

**DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE**

AGENDA

**Meeting to be held in Committee Room No. 2 on Tuesday 29th
January, 2013 at 4.45 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Applications made under the Town and Country Planning Acts and Regulations made thereunder	1
	Report of the Deputy Chief Executive (copy herewith).	
4.	Town and Country Planning Act 1990 – Appeals	24
	Report of the Deputy Chief Executive (copy herewith).	

**E. WAUGH,
Head of Law & Governance.**

Civic Centre,
SUNDERLAND.

18th January, 2013

Item 3

**Development Control (South Sunderland)
Sub-Committee**

29 January 2013

REPORT ON APPLICATIONS

REPORT BY THE DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Deputy Chief Executive for determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

LIST OF APPLICATIONS

Applications for the following sites are included in this report.

South & City Centre Area

Land at Ethel Avenue, Sunderland.
Grindon Hall Christian School, Sunderland.
68-84 Hylton Road, Sunderland.

COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or email Development Control dc@sunderland.gov.uk

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

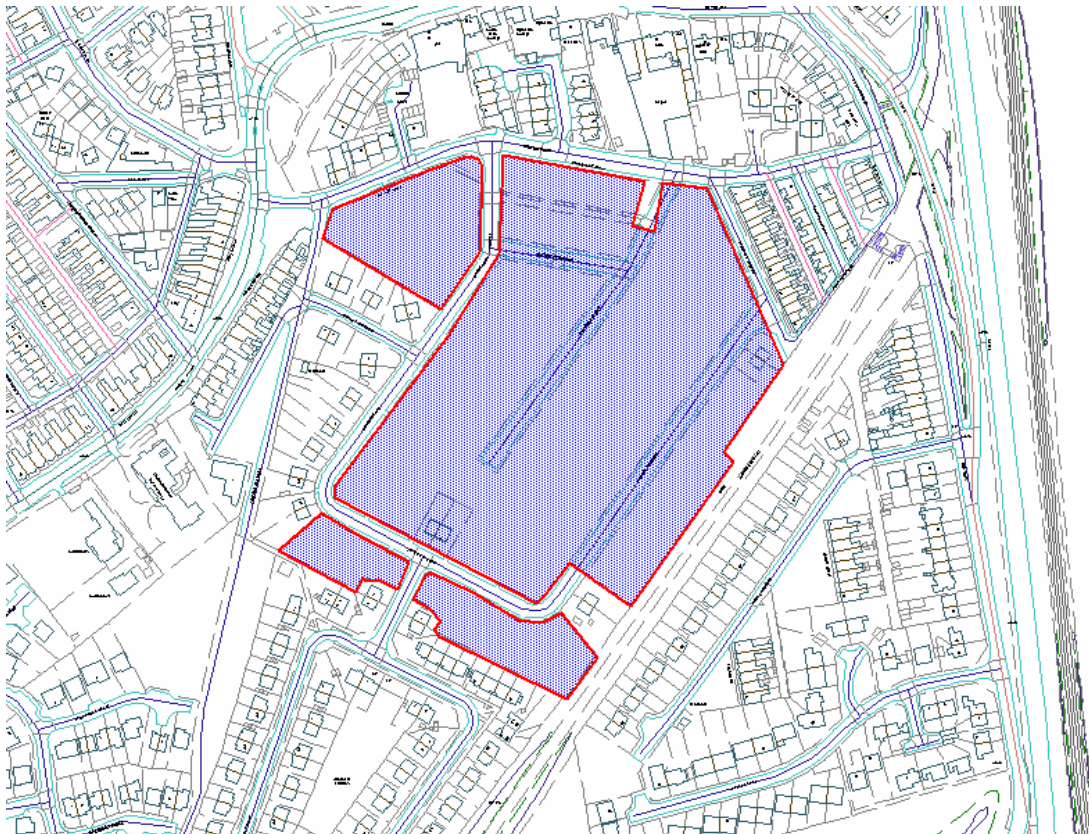
Reference No.: 12/02259/FUL Full Application

Proposal: **Erection of residential development comprising 145 units with associated infrastructure, external works and landscaping to include stopping up of highways. (Amended Site Layout Plan received 26.11.2012 and Amended Elevations received 27.11.2012).**

Location: Land At Ethel Avenue Sunderland

Ward: Ryhope
Applicant: Gentoo
Date Valid: 1 August 2012
Target Date: 31 October 2012

Location Plan



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PROPOSAL:

The proposal is for the redevelopment of a previous residential housing site.

The site is located within Ryhope Village to the south east of Sunderland and comprises of 4.85 hectares brownfield site. The site lies approximately 3 miles from Sunderland City Centre lies to the north of the site.

The proposal is for the erection of residential development comprising 145 units with associated infrastructure, external works and landscaping to include stopping up of highways. (Amended Site Layout Plan received 26.11.2012 and Amended Elevations received 27.11.2012 and 03.12.2012).

The proposed development site is located on the edge of the Ryhope Conservation Area.

The application is accompanied by the following documents:

- Design and Access Statement and Heritage Statement
- Planning Statement and Affordable Housing Statement
- Extended Phase 1 Habitat Survey;
- Flood Risk Assessment
- Phase 1 Desk Top Study

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

County Archaeologist

City Services - Network Management

Director of Children's Services

Northumbrian Water

Street Scene (Environmental Service)

Northern Electric

Environment Agency

Final Date for Receipt of Representations: **07.02.2013**

REPRESENTATIONS:

County Archaeologist - No archaeological works required

Director Of Children's Services - No response received

Northumbrian Water - No response received

Street Scene (Environmental Service) - conditions required in respect of dirt and debris, noise and land contamination.

Northern Electric - No response received

City Services - Network Management - Revised site layout currently under consideration

Environment Agency - Response awaited on Flood Risk Assessment.

Three letters of objections have been received to the proposed development.

The concerns relate to:-

- Road safety
- Parking problems
- Impact of the Apartment Block on the houses on Hedley Terrace and the impact of the development on the adjacent Conservation Area.

The residents' concerns will be addressed in the main report.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

B_4_Development within conservation areas

T_8_The needs of pedestrians will be given a high priority throughout the city.

T_9_Specific provision will be made for cyclists on existing/new roads and off road

T_22_Parking standards in new developments

EN_12_Conflicts between new development and flood risk / water resources

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

H_16_Negotiation for affordable housing in major developments

H_21_Open space requirements in new residential developments (over 40 bed spaces)

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

COMMENTS:

In determining the application the following issues need to be addressed:

- The principle of the development
- The design of the proposal
- The ecological impacts
- The Impact on flood risk and drainage
- The highway implications of the development
- Affordable Housing Provision
- Land Contamination Considerations
- Children's play and open space provision

The Principle of the Development

The site is not allocated for any specific purpose in the adopted Unitary Development Plan (UDP) and hence is subject to policy EN10, which requires that new development in such locations should take account of the predominant land use in the area and maintain/enhance the best qualities of the area. The previous use of the site was residential prior to the demolition of the properties and as such the site is considered to be "brownfield".

In view of the above it is considered that the principle of the residential use of the site is acceptable, subject to compliance with design and environmental criteria of the UDP and associated documents. Further, it is considered that the proposed

development accords with advice in the National Planning policy framework (NPPF) in that it is sustainable and uses previously developed land

The Design of the Proposal

Policy B2 of the adopted UDP requires that new development reflects the best qualities of the area and does not have significant adverse impacts on the amenities of nearby occupiers.

The scheme proposed seeks to create a unique sense of place with a design led approach to the public realm that contributes positively to the locality and responds creatively to the CABI Building for Life Standards

The aim is to create a cohesive design, building on the existing character of the area providing a positive and contemporary redevelopment of the area while meeting the needs of residents. The following key objectives of good urban design are incorporated:

- The creation of high quality spaces and routes which integrate with the local neighbourhood;
- The provision of new housing which makes an imaginative and positive contribution to the area;
- Use of "Secured by Design" principles to encourage safe public spaces;
- The provision of clear public routes and a distinction between public and private places; and
- Provision of landscaping which supports wildlife, flora and a positive amenity for residents.

The existing housing near to the site is generally 2 storey, and a small number of bungalows on Scotland Street. The house styles on the site reflect this, being predominantly 2 storey, with a small number of bungalows and an apartment block located at the junction of Station Road and Featherbed Lane, the apartment block has been reduced from 3 storey to 2 to reduce the impact of the properties on Hedley Terrace.

The scale and massing thereby aims to tie in with the surrounding area, with the height of eaves and ridges reflecting the character of the area.

The following minimum distances have been allowed within the development and at its interface with existing properties:

- 21m between principal rooms which face each other
- 14m between principal rooms and gable elevations.

Such spacing accords with the requirements set out in the council's Residential Design Guide Supplementary Planning Document (SPD).

The house styles proposed seek to provide visual interest and represent a contemporary craft based vernacular with an interchangeable palette of materials. The development has been designed not to visually dominate the adjacent conservation area, by the use of the traditional materials, building form and scale, incorporating of reference to key materials to key elevations and boundaries and retention and provision of public open space to act as a buffer.

The proposed redevelopment of the site is not considered to have a detrimental

impact of the conservation area. It is considered that the overall design of the scheme is considered to be satisfactory and that with the imposition of a condition to deal with the details of materials the scheme will accord with policy B2 of the adopted UDP.

The Ecological Impacts

The relevant policies in the adopted UDP in respect of this issue are CN16 and CN18. The former seeks to retain and enhance tree belts and field hedgerows to emphasise the breaks between settlements and soften the visual edge of the urban area. Policy CN18 meanwhile promotes the interests of nature conservation through, inter alia, the making of provision for the preservation and creation of habitats in new development proposals. The NPPF places a duty on planning authorities to make material consideration of the effect of a development on legally protected species when considering planning applications. It also seeks to ensure that biodiversity is conserved and enhanced in the promotion of sustainable development.

The extended Phase 1 Habitat survey submitted with the application indicates that botanically the site supports only widespread plant species and common assemblages of little intrinsic nature conservation value.

Bats

The report states bats could use the buildings on site for roosting and it is recommended that evening emergence surveys be undertaken during the breeding season. It should be noted that all properties are now demolished.

Badgers

There are no records of Badger within 2km of the site and no signs of the species was found within or near the site. In view of the high levels of disturbance on and near to the site it's considered unlikely that the species will be present.

Otters and Water Voles

Otter and water vole are not recorded within the 10km grid square surrounding the site.

Birds

It is recommended that any works to trees do not take place within the main bird breeding season. A condition will be imposed to this effect to ensure the development does not have a negative impact on the ecological value of the site.

Reptiles

There are no records of reptiles in the area.

It recommends that ground works including tree felling and scrub clearance be carried out outside the main bird breeding season (March - August). If this is not possible it is recommended that an ecologist should survey the site immediately prior to the works and if nests are found that these be protected with a buffer zone until the breeding period is complete.

It is considered that with the imposition of an appropriately worded condition in respect of checking surveys the proposal is considered to be acceptable in ecological terms and accords with the requirements of policies CN16 and CN18.

The Highway Implications of the Development

Policy T14 of the adopted UDP requires that new development does not result in any significant adverse impact on highway safety. Further policies T8 and T9 require that adequate provision for pedestrians and cyclists is made to ensure links with the existing networks of footpaths and cycleways. Finally policy T22 requires that adequate provision is made for the vehicle parking requirements of the development.

A revised layout has been submitted in terms of alterations to the highway layout, the revised scheme is currently under consideration.

The Impact on Flood Risk and Drainage

Adopted UDP policy EN12 seeks to ensure that development proposals do not increase the risk of flooding either within the site or elsewhere. The National Planning Policy Framework (NPPF) and the associated Technical Guidance (2012) indicates that the aim is to divert development away from areas of high flood risk (from all sources -river, sea, rising groundwaters, overwhelmed sewers etc) or with critical drainage problems and wherever possible steer development to land within Flood Zone 1 via sequential testing and exception testing for more vulnerable developments. Major developments are required to be supported by site specific flood risk assessments

As indicated above although the site is within Flood Risk Zone 1 (least likely to flood), because the site is in excess of 1 ha a Flood Risk Assessment (FRA) has been submitted with the application.

The FRA concludes that the site is within Flood Zone 1 and therefore at low risk of flooding. The development will not increase the surface water discharges and there will be no increased risk of downstream properties. Development of the site is therefore considered appropriate.

A response is currently awaited from the Environment Agency, it is anticipated a response will be made on a supplementary report.

Contaminated Land Considerations

The requirement for sites which have been developed previously to have thorough site investigation of the ground conditions and potential contamination, together with measures for its safe remediation put in place is set out in policy EN14 of the adopted UDP, in order to ensure the safe development of land.

The Geo Environmental Engineering report concludes it is a low geotechnical risk site.

Should members be minded to grant planning permission it is recommended that the standard land contamination conditions be imposed to ensure the development accords with policy EN14 of the Unitary Development Plan.

Affordable Housing Provision

Following the completion of the city's Strategic Housing Market Assessment the council has sought to achieve 10% of units on new residential developments on affordable tenures (social rented, equity sharing etc) in line with the requirements of policy H16 in order to ensure that local needs are met.

The Councils SHMA and Economic Viability of Affordable Housing in requirements study identify a 10% affordable housing requirement. This equates to 15 affordable units on the site. It is proposed to develop 145 units on the site, of the 145, 119 units will be affordable, greatly exceeding the 10% requirements. In addition the proposed development will renovate and improve the existing housing stock within the area.

Using funding secured from the Home and Communities Agency (HCA) Gentoos homes will be providing 119 affordable units social rent, 104 of which are greatly exceeding the minimum requirements as set out in the National Planning Policy Framework and by Sunderland and contributing to the overall aim, to deliver a well-balanced sustainable community in the Sunderland South Area.

Children's Play and Open Space Provision

Policy H21 of the adopted UDP requires that new residential development makes appropriate provision of open space and provision for children's play. If provision is not to be made on site then it may be appropriate to make a financial contribution under s106 of the 1990 Town and Country Planning Act, towards provision nearby off-site.

In this instance it is not considered to be appropriate to provide children's play equipment on site, rather the applicant, following discussions with the council's Sport, Leisure and Community Development section, has opted to make a financial contribution of £101,645 towards the proposed new facilities to be created within the Ryhope Ward, Ryhope Park, Priority 19- New provision on Ryhope Grammar School site and Priority 18 -New site as part of South Sunderland master Plan (Burdon Lane and Cherry Knowle). The city council's solicitors are currently drawing up the appropriate agreement under s106 of the 1990 Town and Country Planning Act.

On the signing of that agreement it is considered that the requirement of UDP policy H21 as regards children's play will be met.

Community Involvement

The submitted statement of community involvement indicates that the local community has been involved in the formulation of the redevelopment of the proposed site. In addition the views of local residents have helped inform the preparation of the detailed design of each Phase. This involvement took the form of newsletters and door to door interviews. The applicant has also indicated that consultation will continue with the local community throughout this and future phases of the development.

It is considered that the consultation undertaken is sufficient to allow a significant input by local residents and the success of this may be seen in the small number of objections to the proposals.

Conclusions

As indicated above there are no major outstanding concerns with the design and layout of the scheme or its implications in respect of ecology, landscape, contaminated land and children's play.

RECOMMENDATION: Delegate to the Deputy Chief Executive for resolution of the outstanding highways layout, Environment Agency response and signing of an agreement under section 106 of the Town and Country Planning Act 1990.

Reference No.: 12/02890/FUL Full Application

Proposal: **Erection of two storey school building and associated landscaping and infrastructure including 48no. additional car parking spaces and temporary site access and contractors compound**

Location: Grindon Hall Christian School Grindon Hall Nookside
Sunderland SR4 8PG

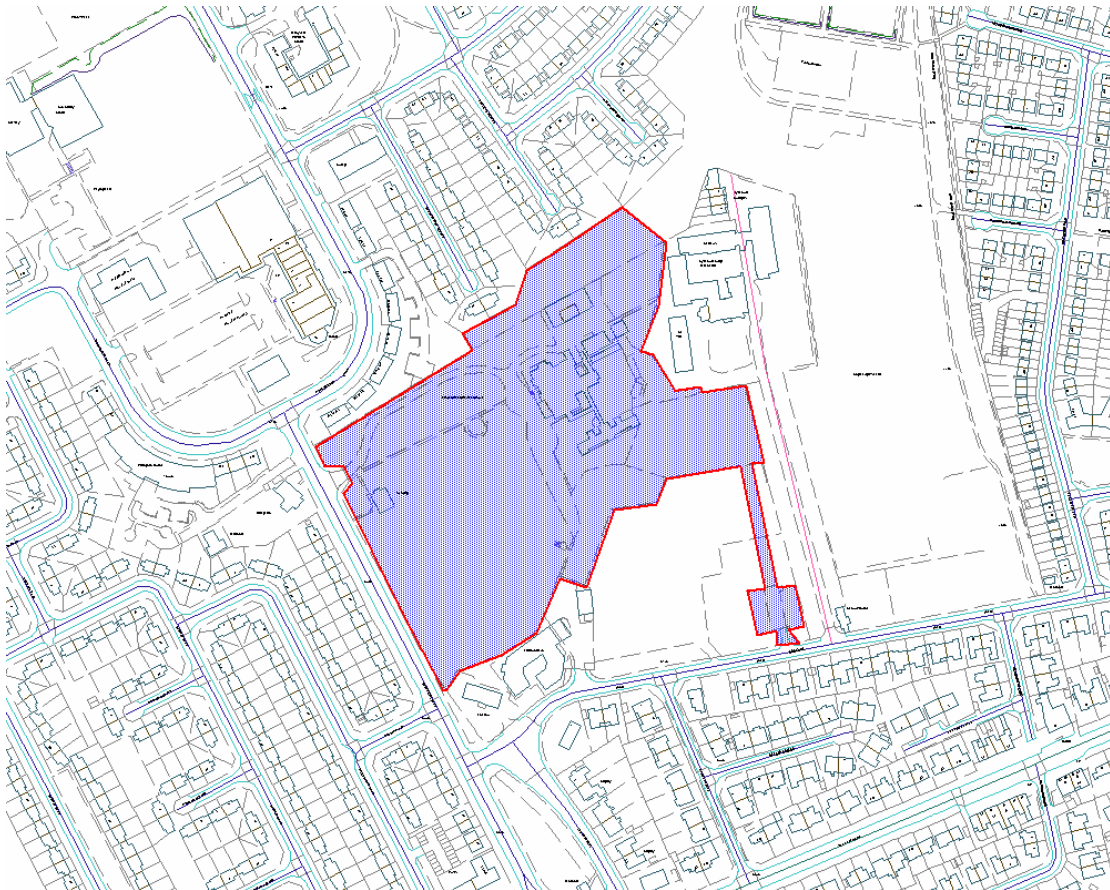
Ward: St Annes

Applicant: Members of Grindon Hall Christian School

Date Valid: 23 October 2012

Target Date: 22 January 2013

Location Plan



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PROPOSAL:

This application relates to development proposed at Grindon Hall Christian School.

The Application Site

The school site sits within a plot bounded by Pennywell Road to the west and Nookside to the south and is boarded by residential dwellings to the south and north boundary. To the east is a former sports field as well as The Nook Aged People's Hostel.

Grindon Hall School was formerly Grindon Hall Hospital, but it became a school in 2000. The main school building, or the main house, is a two storey light brick faced building with stone detailing to the windows dating from the mid 19th Century. Internally it possesses a mezzanine level and steps down to a lower level at the back of the site.

The original building has been extended over the years to include a T shaped extension currently used of classroom accommodation and changing. The school recently adapted a stable block to the northern boundary to provide further classroom spaces at two levels. Additionally the school has a number of outbuildings to the rear which have a variety of functions including storage and a day nursery.

There are a mixture of hedgerows and trees (including trees protected by Tree Preservation Orders) across the site.

The topography of the site has a gentle fall towards the east by approximately 1 metre.

The Proposed Development

The building proposed is a part single storey, part two storey L shaped block, lower in height than the existing main school house. The proposed block will wrap around the southern and eastern elevations of the main school house in its position between the school house and the existing T shaped block to the south.

It is proposed to clad the new building in a combination of natural cedar cladding and coloured render.

Access and Car Parking Proposals

The main access point to the school is via Pennywell Road and this will not change as a result of the proposed development. It is proposed to incorporate a drop off and pick up facility within this site to alleviate short term parking around school start and finish times on Pennywell Road. An additional 48 car parking spaces are proposed, increasing the current number of car parking spaces from 37 to 85.

It is proposed to remove some trees from the site in order to facilitate the proposed additional parking/drop off area.

A temporary construction compound is proposed on the former sports pitch to the east of the site and the proposals include a temporary haul road for construction traffic from Nookside.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
Director of Childrens Services
Northumbrian Water
Street Scene (Environmental Service)
Environment Agency
Force Planning and Police Architectural Liaison Officer
Environment Agency
Sport England

Final Date for Receipt of Representations: **07.02.2013**

REPRESENTATIONS:

No Representations Received to Date.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
L_7_Protection of recreational and amenity land
CN_17_Tree Preservation Orders and replacement of trees
CN_22_Developments affecting protected wildlife species and habitats
EN_12_Conflicts between new development and flood risk / water resources
CF_5_Provision for primary and secondary schools

COMMENTS:

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

- Principle of development
- Design and Impact Upon Visual Amenity
- Highway Access and Car Parking
- Impact Upon Residential Amenity
- Impact Upon Trees
- Impact Upon Protected Species
- Impact Upon Playing Fields
- Floodrisk

All matters in connection with this application remain under consideration. In addition several responses to consultation are awaited as is the expiry of neighbour consultation.

It is anticipated that all considerations in connection with this application will be concluded prior to the meeting of the Development Control South Sub-Committee meeting and will be reported on a Supplementary Report Accordingly.

RECOMMENDATION: Deputy Chief Executive to Report

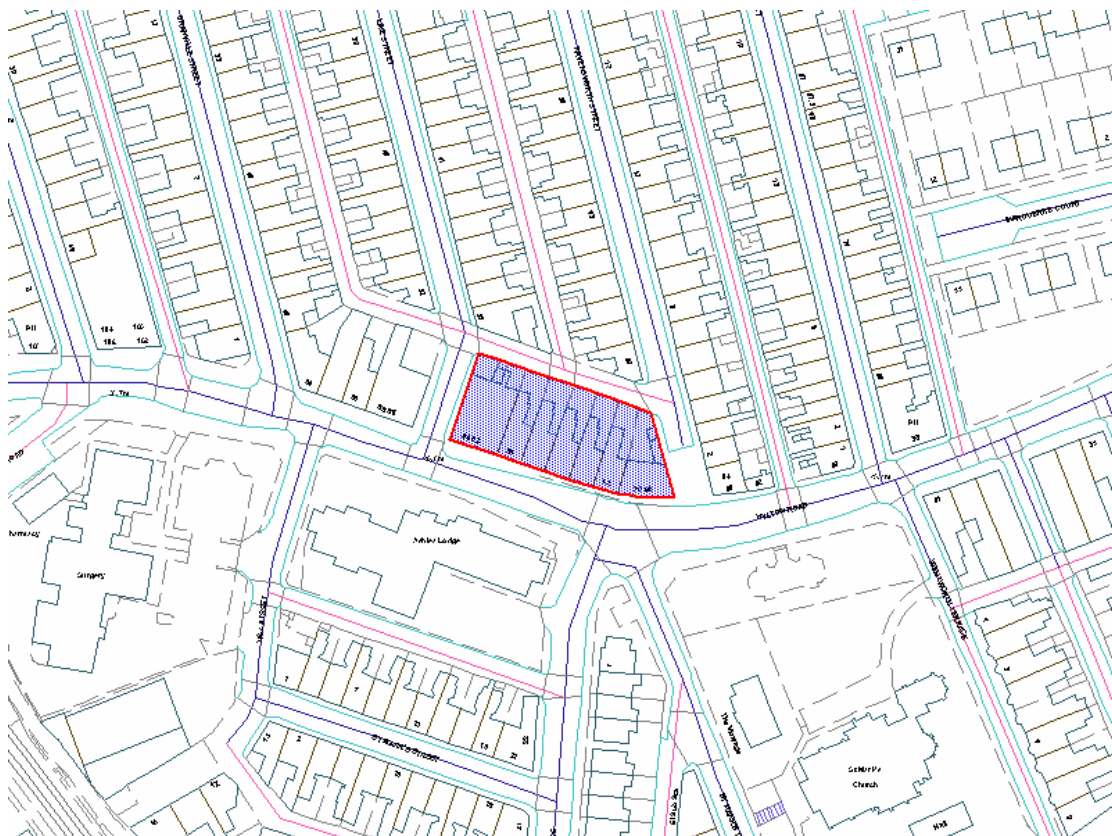
Reference No.: 12/02901/FUL Full Application

Proposal: Refurbishment and extension of ground floor retail units, creation of new ground floor flat, enlarged entrance and new link access to flats. Reconfiguration and extension of first floor student accommodation and installation of new windows to front and rear at first floor level.

Location: 68 - 84 Hylton Road Sunderland SR4 7BA

Ward: Millfield
Applicant: Woodstone Property Ventures Ltd
Date Valid: 25 October 2012
Target Date: 20 December 2012

Location Plan



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PROPOSAL:

The site to which the application relates is a terrace of properties at 68-84 Hylton Road, Millfield. The application indicates that the properties currently comprise nine commercial units at ground floor level, with 25 bedrooms, together with ancillary communal areas, kitchens, showers, and W.C. facilities above.

Adjacent uses on Hylton Road are predominantly commercial at ground floor, although immediately opposite the site is Ashlea Lodge, a residential home. To the rear of the site, residential properties prevail, with Lime Street and Ravensworth Street being closest to the site. These are characterised by terraced cottage properties.

Planning permission is sought for the refurbishment and extension of the ground floor retail units, the creation of a new ground floor flat, provision of an enlarged entrance and a new link access to the flats. The proposal also includes the reconfiguration and extension of the first floor student accommodation and the installation of new windows to the front and rear of the property at first floor level.

The proposed extensions to the properties include a single storey extension to the rear of number 68 and a single storey extension erected to the rear of number 80. A narrow single storey rear link building would be erected across the rear of the majority of properties in the terrace, meaning that the properties are internally connected. A two storey extension would be erected with a flat roof and would be across the rear elevation of number 74 to adjoin the previously existing rear offshoot of number 72, being erected with a flat roof to match. Additionally, a new flat roof is proposed over the rear offshoot of number 78. The extensions to the rear would be clad in timber.

The ground floor retail units would be altered to comprise six units with numbers 76-78 and 80-84 combined into larger single units than is presently the case.

The submitted plans indicate that the that a total of 25 bedrooms would be provided within the property as extended and that these would be divided into five flats, six bedrooms in flat A, five in flat B, six in flat C, six in flat D and two in flat E, which is to be provided at ground floor level to the rear of the property. Each flat would benefit from shared living and kitchen space and each bedroom would have ensuite W.C. and shower facilities.

Alterations are also proposed to the building fenestration to reflect the proposed works, with the upper floor windows renewed and in some cases altered.

At the time of a site visit on 5 November 2012, it was evident that works to carry out the development were ongoing and these have continued to date. On 11 December 2012, the works had reached the point that the two storey extension to the rear of the property was substantially complete.

This application would normally have been determined under the Council's Scheme of Delegation, but has been referred to the Sub-Committee for determination at the request of Councillor Price.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

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

Final Date for Receipt of Representations: **26.11.2012**

REPRESENTATIONS:

Neighbours

Two individual letters and a petition signed by 72 residents of Lime Street and Ravensworth Street have been received in objection to the proposal. The individual letters of objection were from the occupiers of 55 Lime Street and 25 Ravensworth Street. The objections raise the following concerns:

- The application description is not accurate as the premises have not had planning permission for change of use from offices to residential. The objector has not received any notice of any application for change of use of the upper floor.
- About 12 years ago, the owner of the building at that time was making structural changes to the upper floors of the building and following discussions with the Planning Department and Local Councillors, the objector was advised that no residential use of the building was allowed.
- There were occasions around 5-6 years ago that it was evident that someone was in residence for about 10-12 months as they could be observed cooking. A family then lived in the premises for about two years, but around two years ago, a notice prohibiting the use of the upper floors for residential purposes was posted on the property and the family disappeared. Details of this were provided in the legal pack when the property was recently auctioned.
- Parking spaces for six cars have been indicated on the plans, this is inadequate for use by six commercial units and up to 25 residences in the bed site rooms, particularly as there is no parking adjacent to the building which has single yellow line restrictions to both sides and the rear.
- There will be an increase in vehicles parking in Ravensworth Street and Lime Street which will have a knock on effect down the street, particularly as the streets were not designed for the number of vehicles using them today. Emergency services would have difficulty gaining access to the streets with further parked vehicles.
- A new larger roller shutter door is shown on the plans for deliveries, entering from Lime Street, which will involve delivery vehicles turning and crossing in a very narrow street and crossing a public footpath for access to the rear yard.
- A larger roller shutter is proposed to replace an existing door at the rear which will leave very little turning space to enter or exit from the garage at 55 Lime Street.
- At least 3 windows in the bed sits will have direct views in the rear yard and kitchen window of 55 Lime Street.

- As there is a surfeit of student accommodation in Sunderland, the 25 bed sit rooms will likely be let to any available single person able to produce the rent. There are many elderly residents in the vicinity of the site who would not look forward to an influx of 25 new residents some of who may have dubious backgrounds.
- There would be a lot more household waste coming from this development. If the waste bins are to be placed in the back lane on collection day, this will be hazardous on the back lane which is the main access to Ravensworth Street.
- The proposals would detrimentally impact upon property values.

The majority of these issues are considered below, but it must be noted that the character of the potential any future occupants of the building and the impact of the proposal upon private residential property values are not material considerations in the determination of an application for planning permission.

Consultees

Network Management Team

The Network Management Team has advised that it is understood that the existing first floor student accommodation does not benefit from planning consent, however in the event that it is deemed to be lawful through the passage of time; the guideline parking ratios within the City of Sunderland Design Guide would suggest that the proposal would be marginally more intensive than the existing use, with on street parking demand increasing by one vehicle. In the event that the first floor use is not deemed to be lawful; the original use is assumed to be ground floor retail with first floor residential. Based upon the guideline parking ratios within the City of Sunderland Design Guide, the proposed use would appear to be comparable or even intensive than that of the original use.

It is noted that the applicant has identified the in-curtilage as 'Customer Parking' however it is apparent that customers would be required to park their vehicles and walk on the carriageway of the rear lane in order to access the retail units, which is undesirable from a pedestrian safety aspect. It is therefore recommended that the in curtilage parking provision be made available for the residential element of the development. A planning condition to this effect would be requested in the interest of highway safety.

Tyne and Wear Archaeology Officer

The County Archaeologist has offered no comments with regard to the application.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

H_18_Proposals for provision/ conversion of dwellings for multiple occupation

SA_10_Maximisation of benefits (open space/community facilities) in developments

SA_12_Improvements to the environment of older private residential areas

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

T_22_Parking standards in new developments

COMMENTS:

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

- 1) Principle of the Development.
- 2) Layout, siting and design.
- 3) Highway Issues.

1) Principle of the Development.

As of 27 March 2012, the National Planning Policy Framework (NPPF) became a material consideration in the determination of planning applications and superseded a large number of previous planning policy guidance notes and statements. Paragraph 11 of the NPPF states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 expands upon this and advises that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

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

In addition, site specific policies SA10.1 and SA12.2 are relevant. SA10.1 states that the City Council will seek to maximise benefits in the form of additional open space and community facilities from sites to be developed or redeveloped in the Millfield/Pallion area. Policy SA12.2 states that the City Council will seek to improve the environment in the area north of Hylton Road in Millfield/Pallion by way of Environmental Works.

Policy H18 of the UDP states that proposals for the provision or conversion of dwellings into bed-sitting rooms, self-contained flats or multiple shared accommodation will normally be approved where the intensity of use will not adversely affect the character and amenity of the locality and appropriate arrangements are made to secure the maintenance of gardens and external spaces. The conversion of non-residential buildings which are vacant or under-used will normally be approved where they will not conflict with other policies and proposals of the plan. In all cases, proposals must include satisfactory provision for parking, servicing and other design aspects.

The principle of the proposed development is being given further consideration with due regard to the planning policies set out above.

2) Layout, siting and design of the building.

Paragraph 17 of the NPPF sets out 12 core planning principles identified by the Government as being important. Within these principles, it is identified as being important that Local Planning Authorities should always seek to secure high quality design.

As an expansion of this, paragraph 56 of the NPPF identifies that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Furthermore, paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

The issues regarding layout, design and siting are being given further consideration with due regard to the planning policies set out above.

3) Highway Issues.

UDP Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

The highway issues are being given further consideration with due regard to the policies set out above and the comments of the Network Management Team.

Conclusion

The acceptability of the proposals is currently being given further consideration and it is anticipated that a recommendation will be made through the preparation of a supplementary report.

RECOMMENDATION: Deputy Chief Executive to Report

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
2.	12/00948/FUL Hendon	Port Of Sunderland Capstan House Barrack Street Sunderland SR1 2BU	Mr Barry Scott 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.	N/A	N/A	Environment Agency Objection – Awaiting submission of additional information

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

	APPLICATION NUMBER AND WARD	ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
3.	12/03404/FUL Millfield	Sunderland Royal Hospital (Site of Car Park C, Opposite 24-38 Kayll Road. Kayll Road/Chester Road, Sunderland.	City Hospitals Sunderland NHS Foundation Trust Erection of a multi-storey car park to provide 766 spaces (including 28 disabled spaces).	N/A	N/A	Pending Further Consideration

Items Delegated to the Deputy Chief Executive

Items Delegated to the Deputy Chief Executive

1. **Demolition of existing sports hall and Etterick building and development of a new Sports Centre and a Visual and Performing Arts building, including outdoor performance area, landscaping, improvements to access arrangements and associated engineering works.**

12/02103/FUL

The Bede Centre City Of Sunderland College Durham Road Sunderland SR3 4AH

17/07/12 City Of Sunderland College

Decision: Approved

Date of Decision: 23rd November 2012

2. **Realignment of St. Mary's Way / Livingstone Road and formation of new public space & associated development plots. To include associated landscaping / public realm improvements, including demolition of nos. 5-10 Crowtree Road. (Amended Description 18 October 2012).**

12/02578/LAP

Land At Saint Marys Way/Livingstone Road Sunderland

11/09/12 Sunderland City Council

Decision: Approved

Date of Decision: 7th December 2012

3. **Application for a new planning permission to replace an extant planning permission 09/02070/FUL in order to extend the time limit for implementation (Erection of care home with associated access)**

12/02778/EXT1

Site Of Former Ford And Hylton Social Club Poole Road Sunderland SR4 0HG

05/10/12 Roker Property Developments Ltd

Decision: Approved

Date of Decision: 4th December 2012

No Appeals Received in December For
Sunderland South

Appeals Determined Sunderland South

Between 01/12/2012 and 31/12/2012

TEAM	Ref No	ADDRESS	Description	Decision	Date of Decision
	12/00010/REF	88 The Broadway Grindon Sund erland SR4 8NS	Installation of an ATM to shop front (Retrospective)	DISMIS	14/12/2012
	12/00011/REF	Land Off Burdon Road Adjacent To The Fold And Tunstall Lodge Park Burdon Road Sunderland SR3 2QB	Erection of two detached dwellings.	DISMIS	10/12/2012
	12/00023/REF	50 Nursery Road Sunderland SR3 1NT	Erection of rear sunlounge and side utility room/shower room.	APPWIT	17/12/2012
	12/00012/REF	Site Of Strokes 22 Hudson Road Sunderland	Outline application for the erection of a three storey building to provide nine flats.	APPWIT	07/12/2012