

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.

Development Plan - current status

The Core Strategy and Development Plan was adopted on the 30 January 2020, whilst the saved policies from the Unitary Development Plan were adopted on 7 September 1998. In the report on each application specific reference will be made to policies and proposals that are particularly relevant to the application site and proposal. The CSDP and UDP also include several 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 2015.

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 City Development Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Peter McIntyre
Executive Director City Development

1. Washington
Reference No.: 22/00098/LB3 Listed Building Consent (Reg3)

Proposal: **Inscription of name on War Memorial**

Location: War Memorial Spout Lane Washington

Ward: Washington Central
Applicant: Sunderland City Council
Date Valid: 19 January 2022
Target Date: 16 March 2022

PROPOSAL:

The application is for Listed Building Consent to correct a misspelt name inscription on the War Memorial, by inscribing the correct name in full on a separate part of the Memorial.

The name in question is currently inscribed as CARR WD, and was misspelt when the Memorial was refurbished in 1986. Evidence to confirm that the name should read CARR W.P. has been provided.

The stone mason employed to undertake the works advised that inscribing the name again in full using the same font, and with the correct spelling, on the fresh area of stone proposed would be practically easier and provide a more aesthetically sympathetic outcome. There is also some precedent for this approach as new names have been inscribed on the memorial over the years. It is proposed to inscribe directly below Arbuckle R.

SITE AND SURROUNDINGS

The site is located at the cross roads in Washington Village Conservation Area, located on the green. It is a tall Celtic cross in Heworth Bluestone. The front face of the cross is richly ornamented with carved interlace patterns. The cross shaft rises from the pedestal, on a five-stepped base. It is sited within decorative, circular railings with landscaping surrounding it. The front face of the cross is richly ornamented with carved interlace patterns. The cross shaft rises from the pedestal, square on plan, which stands on a five-stepped base.

The Washington Village War Memorial is a grade II listed building and prominent feature on the village green at the heart of Washington Village. It was erected and unveiled in 1920 by the Earl of Durham to commemorate 181 servicemen who lost their lives in WW1, and subsequently 101 service personnel who died in WW2.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted

CONSULTEES:

Washington Central - Ward Councillor Consultation
Tyne And Wear Archaeology Officer
Conservation Officer

Final Date for Receipt of Representations: **22.02.2022.**

REPRESENTATIONS:

No third party representations were received.

The County Archaeologist commented as below

The war memorial (HER 11188) is located on Sprout Lane in Washington Village within a fenced enclosure on the site of the infilled village pond. The 16ft high 1914-18 war memorial is based on a standing Celtic Cross design. It was unveiled on the 9th June 1920 by the Earl of Durham and was sculpted by J.W. Reed of Newcastle. The monument was restored in 1986 by Washington Village Society. The memorial became Grade II listed in February 2017 (List entry 1441367) and it is located within Washington Village conservation area. The proposed work involves re-inscribing a name which was misspelt when the Memorial was refurbished in 1986. The design, access and heritage statement provides details to explain why the name will be re-inscribed rather than work being undertaken to correct the misspelt version. I do not consider that archaeological intervention is required in association with this application. The proposal complies with Policy BH9 in this respect.

POLICIES:

In the Core Strategy and Development Plan the site is subject to the following policies:

BH1: Design Quality.
BH8: Heritage Assets.
BH9: Archaeological and Recording Assets.

POLICY BACKGROUND

The National Planning Policy Framework (NPPF) sets out the principals by which developers and local authorities should approach the conservation, enhancement and reuse of historic buildings and places.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional.

Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Core Strategy and Development Plan policies which are considered to be pertinent to the determination of this application are BH1, BH7 and BH8.

Policy BH1 of the CSDP is relevant and requires that development must achieve high quality design and positive improvement. It should be of a scale massing, layout, appearance and setting which respects and enhances the positive qualities of nearby properties and the locality, whilst retaining acceptable levels of privacy and ensuring a good standard of amenity for all

existing and future occupiers of land and buildings.

Whilst Policies BH7 and BH8 of the CSDP state that to preserve or enhance the significance of Conservation Areas and listed buildings, development should be in accordance with the objectives and proposals of the adopted Character Appraisal and Management Strategy for the relevant Conservation Area, should make a positive contribution to the character and distinctiveness of the Conservation Areas and should be of a high design quality.

The Council's Conservation team commented as below:-

The Conservation Team has no objection to the above application. The proposed inscribing of a new name on the Washington Village War Memorial is a minor addition to the listed structure and will importantly rectify an erroneous previous inscription when the name was misspelt during refurbishment works in the 1980s. The supporting Heritage Statement fully explains and justifies the need for the new inscription and the choice of location on the memorial and will have a positive impact on the communal value of the significance of the listed building.

The proposal has no adverse impact to the listed building or the Conservation Area and is considered acceptable in compliance with policies BH7 and BH8 of the CSDP.

ARCHAEOLOGY

Policy BH9 of the CSDP relates to Archaeology and recording of heritage assets:-

1. Development which adversely affects the archaeological interest or setting of a Scheduled Ancient Monument (or nondesignated heritage asset of equivalent significance) will be refused planning permission unless exceptional circumstances exist that satisfy the requirements of the NPPF.
2. The council will support the preservation, protection and where possible the enhancement of the city's archaeological heritage by requiring that:
 - i. applications that may affect buried archaeological remains must be supported by an archaeological deskbased assessment and evaluation reports where appropriate;
 - ii. where development affects heritage assets of archaeological interest, preference will be given to preservation in situ. However where loss of the asset is justified in accordance with national policy, the remains should be appropriately archaeologically excavated and recorded, the findings assessed and analysed, the resulting archive report deposited with the Tyne and Wear Historic Environment Record and the physical archive deposited with the relevant collecting museum. Significant findings will also be published in an archaeological journal to make them publicly accessible and to enhance understanding; and
 - iii. where demolition or part demolition of a designated built heritage asset or non-designated building of significance has been justified, or substantive changes are to be made to the asset, works must not commence until archaeological building recording of the asset has been carried out and the results deposited with the Historic Environment Record and Tyne and Wear

Archives.

Further to consultations with the County Archaeologist the proposal is considered to be acceptable and compliant with relevant CSDP policies

CONCLUSION

The proposal would not lead to any significant harm to the architectural special interest of the listed building and Conservation Area. It is not considered to be contrary to the NPPF and Local Plan.

The proposal is compliant to Policies BH1, BH7, BH8 and BH9 of the CSDP and the above relevant paragraphs of the NPPF and it is recommended for members to be minded to grant Listed Building Consent under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the draft conditions below:

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics: -

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The LPA is committed to:

- (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves:

- (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to:

- (a) Tackle prejudice, and
- (b) Promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

RECOMMENDATION: In accordance with Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), Members Grant Listed Building Consent subject to the draft conditions below:

Conditions:

1. The works to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the works are carried out within a reasonable period of time.
2. The development hereby granted permission shall be carried out in full accordance with the following approved plans:
 - Existing and proposed plans received on 19.1.22
 - Location plan received on 19.1.22

In order to ensure that the completed development accords with the scheme approved and to comply with policy BH1 of the Core Strategy and Development Plan.