

**Development Control (Hetton, Houghton & Washington)
Sub-Committee**

8 February 2012

REPORTS FOR CIRCULATION

REPORT BY DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report is circulated to the Sub Committee Meeting. It includes additional information received after the preparation of both the report on applications and the supplement. This information may allow a revised recommendation to be made.

LIST OF CIRCULATED ITEMS

Applications for the following sites are included in this report.

**Washington
S3**

Plot 2, Mandarin Way, Pattinson Industrial Estate, Washington

Further to the Supplementary Report in connection with the above, two main areas required further consideration, these were:

- The additional representations received (which raised new issues not considered in the determination of the 2008 planning approval). (Members should note that a copy of all three representations received in connection with 11/03537/EXT1 will be available during the Committee meeting for inspection if required).
- The implications of new policy in the form of Planning Policy Statement 5: Planning for the Historic Environment, which came in to force on 23 March 2010, superseding Planning Policy Guidance Statement 15: Planning and the Historic Environment, with particular reference to the impact upon the setting of Grade 2 listed Low Barmston Farmhouse.

Additional Representations

The new issues raised by the three letters of representation received in connection with this application were:

- Scale
- Weight of feeling against application not properly considered in 2008
- Impact upon the setting of the Grade 2 Listed Low Barmston Farm House

Scale:

Objections received stated that the proposed development is of an unacceptably large scale in comparison to the near by dwellings located in the Low Barmston area.

However, the scale of the proposed development is an issue which cannot be fully considered by this application, other than to consider the overall capacity of the building sought: in this case a building of up to 10 000 square metres and the maximum height of the proposed building.

This is because scale is an issue reserved for subsequent consideration via a reserved matters application.

Notwithstanding this, the application indicates that the proposed industrial unit will have a maximum height of 15 metres. It is acknowledged that this is significantly higher than the residential and farm/equestrian buildings within the immediate locality. However, the proposed height of the building at up to 15 metres is akin to the other warehouse/distribution type buildings occupying the adjacent plots within the industrial allocation of the area.

As stated above, full consideration of the scale of the proposed development cannot be undertaken at present, but the scale of the proposed development will be fully examined via a subsequent application for reserved matters.

Weight of feeling against application not properly considered in 2008:

One objection received states that the author does not consider that the

weight of feeling against the proposed development was fully considered prior to the granting planning permission in 2008 and that all issues relating to the application should be considered again in advance of determining the application under consideration to extend the life of the previously approved scheme.

Publicity in the form of letters to neighbouring properties, site notices and press notices was conducted in connection with planning application 08/03582/OUT and all representations received in response to that publicity were summarised and considered in a report to Committee Members included on the agenda for the 25 November 2008.

Planning application 08/03582/OUT was subsequently considered by Members at the meeting of the Hetton, Houghton & Washington Development Control Sub-Committee meeting on 25 November 2008, where Members agreed to delegate the final decision regarding the application to the Director of Development and Regeneration who was minded to approve the application.

It is considered that the representations raised in 2008 in connection with the proposed development were given full consideration both during the life of the planning application and by Members in reaching their decision in connection with the application.

Impact upon the setting of the Grade 2 Listed Low Barmston Farm House:

As set out in the supplementary report to Members, the proposed development site is located adjacent to the Grade 2 Listed Low Barmston Farmhouse.

Consideration must be given to the content of Planning Policy Statement 5: Planning for the Historic Environment (PPS5) which was not adopted policy at the time of the original granting of planning permission for this development in 2008. Furthermore, Policy B10 of the Council's adopted unitary Development Plan which is concerned with the protection of listed buildings must also be taken into account.

For the avoidance of doubt, policy B10 of the adopted UDP states that:

The City Council will seek to ensure that development proposals in the vicinity of listed buildings do not adversely affect their character or setting.

Members should note that one objection has been received from the occupier of Low Barmston Farmhouse on grounds that:

- The application will adversely affect the setting of a listed building and that in particular the high and bulky nature of the development proposed will affect the setting and views of the listed farmhouse contrary to the requirements of Policy B10 of the adopted Unitary Development Plan.

PPS5 maintains the same level of protection for the historic environment that PPG15 did and there is no fundamental difference in the protection afforded to listed buildings through the new policy statement. In particular Policy HE10 of PPS5 states that:

When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.

In response to consultation the City Council's Conservation Team (comments received 02.02.12) acknowledge that the proposed distribution warehouse will be sited in close proximity to the Grade 2 listed Low Barmston Farmhouse. Although the farmhouse is defined by its garden that is enclosed by a stone wall, its wider setting in open countryside of fields and woods is also significant, as are views of the farmhouse across the open countryside.

The application site is an open field directly to the north / north-west of the listed farmhouse and the indicative plan submitted shows the proposed distribution building arranged close to the eastern boundary of the application site adjacent to Low Barmston Farmhouse.

It is considered that the size of the building together with its proximity to the farmhouse, as shown on the submitted indicative plan, will without question have a significantly detrimental impact on the historically open landscape setting the listed building has enjoyed.

At 2 storeys high it will also inevitably impact on wider views of the listed building from the north. Consequently, the proposal neither preserves the setting of the listed building or better reveals its significance, and is thus contrary to Policy HE10 of PPS5 and Policy B10 of the UDP.

However, it must be acknowledged that the indicative plan submitted indicates only one possible arrangement of the proposed building on the site.

The application under consideration is for outline planning permission only, at reserved matters stage the application has scope to significantly alter the final layout of the development on the site, which will allow the impact of the proposed development upon Low Barmston Farmhouse to be further taken acknowledged and mitigated for.

It is accepted that the proposed development site is allocated in the Unitary Development Plan for the employment use in accordance with the use proposed and as PPS5 requires, the impact of the development proposed

must be balanced against the wider socio-economic benefits of the proposed scheme.

It is therefore considered that although the proposed development will have some detrimental impact upon the setting of the Grade 2 Listed Low Barmston Farmhouse, there is excellent potential to significantly mitigate this impact through negotiation of the layout of the development at reserved matters stage and through the incorporation of landscaped buffers between the development and the farmhouse. In addition, the socio-economic benefits of the scheme must carry significant weight particularly given that the application site's allocation is in accordance with the use proposed.

Summary

The application does not define the appearance, layout, scale or landscaping of the development proposed. It simply seeks approval for the principle of warehouse/distribution development on the site, which has been established both by the defined land use allocation and by the 2008 outline planning approval. It also seeks approval of the proposed access arrangements, in this case via a roundabout. These arrangements were previously approved in 2008.

The application for warehouse/distribution development is in accordance with the allocated use of the site as shown in the adopted Sunderland Unitary Development Plan.

The Executive Director of City Services has been consulted regarding the proposed highway arrangements for the site and has confirmed that the arrangements proposed are acceptable.

It is acknowledged that there will be some impact upon the setting of the Grade 2 listed Low Barmston Farmhouse, which is located adjacent to the application site. However, in balancing the benefits of the proposal against this impact, and taking into account that significant amendments to the final layout of the site are possible at Reserved Matters stage, it is considered on balance that the proposal is acceptable.

The publicity carried out in connection with this planning application does not expire until 17 February 2012. Members are therefore requested to delegate the final decision in connection with this application to the Deputy Chief Executive who is minded to **approve** the application.

In the event that any additional representations, raising new issues that have not previously been considered in connection with the development proposed (either now or in connection with planning application 08/03582/OUT) are received in the intervening period, the application will be referred back to Members for final determination.

RECOMMENDATION: Delegate to the Deputy Chief Executive who is minded to APPROVE the application following the expiration of publicity subject to conditions relating to the following issues:

Conditions:

1. Application for reserved matters within 3 years of the date of this approval.
2. Reserved matters to consider:
 - Siting of the building/layout.
 - Scale.
 - Design/External Appearance
 - Landscaping
3. Gross floor space not to exceed 10 000sq metres.
4. Samples and Schedule of Materials to be used in construction.
5. Details of all boundary enclosures.
6. Archaeological excavation and recording.
7. Archaeological post excavation report.
8. Archaeological publication.
9. Method statement for treatment of any unexpected contamination found.
10. Updated ecological report to be submitted at reserved matters stage (including mitigation measures).
11. Method statement for the clearance of any grassland or hedgerow.
12. Precise details of bat boxes and scheme of lighting to be submitted prior to occupation of the building.
13. Precise details of on site pond and management strategy for the pond.
14. Precise details of landscaping and landscape management taking into account any ecological constraints or mitigation measures required.
15. Maintenance of landscaping scheme.
16. Schedule and samples of all hard landscaping and street furniture proposed.
17. All development to be carried out in accordance with approved Flood Risk Assessment and mitigation measures implemented accordingly.
18. Precise details of foul and surface water drainage.
19. Precise details of all external lighting and CCTV equipment.
20. Scheme of working during construction.
21. Hours of construction works.
22. Notwithstanding the submitted plans details of the highway, cycleway and bridleway proposed, including passing places shall be submitted to an approved prior to any commencement of development on site.
23. Disabled parking provision to be agreed prior to occupation of the building.
24. Bicycle parking and cyclist changing facilities to be agreed prior to commencement of development.
25. Precise details to control on street parking to be submitted to the Local Planning Authority and fully implemented once approved.
26. Precise details of energy efficiency/renewable energy measures to be incorporated into the development.
27. Noise assessment to be undertaken prior to occupation of the building and mitigation measures to be implemented where shown to be required.
28. Air quality impact assessment required at reserved matters stage.

