lift block, conversion and extension to staff residence blocks (3, 7 _ 8) to offices, conversion and extension of mortuary to treatment care with additional car parking, link road and associated works (planning reference 09/00997/FUL). The demolition of the Kayll Road block (which was on the application site under consideration), transport block, health and safety/fire block and partial demolition of a catering block facilitated the development approved in 2009.

Previous to the 2009 consent, the most recent planning permissions for various new buildings and extensions to existing facilities were granted in May 2006, June 2003, November 2002, August 2002, June 2000, and July 1997.

The Proposed Development

The proposal comprises a multi storey car park (MSCP) on part of the site of existing surface car park C. That part of the MSCP will be retained as surface car parking as currently exists. The number of parking spaces available on the retained area of surface car parking plus that available in the proposed MSCP will increase the number of parking spaces available to 766 (including 28 disabled parking bays).

The proposed MSCP will comprise three storeys at its boundary with Kayll Road (closest to the residential dwellings located on Kayll Road), rising up to three storeys plus roof as it extends back from Kayll Road towards the main hospital buildings. The elevation of the building facing the residential properties in Kayll Road will have height of 8.9 metres. At its highest point the car park will have a height of 14.5 metres. The MSCP is to measure approximately 86 metres in length along its Kayll Road Frontage and will extend approximately 47.7 metres back into the hospital site.

The total floor area of the proposed MSCP is approximately 14163 square metres.

The ground floor of the car park will provide 329 spaces (including the disabled provision), level one of the car park will provide 167 spaces as will level two, level three of the car park will provide 113 spaces.

The proposed MSCP will be constructed from concrete and steel with the proposed external materials comprising buff brick and metal mesh on the external appearance. Louvered metal infills are proposed at each level. The louvers have been designed to maintain natural cross ventilation and also reduce the impact of light pollution from vehicle headlamps within the car park. It is proposed to construct a standing seam curved roof which will be stepped to suit the floor levels and internal ramping arrangement proposed.

Public toilets are proposed on the ground, first and second floor and a control room for the MSCP will be provided on level 3. All floors are proposed to be serviced by two lifts with a staircase provided on the northern elevation. A secondary escape staircase will be provided on the eastern elevation.

The proposed MSCP will benefit from 24 hour security lighting and a security officer will be located within the security control room located on the ground floor of the car park. A telephone help/advice line will be installed adjacent to pay machines on each level which will be connected directly to security control.

Six electric charging parking spaces will be provided with two charging points being available on each floor (first, second and third floor) adjacent to the lifts.

The applicant has indicated that whilst the car park will be open 24 hours a day, 7 days a week, all users will be encouraged to park in other car parks around the hospital site outside of peak hours.

Access to the car park will be taken from the existing internal access road, access to the main hospital site will not alter and will remain as existing from Chester Road and Kayll Road.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Millfield - Ward Councillor Consultation
Network Management
Street Scene (Environmental Service)
Force Planning And Police Architectural Liaison Officer
Fire Prevention Officer
County Archaeologist
NE Ambulance Service NHS Trust

Final Date for Receipt of Representations: **01.03.2013**

REPRESENTATIONS:

Neighbours

2 Individual letters of representation in objection to the proposed development have been received in connection with this development from the occupiers of numbers 33 and 38 Kayll Road, together with a letter signed by the occupants of 13 addresses on Kayll Road (numbers 24, 26, 27, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42) also objecting to the scheme

Full consideration of these objections is set out below:

Objection 1 - 38 Kayll Road

Lack of light due to tall structures/over shadowing

The application is accompanied by a sunlight and daylight assessment which demonstrates that there will be no unacceptable detrimental impact upon the level of sunlight and daylight reaching the properties located on Kayll Road, post development. The submitted assessment also successfully demonstrates that the shadowing created by the proposed multi storey car park upon the properties located in Kayll Road will be minimal and the only time that the sub-path towards these residential properties is altered as a result of the multi-storey car park is before 7am during the summer months.

The applicant has used BRE guidance and a computer model to analyse the likely impact that the construction of a new multi storey car park at the Sunderland Royal Hospital could have on the sunlight and daylight to the neighbouring residential properties.

The initial calculation in the BSRIA Guide is to calculate the difference in height of the top of the proposed building and the ground floor window height of the existing building. If the horizontal separation of the buildings is more than three times this height the impact of the proposed development will have little affect on the daylight to the existing building. The proposed MSCP is located 26 metres away from the residential properties on Kayll Road; therefore, the daylight to the houses will not be affected. However, further analysis of the impact of the building has been undertaken.

The proposed building does not lie within a 25 degree angle from horizontal from the existing dwellings which also shows that the building will have little impact upon the daylight to the existing residential dwellings.

The vertical sky component from the ground floor window of the house directly opposite the proposed development exceeds the BSRIA specified 27% which shows that the daylight to the houses will not be significantly affected by the development.

The sunlight availability and sun-path indicator plots show that due to the orientation of the houses (north east facing) the sunlight to the houses is currently poor and this is not greatly affected by the construction of the proposed car park. Plotting the shadow path created by the car park demonstrates that the only time that the sub-path is altered is in the summer before 7am.

IES software has been used to establish the effect that the proposed MSCP will have on the surrounding hospital buildings. Sun-cast is used to calculate the percentage of the buildings façade that is exposed to sun-light throughout the year. Looking at the Children's Outpatients building, the Fracture Clinic, the Wards and the Education Centre, the percentage reduction in sunlight that the façade of each building sees is less than 20%.

Overlooking

The proposed car park is three storeys in height where it faces Kayll Road.

In the case of residential development a separation distance of 21 metres is required between the main facing elevation of existing and proposed two storey development. An increased distance of five metres for every additional storey in height is required. These distances are required in order to protect the residential amenity of occupiers from overlooking and visual intrusion.

These separation distances are transferable to other types of development fronting residential properties. Due to the three storey height of the proposed car park a distance of 26 metres is required between the front elevations of the properties in Kayll Road and the facing elevation of the proposed car park.

A distance of 26 metres at the nearest point will be retained between the frontages of the residential dwellings in Kayll Road and the south western (facing) elevation of the proposed car park. This is considered a sufficient separation distance to protect the residential amenity of the occupiers of Kayll Road and prevent any unacceptable levels of overlooking towards these properties.

Considering this issue in context, it should be acknowledged that a 26 metres separation distance between residential properties, where it could reasonably be expected that people would spend time looking directly out of facing windows, is acceptable. It is not considered that individuals will use the outlook from the car park in the same way and would not normally be expected to spend time enjoying views from the proposed multi-storey car park. Rather, those using the car park will enter and exit the car park in quick succession.

Damaging effect that the building work could have on residential property.

The safe development of any development site rests with the developer who must ensure that the development does not cause damage to the private property of near occupiers. Any damage caused may be subject to civil action by individual owners.

Air pollution caused by additional vehicles

The planning application includes an Air Quality Assessment which considers the likely impacts on air quality in the local area as a result of implementing the proposed development. The assessment considers the likely impact of dust during the construction phase and the air quality effects due to the operation of the proposed development.

The assessment concludes that with mitigation, the risk from construction activities could be reduced to acceptable levels. Such mitigation includes implementation of a Dust Management Plan; implementing site management measures such as recording emission levels; undertaking regular dust monitoring and ensuring that machinery is properly maintained and that water suppression is used on site. Changes in pollutant concentrations associated with the operation of the multi storey car park are not expected to be significant.

Noise from 24 hour access to car park

A noise assessment accompanies this planning application. The assessment has been prepared in accordance with the guidance given in Annex F of BS 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites - part 1: Noise.

The assessment measured the existing ambient noise levels using specialist equipment and assessed the predicted increase in noise levels at the nearest noise sensitive receptors (three locations on Kayll Road (A, B & C), the Education Centre and Hospital Wards and Accident and Emergency Department).

The assessment was undertaken between 11:30 on 3 August and 11:30 on Thursday 9 August 2012. This is considered to give an accurate indication of ambient background noise levels.

Noise During Construction

The results of the noise report demonstrate that there will be some disturbance experienced by the nearest noise sensitive receptors during the site preparation phase of the development but that during the construction and finalisation phases of the construction of the proposed car park there would be no significant increase in ambient background noise levels.

It is inevitable with any construction project that there will be some degree of noise associated with works. However, mitigation is proposed by the applicant to minimise noise disturbance during the site preparation phase of the development (this mitigation is fully explained in the main body of this report).

Noise from Operational Car Park

The noise assessment also examined the noise impact of the proposed car park once operational. The impact upon the same noise sensitive receptors was assessed. The report takes into account both predicted day time and night time noise from the proposed car park and demonstrates that a maximum increase in noise of 0.1dB will be created as a result of the operational car park. Given that an increase of 10dB roughly corresponds to doubling the perceived loudness of a sound, an increase of 0.1dB is considered to be of negligible significance and is unlikely to be a detectable increase at the nearest noise sensitive receptors.

In addition to considering noise change, noise levels have been considered with regard to the maximum noise levels in BS 8233 for reasonable sleeping conditions. At all three points on Kayll Road and at the hospital wards and A&E department, the predicted noise levels from the multi storey car park are below 45dB(A). Therefore there should be no sleep disturbance as a result of noise from the proposed car park.

Traffic Noise Assessment

The noise assessment undertaken considers the implications of noise increase as a result of the proposed car park in isolation and also considers the likely increase in noise taking in to account the proposal plus future developments at the site.

The assessment successfully demonstrates that in all cases noise change associated with traffic noise will be below 3dB and will therefore be of negligible significance.

Vermin/Rodents

The objector is concerned that the proposed development will attract rodents to the site. The proposed car park will not offer any food source to rodents and will be managed by the hospital which will be responsible for the day to day running and maintenance of the building. It is considered unlikely that rodents will be attracted to the car park given that there will be no food source for them and also given that there will be human presence at the car park most of the time.

Impact upon health due to increased levels of traffic

It is not within the remit of the Local Planning Authority to assess the impact of development upon health and a refusal of planning permission on such grounds could not be sustained. There are several other regulatory regimes which are specifically designed to deal with health and safety and general environmental health.

However, the objection received shows clear concern regarding the effect of the proposed development upon a family member who is in ill health, the text below will hopefully go some way to alleviating the concerns of individuals relating to impact upon health.

The supporting documentation which accompanies this planning application provides a clear demonstration that consideration has been given to air quality, noise impact and traffic generation as a result of the proposed multi storey car park. Furthermore, the City Council's Pollution Control Team (Environmental Health) has been consulted regarding this application and has offered no objection to the proposed development.

The air quality assessment submitted confirms that there will be a negligible impact upon local air quality as a result of the proposed development and the noise assessment submitted indicates that at worst noise levels will increase by 0.1dB which is once again negligible. In terms of traffic generation, it must be remembered that the proposed multi storey hospital will not attract people to the hospital who would not ordinarily visit. The numbers of visitors will remain the same i.e. those attending pre arranged appointments, visiting inpatients and attending accident and emergency. The proposed multi storey car park will simply offer parking within the hospital site rather than on the residential streets which closely surround the hospital.

Harm to the aesthetic nature of street/visual amenity

The proposed multi storey car park is considered to be in keeping with other buildings on the hospital site. It is acknowledged that the building is of an entirely different scale to the residential properties on Kayll Road, however it is not considered that the construction of the car park will result in any negative impact upon the residential amenity of near neighbouring properties.

Devaluation of private property.

In respect of property values, the planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases.

The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

Thus, the potential devaluation of property as a result of a planning decision is not considered to be material in the determination of a planning application, but any loss of amenity to a property as a result of a proposed development, would be.

This issue has been considered in detail in this report, which has concluded that the proposal would not cause sufficient detriment to residential amenity so as to warrant a refusal of the application.

Smells

It is not considered that the proposed multi storey car park will result in any issues relating to odour nuisance.

Loss of trees

A Tree Survey has been supplied with the planning application. The survey was conducted by a suitably qualified arboriculturalist completing the survey on site at ground level. No arboricultural constraints to the proposed development are identified by the survey.

A new landscaping scheme is proposed and will comprise new tree and shrub planting including along the south-eastern and north-western elevations of the proposed multi storey car park. It is considered that this planting will help to soften the appearance of the built structure, particularly when viewed from Kayll Road.

Thirteen existing trees are proposed to be felled to facilitate the development and nine will be lost due to ill health or general decline. However, 24 new trees are proposed to be planted including along the south-west boundary

Layout and density of building

The proposed multi storey car park is proposed on the site on an existing car park and is therefore acceptable in principle and in terms of its layout. In terms of density, the density of development over the hospital site has been considered to be appropriate. It is not considered that a refusal of planning permission could be sustained on the grounds of poor layout or density of the proposed development.

Design, appearance and materials

In terms of the design of the building, the car park has been designed to minimise its height and massing adjacent to Kayll Road, increasing in height as it extends away from Kayll Road into the hospital site.

Although the appearance of the hospital is clearly subjective, it is considered that the applicant has attempted to minimise the massing of the building by the introduction of horizontal banding and louver features and via the use of recessed brick work and a curved low profile roof.

The materials proposed include buff colour bricks to match existing buildings on the hospital site and muted grey tones to blend with the other construction materials. In the event that Members are minded to approve this application a condition will be attached requiring the submission of samples and/or a schedule of materials to be used in the construction of the car park to be submitted for the further written approval of the Local Planning Authority.

It is not considered that a refusal of planning permission could be sustained on the grounds of poor layout or density of the proposed development. It is not considered that a refusal of planning permission could be sustained on the grounds of poor design, appearance or materials.

Landscaping

A scheme of landscaping has been submitted with this application and is considered to be acceptable. It is not considered that there will be any detrimental impact upon the locality as a result of the proposed landscaping scheme.

Road Access

There are no new access points proposed in connection with the development of the multi storey car park.

Adverse effect upon regeneration of the area

It is not considered that the proposed multi storey car park will have any adverse impact upon the regeneration of the area. The proposed car park is, in part, proposed in order to alleviate parking associated with the hospital on residential streets surrounding the hospital site.

Why was a multi-storey car park built a few years ago and then demolished?

The applicant has been contacted regarding this query and has supplied the following in order to address the query raised by this objector:

The MSCP that was constructed and subsequently demolished was a temporary facility that was erected to mitigate against the temporary loss of car parking spaces that came about during some construction works at the hospital. Once these works had been completed, the temporary car park was no longer needed and was removed.

Why have other sites not been considered?

It is not within the remit of the Local Planning Authority to consider other sites for proposed development or suggest alternatives to those sites proposed.

The Local Planning Authority is restricted to considering the planning merits of applications as presented to them. It is for those submitting applications for development to identify the site on which they would like to build.

However, in order to address the query raised by objectors to the scheme the applicant has supplied the following in response:

The Hospital is surrounded on all four boundaries by residential properties. Regardless of where development is proposed across the site, it will probably be close to some residential properties. Additionally, the location for the newly proposed MSCP is deemed to be in the entirely correct location as it is on the site of an existing car park and in very close proximity to the main vehicular entrances to the hospital and the main patient/visitor entrance & thereby making access very easy.

Objection 2 - 33 Kayll Road

Devaluation of property

This issue is fully addressed above, under Objection 1.

Overlooking, loss of privacy

This issue is fully addressed above, under Objection 1.

Increase in traffic, noise and air pollution

Traffic

This point will be addressed on the Supplement report.

Noise

Issues relating to noise have been fully addressed above.

Air Pollution

Issues relating to Air Pollution have been fully addressed above.

Loss of light

This issue is fully addressed above, under Objection 1.

Loss of view

The planning system is unable to protect views afforded to private individuals. The Local Planning Authority can only assess the impact of development upon residential amenity in terms of overlooking (addressed above), overshadowing (addressed above) and overbearing effect. It is not considered that the proposed multi-storey car park will create any overbearing effect upon the properties located in Kayll Road due to the 26 metre separation distance between the proposed car park and the residential properties and due to the design of building and the minimisation of the height of the car park to three storeys opposite to Kayll Road.

Disruption during building work

Issues relating to disturbance during the construction phase of the development have been fully addressed above under the heading of "Noise from 24 hour access to car park".

Why not consider other sites that are within the hospital?

The applicant has been contacted in order to provide some explanation with reference to this query and as provided the following in response:

It was important to locate the car park as close to the main hospital entrance as possible for accessibility reasons.

The Hospital is surrounded on all four boundaries by residential properties. Regardless of where development is proposed across the site, it will probably be close to some residential properties. Additionally, the location for the newly proposed MSCP is deemed to be in the entirely correct location as it is on the site of an existing car park and in very close proximity to the main vehicular entrances to the hospital and the main patient/visitor entrance ; thereby making access very easy.

Overdevelopment.

The proposed multi storey car park is to be positioned on the site of an existing surface level car park. It is not considered that the construction of the proposed multi storey car park in this location constitutes overdevelopment of the hospital site.

Why can't other NHS site accommodate the car park?

The applicant was contacted in order to answer this query. In response the applicant has supplied the following explanation:

In order to deliver the optimum level of hospital service, it is preferable to locate services together on one site. It would not be operationally advantageous to separate out services across the city. Additionally, the MSCP is being proposed principally to address a problem specific in the area around the Hospital i.e. to address the on-street parking problems. Locating a car park away from the Hospital will not help to address this specific issue.

Why build another multi storey car park when one was demolished on this site?

This query is answered above, under Objection 1.

Why can't the site of the New Monkey be used to accommodate the car park?

As explained above, the Local Planning Authority does not have it within its remit to consider alternative sites for development, nor can the Local Planning Authority suggest alternative sites to a developer.

However, in order to address this specific query from this objector, the applicant was contacted and provided the following response:

In order to deliver the optimum level of hospital service, it is preferable to locate services together on one site. It would not be operationally advantageous to separate out services across the city. Additionally, the MSCP is being proposed principally to address a problem specific in the area around the Hospital i.e. to address the on-street parking problems. Locating a car park away from the Hospital will not help to address this specific issue.

Plus our Client understands that the `New Monkey; site is not available so it couldn't have been a viable option in any event

Objection 3 - Occupiers of numbers 24, 26, 27, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42

Proposal will be similar to having a very large brick wall directly in front of the houses on Kayll Road, similar to having a large featureless factory positioned at your front door.

The proposed multi storey car park is to be positioned 26 metres from the front elevations of the dwellings in Kayll Road. Furthermore, the car park has been designed to incorporate louvers, recessed brickwork (proposed in buff brick to match existing buildings on the site) and feature panels which will be finished in a grey contrasting material. It is therefore not considered that a refusal of planning permission on grounds of the creation of poor outlook or an overbearing effect could be sustained in respect of the proposed development.

Further intrusion into privacy, numbers 37 to 43 already overlooked by the Education Block

The issue of overlooking is fully considered above.

Noise and disruption of the usage of the car park

This issue is fully considered above.

Loss of view

This issue is fully considered above.

Loss of historic value of Kayll Road

The Council's Built Heritage Team has been consulted regarding this application and has raised no objection to the proposed development. The proposed multi storey car park is therefore considered to be acceptable in terms of impact upon heritage assets.

CONSULTATION RESPONSES

County Archaeologist

There are several archaeological features close to the development site. The Lambton Waggonway and Glebe Engine, Glebe Farm and the Union Workhouse, which later became the hospital. These are shown on the 1877 Ordnance Survey map.

There is no evidence that structures and landscape associated with the post-medieval industrial archaeological remains (Lambton Waggonway and associated features) extended on to the Proposed Development Site as map evidence shows that the railway line was located to the south of the Proposed Development site. Archaeological evidence appears to confirm this.

Glebe Farm lay just to the east of the development site, but the track which led to it ran through the site.

The Union Workhouse buildings were not located on the proposed development site with the earliest hospital building being constructed here in the early 20th Century. The foundations and remains of early 20th Century hospital buildings do not, based on the evidence from the recent Site Investigation boreholes, appear to be present on the site.

As such the proposed development will not have an impact on identified buried archaeological remains.

No archaeological work is required.

Pollution Control Team

Land contamination comments.

There is no conceptual model describing the potential risks during and after development of the site and it is not evident how the risk from Asbestos and PAHs in Made Ground has been eliminated. For protection of ground workers (and in accordance with Control of Asbestos Regulation 2012) we would expect more testing to be presented.

The overall risk to development is likely to be low due to the relatively insensitive land use proposed and the previous history of the site. The contamination risks during development could be managed through CDM processes however further testing of site soils needs to be considered.

We have no reason to dispute that the controlled waters risk assessment.

In view of the limitations of the report we recommend the following additional works be undertaken:

- 1) A Coal Authority Report or equivalent is provided as the site is within a Coal Authority Reporting Area and the mining assessment is incomplete.
- 2) Gas monitoring is completed with a minimum of four visits in accordance with the guidance provided in the report, or a revised gas risk assessment is provided based on a Conceptual Site Model of gas risk to show that gas monitoring is not required.
- 3) Samples of granular Made Ground beneath the stone hardcore and hard standings are tested for Asbestos using a UKAS accredited test for soil screening and identification to a detection limit of 0.001%w/w, and testing provided also for Speciated USEPA Priority 16 PAHs. This is required to help manage the health & safety of ground workers during construction.
- 4) A specification is provided for import of landscaping materials as site soils may be unavailable or unsuitable for use in landscaping.

Air Quality Assessment

The applicant has submitted an Air Quality Assessment (ref JAP7121) in respect of their application carried out by RPS. The assessment considers both the construction and operational effects of the development on air quality. Modelling of pollutants has been carried out using a recognised dispersion model, ADMS-Roads, and traffic data collected in 2012.

Air Quality during Operation

Levels of PM10 and NO2 have been modelled at relevant sensitive receptors and the model verified using S.C.C's monitoring data.

For PM10 the change in concentration was found to be very small described as imperceptible with or without the development in place and well below the Air Quality Objective.

The difference in pollutant concentrations at sensitive receptors for NO₂ was predicted to be small when comparing the average for 2013 with the development and without the development.

S.C.C. currently monitors NO₂ using Diffusion Tubes throughout the City. A tube is located at 263 Chester Road and this receptor was also used in this assessment. Levels of NO₂ were predicted to be 35.1µg/m³ in 2013 without the development and 36.2µg/m³ with. Therefore concentrations are not predicted to exceed the Air Quality Objective which is currently set at 40µg/m³ at this or any of the other receptors modelled although they will increase slightly across the area.

Air Quality during Construction

The assessment finds that there is likely to be a high impact on receptors if the effects of the dust created by construction are not mitigated.

It is therefore recommended that should the application be granted consent that the applicant provides a Dust Management Plan. The Plan should include the measures deemed as 'highly recommended' in the Air Quality Assessment on pages 34-37 and be submitted to S.C.C. for approval.

Hours of Operation

In view of the close proximity of the proposed development to nearby residential premises it is recommended that noisy on-site operations should not commence before:

07:00 hrs and cease at or
before 19:00 hrs Monday to Friday inclusive, and
07:30
and 14:00 hrs Saturdays.

No noisy works shall be permitted to take place on Sundays and Bank Holidays at any time without prior approval from Sunderland City Council (Pollution Control). Approval will only be given for such working in exceptional circumstances for example on the grounds of safety and public protection.

Construction Works

Consideration should be given to the selection of machinery and methods of operation in relation to noise generation. In instances where noise cannot be controlled at source by the appropriate selection of plant, equipment and work methods British Standard 5228-1 and British Standard 5228-2, which address noise on construction should be followed.

Built Heritage Team

The applicant has supplied a detailed assessment of the heritage assets in the vicinity and the submitted designs and images show a structure that steps up as it heads away from the identified listed buildings. Given the setting of the wider area (largely built up with other buildings of a similar scale and massing) it is considered that there will be limited impact on the significance of the listed buildings and as such the Heritage Protection Team has no objections to the proposal.

A condition should be inserted into the decision notice to ensure the submission of materials in order to get an appropriate finish for the area.

POLICIES:

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

R_1_Working towards environmentally sustainable development

R_4_Incorporation of energy saving measures

CF_9_Supporting proposals which implement the Health Authority's strategic plan

EN_1_Improvement of the environment

EN_5_Protecting sensitive areas from new noise/vibration generating developments

EN_11_Restrictions upon new development or intensified use of land liable to flooding

EN_12_Conflicts between new development and flood risk / water resources

B_2_Scale, massing layout and setting of new developments

B_11_Measures to protect the archaeological heritage of Sunderland (general)

B_13_Sites and monuments of local importance affected by development

T_11_Attention to needs of persons with mobility problems / sensory impairments

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

T_22_Parking standards in new developments

SA_18_Requirements for further redevelopment of Sunderland Royal Hospital

SA_53_Measures to regularise on-street parking around Sunderland Royal Hospital

COMMENTS:

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

- The principle of development
- The impact of the proposal upon visual amenity (including design and layout)
- The impact of the proposal upon residential amenity
- Proposed highway access and car parking arrangements
- Impact upon Heritage Assets
- Flood Risk
- Ground Conditions
- Archaeology
- Ecology
- Arborocultural Impact and Landscaping

The Principle of Development

National Planning Policy

The National Planning Policy Framework (NPPF) was published in March 2012. It sets out the Government's planning policies for England and how these are expected to be applied. Publication of the NPPF meant that most of the Government's previous national planning policies on planning as contained in Planning Policy Guidance (PPG) notes and Planning Policy Statements (PPS) were replaced.

The NPPF does not change the statutory status of the development plan as the starting point from decision making on planning applications. It states that

proposed development that accords with an up to date Development Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

For the purposes of decision taking the NPPF advises that the saved policies in the adopted Unitary Development Plan (UDP) should not be considered to be out of date simply because they were adopted prior to publication of the framework. However, it stresses that the policies contained in the framework are material considerations which local planning authorities should take in to account.

The NPPF places a presumption in favour of sustainable development; that it is, approving development proposals that accord with the development plan without delay.

The NPPF also introduces a set of core land use planning principles that should underpin decision taking. Of particular relevance to the determination of this planning application is the need to identify and meet the development needs of an area and to deliver sufficient facilities and services to meet local needs.

The NPPF encourages Local Planning Authorities to approach decision-making in a positive way in order to foster the delivery of sustainable development. It states that Local Planning Authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Unitary Development Plan Policy

The Policies relevant to the consideration of this application are set out previously in this report.

Policy SA18 is particularly relevant to the consideration of this application as it supports the redevelopment of Sunderland Royal Hospital.

Policy SA18 states that:

Proposals for the further redevelopment of Sunderland Royal Hospital will normally be approved provided adequate on-site parking and servicing provision is made. Any additional buildings will need to be designed so as not to be visually overbearing or otherwise adversely affect the amenity and privacy of surrounding residents.

Furthermore, Policy CF9 supports the concentration of hospital provision at Sunderland Royal Hospital and states that:

The City Council will support proposals to implement the health authority's strategic plan which

- I. Concentrates hospital provision at the Sunderland Royal Hospital,*
- II. Provides additional local community health and psychiatric services in four locations throughout the City and;*
- III. Provides for long term rehabilitation care in a new unit in southern Sunderland.*

Policy R2 of the adopted UDP also states that:

In considering proposals for new development, the Council will take into account the extent to which they:

Make use of existing and proposed service and social infrastructure, taking advantage of known spare capacity (of roads, public utilities, school, etc.);

Minimise the need for travel (by employees, visitors and residents alike); and

Make use of vacant and derelict land.

The proposed development is considered to be especially appropriate in terms of responding to the requirements of Policy SA53 of the adopted UDP which specifically seeks to improve conditions on streets affected by non-residential parking associated with hospital staff and visitors. The proposed development is considered to be in accordance with achieving the objectives of this policy.

The proposed development is also considered to comply with the aims and objectives of the Sunderland Royal hospital Area Parking Management Scheme.

The proposed development site is currently used as a car parking area.

Based upon the above considerations, the proposal to construct a Multi-Storey Car Park on the Site of Car Park C is considered to be acceptable in principle.

Other Considerations

All other considerations relating to this development remain under consideration and will be reported on a Supplementary report accordingly.

RECOMMENDATION: Deputy Chief Executive to Report