

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

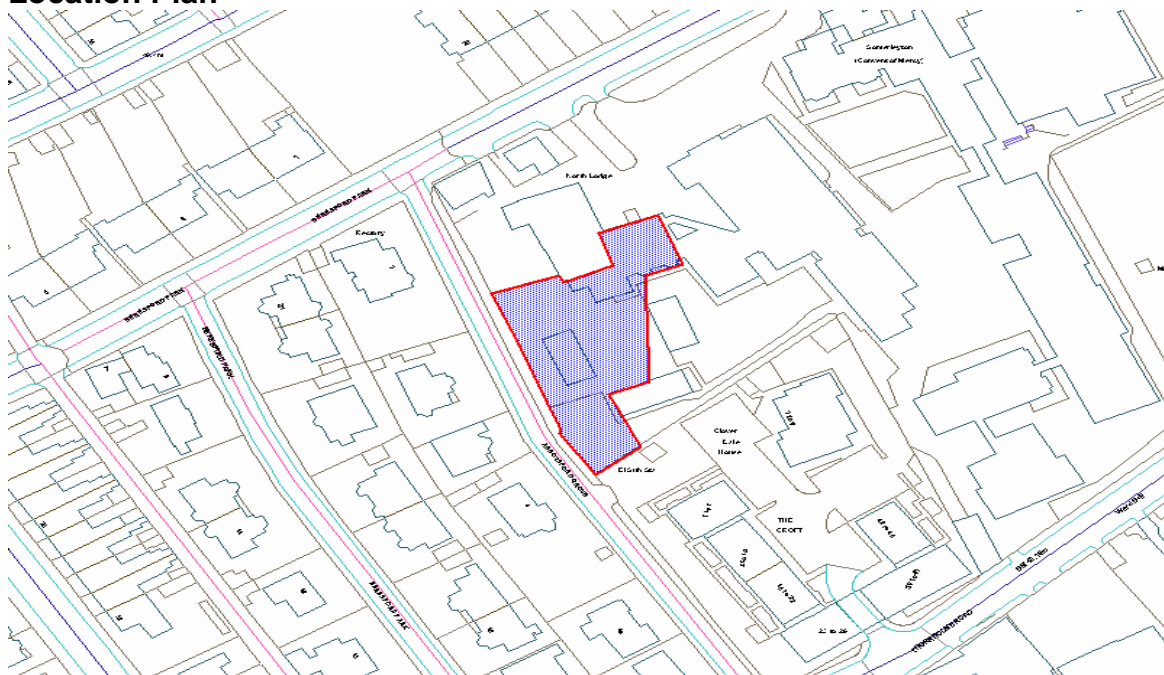
Reference No.: 11/03342/FUL Full Application

Proposal: Removal of single storey mobile unit (located adjacent to western boundary of site) and demolition of attached toilet block and two storey corridor/classroom building located to the south of the Westburn Building; removal of fire escape stairs from Westburn Building and remedial works to stone damage on Westburn Building. Removal of trees, saplings and shrubs from site. Erection of two storey building comprising 6no. classrooms, seminar, accessible WCs, toilets, lift, plant, stores and flexible ICT teaching space and erection of two storey link building between new build extension (as proposed) and Westburn Building. Erection of fencing and gates and associated landscaping works.

Location: Saint Antonys RC School Thornhill Terrace Sunderland SR2 7JN

Ward: Millfield
Applicant: Convent of Mercy
Date Valid: 14 December 2011
Target Date: 8 February 2012

Location Plan



PROPOSAL:

The application relates to the removal of an existing single storey mobile unit (located adjacent to the western boundary of the site) and the demolition of the attached toilet block and two storey corridor/classroom building located to the south of Westburn House; the removal of the existing fire escape stairs from Westburn House and remedial works to make good any stone damage to Westburn House. The removal of trees, saplings and shrubs from the site, all works necessary to facilitate the erection of a two storey building comprising 6No. classrooms, seminar, accessible WCs, toilets, lift plant, stores and flexible ICT teaching space and the erection of a two storey link building between the new build extension (as proposed) and Westburn House. Erection of additional fencing and gates and associated landscaping works at Saint Anthony's School, Thornhill Terrace, Sunderland.

The application should be considered along with Listed Building Consent application number 11/03343/LBC, which seeks Listed Building Consent for this development due to the demolition works required to the attached toilet block and two storey corridor/classroom building, connected to Westburn House, which is a Grade II listed building.

Members may recall both the full application and the Listed Building Consent application were brought to Sub-committee dated 28.02.2012, where it was resolved to defer the proposal until after a site visit dated 23.03.2012.

The proposal has been subject to pre-application discussions involving the architect and the Conservation Team and forms phase 1b of the wider "Redevelopment Strategy" adopted by the school in 2007. Members may recall that phase 1a of the strategy which involved demolition works and the installation of a two storey six classroom block was approved by Development Control Sub-Committee dated 01.12.2009.

The aim of the wider redevelopment strategy and specifically phase 1b is to improve the level of the school's teaching accommodation, by removing the remaining demountable classroom and replacing it with a bespoke teaching facility. Pupil and teaching levels are to remain the same.

Saint Anthony's School is located within Ashbrooke Conservation Area in a predominantly residential area, bound to the west by Abbotsford Grove, the north by Thornhill Terrace, the east by Tunstall Road and to the south by Clover Dale House. The existing site boundary treatment varies and comprises natural stone walls to the south west boundary and a brick wall in part along Abbotsford Grove.

The exact siting of the proposal was historically part of the curtilage of Westburn House, situated in the south west corner of the school's grounds, currently occupied by a temporary classroom structure and adjacent the aforementioned recently completed new two storey classroom block to the east. Westburn House was originally a large three storey dwelling converted and changed in use when purchased by the current owners. This area of the school is characterised by a variety of mature trees with the southern boundary protected as a group by Tree Preservation Order No.6 1971.

The proposal requires the removal of the last remaining temporary structure occupying the site which has an area of 0.15 hectares. Due to the topography of the site the adjacent residential properties to the south and west, sit above the proposed site level which is approximately 1.0 to 1.5 metres below Abbotsford Grove. The existing temporary building is largely not visible from the south west and is heavily screened by mature trees and boundary walls.

The proposal for the replacement two storey building will produce a building taller than the existing temporary structure reaching a height of 9.0 metres along the top of the parapet roof enclosing the flat roof. The proposed building is approximately 24 metres distant from residential properties along Abbotsford Grove and approximately 19 metres between the south gable and the apartment block within the Clover Dale House development.

The new building footprint will be 474 square metres with modern classbases of 56 square metres in accordance with Building Design Bulletin 98. This will not increase pupil numbers above their current level but will make overall occupancy more acceptable.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted

CONSULTEES:

City Services - Network Management
County Archaeologist

Final Date for Receipt of Representations: **30.01.2012**

REPRESENTATIONS:

ENGLISH HERITAGE

No comments to make on the application.

COUNTY ARCHAEOLOGIST

No comments to make on the application.

NEIGHBOURS

One letter of representation has been received following the expiry of the consultation period. Concerns raised included the proposal being located too close to residential properties, too high and generally too large. The design not respecting the conservation area and a potential loss of privacy and increase in noise.

Addressing each of the concerns in turn:

The proposal being located too close to residential properties. Planning standards are useful in helping define the lowest level of acceptability, but greater freedom to vary standards needs to be allowed for such things as garden sizes and privacy distances in the interest of creating more complex, varied and attractive spaces. In general residential developments interface distances of 21 metres have been adopted between main facing windows in order to ensure appropriate levels of residential amenity are maintained. In this particular instance although

the school block is not a residential property, the interface distance is in excess of the standard required for residential properties by approximately a further 4 metres.

Notwithstanding this separation distance, in assessing the impact of the school building upon levels of residential amenity currently afforded the existing residential properties, other characteristics of the street scene have been given consideration, namely size of front gardens, boundary enclosures, planting etc. With the above in mind, the proposed building is sited at its narrowest point a distance of 3 metres from the boundary wall of the school, screened by planting and then separated from residential properties by a private road and front garden, given an overall distance of approximately 25 metres.

The height of the proposed building and size of footprint are considered proportionate and subordinate with other buildings contained within the school site. The proposal reaches 9 metres in height, whilst the adjacent Westburn House building reaches approximately 13 metres in height and phase 1a of the school redevelopment reaching 8 metres in height. Furthermore, the neighbouring residential properties located within Abbotsford Grove provide roof ridgelines approximately 8.5 metres in height. In terms of the overall size of the footprint of the building the room sizes have been developed in accordance with Building Design Bulletin 98: Briefing Framework for Secondary School Projects ensuring a fit for purpose design for the needs of the pupils and teaching staff.

In relation to the design not respecting the conservation area, the proposal has been discussed from very early concept stages with the Planning Implementation Conservation Team, who are very supportive of this scheme and the wider redevelopment strategy in general, as it proposes to remove unsightly temporary buildings, existing poor quality extensions and improve the overall appearance of Westburn House and its immediate surroundings.

Privacy and noise concerns have both been addressed at the design stage of the proposal. The layout of the proposed building has been designed so that the west facing elevation of the proposal, provides the outside windows of the classrooms with both vertical and horizontal louvres adding a degree of screening to the building, whilst corridors providing access around the courtyard are located along the inner profile walls of the proposal with access doors opening into the courtyard area, thus mitigating any increase in levels of noise at this specific area of the school site.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

B_4_Development within conservation areas

B_6_Measures to preserve and enhance conservation areas

B_10_Development affecting the setting of listed buildings

L_7_Protection of recreational and amenity land

CF_5_Provision for primary and secondary schools

CN_17_Tree Preservation Orders and replacement of trees

CN_18_Promotion of nature conservation (general)

CN_22_Developments affecting protected wildlife species and habitats

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

COMMENTS:

The main issues to consider in determining the application are:-

- (i) The Principle of the New Development/Policy Context.
- (ii) Design, Siting, External Appearance and Landscaping (Visual Impact).
- (iii) Removal of Trees/Wildlife.
- (iv) Highways and Parking Issues.

Principle of the Development

The site in question is allocated under Policy L7 of the Unitary Development Plan (UDP). Policy L7 states in part that:

"Land allocated for open space or outdoor recreation, as shown on the proposals map, will be retained use. This includes playing fields attached to school or other educational establishment. Permission for other uses on these sites will only be granted if:

- (i) the development is for educational purposes; and,
- (ii) there would be no significant effect on the amenity, recreational and wildlife habitat of the site."

Policy CF5 requires that where possible, the requirements for the provision of secondary education needs will be accommodated primarily on existing sites.

It is therefore considered that the small scale addition to the school accords with relevant policies of the UDP.

Design, Siting and External Appearance (Visual Impact).

In assessing the visual impact of the proposal due consideration has been given to Policies B2, B4 and B6 of the UDP.

Policy B2 states that:

"The scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas."

Due to the location of the school within Ashbrooke Conservation Area, policies B4 and B6 are of particular relevance.

Policy B4 requires in part that:

"All development within and adjacent to conservation areas will be required to preserve or enhance their character or appearance."

Whilst policy B6 expands upon the above policy by a seeking measures including in part that:-

"(i) Encouraging the retention of existing buildings and the improvement of features, open space, historic street patterns and plot boundaries;

(ii) Encouraging the retention of existing mature trees."

With regard to the design of the new classroom blocks, the scale, massing, form and appearance of the buildings is subservient and sympathetic to Westburn House, reaching a height approximately 5 metres below that of the listed building. The continuity of the innovative, bespoke design approach of phase 1a throughout the classroom block is considered appropriate, clearly distinguishing them from the old building and completing the courtyard appearance of the overall development.

The proposed building, sited on level ground sits in existing hard and soft landscaping parallel to the western boundary. Break-out or external teaching spaces will face west at ground level, whilst in terms of siting and general orientation the external social areas face north east overlooking Westburn House, mitigating any potential impact on potential levels of noise to surrounding neighbours.

Fenestration to class bases and to circulation areas is full height with louvres to provide solar shading to the east and west facing elevations. Louvres to the west elevation also serve to screen the first floor classrooms to combat potential overlooking of Abbotsford Grove. These louvres have also been incorporated into the fenestration and serve the dual purpose of assisting natural ventilation.

It is considered that the juxtaposition between the new block and the listed building has been handled sensitively following pre-application discussions with the architect. The incorporation of a glazed link that is set back behind the stone quoins of the listed building will expose these important features and provide a light weight separation between the old and the new that reveals more of the listed building's original square form.

The proposal intends to retain the established landscape character as in Phase 1, however the demolition of the temporary building and partial site clearance will result in the loss of a tree in a brick planting box, no area of open space will be lost.

In summary, phase 1b of the redevelopment strategy has considerable conservation benefits and will significantly enhance the character and setting of Westburn House. The proposal seeks to remove the poor quality mid-late 20th century extension to Westburn House (along with the stand alone demountable in close proximity to it), and repair and restore the original appearance and detail of the listed building. In continuing the design philosophy of phase 1a, the current proposal will secure the removal of the unsightly escape stairwell to the south elevation of the listed building, allowing the reinstatement of a sliding sash window and decorative stone cill, whilst ensuring teaching/learning facilities are brought up to the highest standards.

The proposal complies with relevant UDP policies B2, B4 and B6.

Removal of Trees/Wildlife

Following pre-application discussions both for phase 1a and 1b with the architect, it was identified that a number of trees would have to be removed to facilitate the

redevelopment of this area of the school. A supporting Arboricultural Implications Assessment has been provided in support of the application.

Policy CN17 of the UDP states that:

"The city council will encourage the retention of trees which make a valuable contribution to the character of an area by the making of tree preservation orders and replacing trees in highways and other public areas, with species which help maintain the character of the locality. The retention of trees, hedges and landscape features in all new developments will be required where possible."

The supporting tree assessment has identified two trees to be removed. (T12). A middle aged Crack Willow (*Salix fragillis*) 11.1 metres in height located along the western perimeter of the site and identified as being in a structurally poor condition with symptoms of ill health and (T5) a 7.5 metres high Cherry tree centrally located within the internal courtyard.

In light of the existing health of the Willow and the limited amenity value of the Cherry tree identified for removal within the arboricultural assessment, it is considered that this element of the development complies with policy CN17 and should members be minded to approve the proposal, conditions can be attached requiring the planting of suitable replacements and safeguarding of the existing species.

In addition to the supporting arboricultural assessment, the site has been subject to a wildlife survey, which has checked for nesting birds and roosting bats.

Policy CN22 of the UDP states that:

"Development which would adversely affect any animal or plant species afforded special protection by law. or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and where appropriate planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the city."

The findings of the survey have stated that it is not considered any of the buildings provide a suitable maternity roost site. None of the elevations of the building surveyed in 2011 provide suitable locations for hibernating bats or maternity colonies. There is a very low risk that some features may provide occasional day roosting opportunities for common pipistrelle bats however no evidence was recorded on site that would suggest such uses within recent months.

It is therefore considered that with suitable mitigation measures to prevent bats being harmed or disturbed during the works and to ensure that the site retains the potential to be used by bats in a similar manner in the medium to long term the development complies with policy CN22 and is therefore acceptable subject to appropriate conditions.

Highways and Parking Issues.

It is not proposed that the development will lead to an increase in either pupil, staff or visitor numbers.

Policy T14 relates to proposals for new development and states in part that:

"New development should not cause traffic congestion or highways safety problems on existing roads."

Following consultations with the Executive Director of City Services (Transportation) there are no observations to report and as such the proposal is considered to comply with policy T14 of the UDP.

CONCLUSION

In summary, the proposal has been assessed in line with policies EN5, CF5, CN17, CN18, CN22, L7, B2, B4, B6, B10 and T14 and whilst the principal of the use may be acceptable, any decision on this application should be made in the light of any further information received following members site visit which will take place on 23rd March 2012.

It is therefore intended to report further to the sub-committee on a Circulation Report, following the site visit and the receipt of the further information requested.

RECOMMENDATION: Deputy Chief Executive to Report

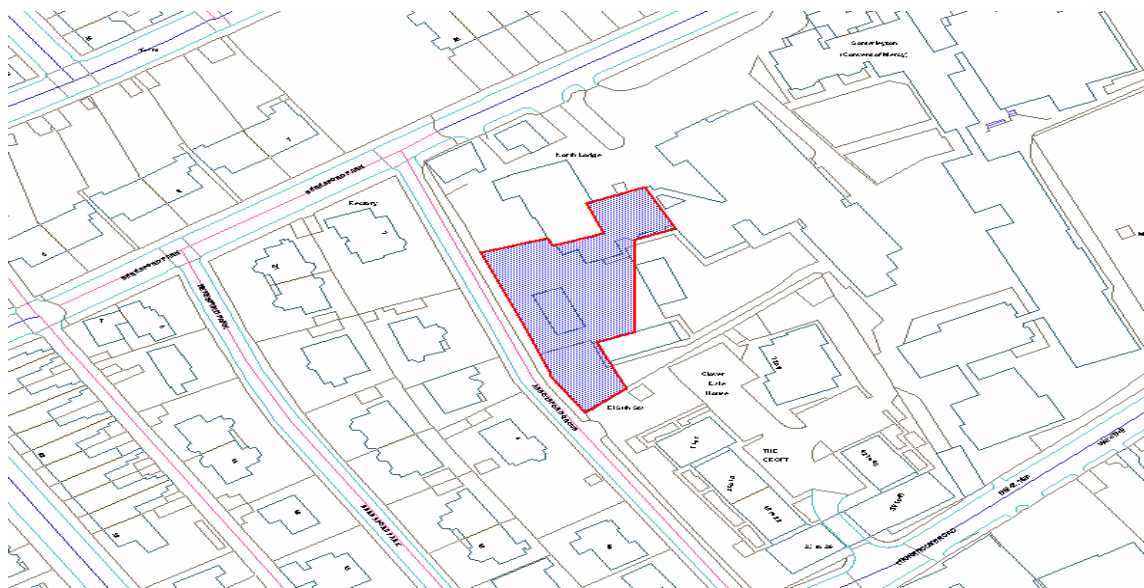
Reference No.: 11/03343/LBC Listed Building Consent

Proposal: Removal of single storey mobile unit (located adjacent to western boundary of site) and demolition of attached toilet block and two storey corridor/classroom building located to the south of the Westburn Building; removal of fire escape stairs from Westburn Building and remedial works to stone damage on Westburn Building. Removal of trees, saplings and shrubs from site. Erection of two storey building comprising 6no. classrooms, seminar, accessible WCs, toilets, lift, plant, stores and flexible ICT teaching space and erection of two storey link building between new build extension (as proposed) and Westburn Building. Erection of fencing and gates and associated landscaping works.

Location: Saint Anthonys School Thornhill Terrace Sunderland SR2 7JN

Ward: Millfield
Applicant: Convent Of Mercy
Date Valid: 14 December 2011
Target Date: 8 February 2012

Location Plan



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PROPOSAL:

Listed Building Consent is sought for the demolition of an attached toilet block and two storey corridor/classroom building, the removal of an existing fire escape stairs located to the south west corner of Westburn House. As a consequence of the demolition, consent is sought for repair and restoration measures to Westburn House.

The application should be considered along with application number 11/03342/FUL, which seeks full planning permission for the erection of a two storey building comprising 6no. classrooms, seminar, accessible WC's, toilets, lift, plant, stores and flexible ICT teaching space and the erection of a two storey link building between the new build extension (as proposed) and Westburn House.

Members may recall both the full application and the Listed Building Consent application were brought to Sub-committee dated 28.02.2012, where it was resolved to defer the proposal until after a site visit dated 23.03.2012.

The proposal has been subject to pre-application discussions between the Conservation Team and the architect, during which the principle of the scheme and the main elements of the proposal - demolitions, general layout, form, height and positioning of the new school blocks were generally agreed.

Westburn House, now part of St. Anthony's Girl School, is a Grade II listed building built originally as a single dwellinghouse, changing ownership and use some 50 years ago. Built around 1850 it has horizontally tooled ashlar stone walls with smooth sawn faced ashlar plinths, quoins and dressings. The roof covering is graduated Lakeland slate with ashlar chimneys.

The current proposal follows the successful implementation of phase 1a of the redevelopment strategy for the school, that resulted in the removal of the link building attached to the eastern elevation of Westburn House and the subsequent remedial works required to reinstate the eastern elevation to its original design.

As a consequence of the demolition of the toilet block and link building to the south west corner of the building, it will also be necessary to rationalize the interior of Westburn House along with replacing the existing fire escape door with a new first floor window, the cill and details. It is proposed to utilise new cills and pilasters as complete carved stones in Blaxtor or similar sandstone ashlar blocks to replicate details lost to the previous intervening extensions.

All stonework to the affected areas is to be re-pointed with sand/lime mortar to each complete bay i.e. pilaster to pilaster.

Internally some internal window reveal panelling and architraves will be required to be replaced and rebuilt back to form the original window cill and sized opening. New replicated sash windows are to be installed.

In terms of works required to improve the fire safety of Westburn House, a new Fire alarm detection VESDA (Very Early Warning Smoke Detection Alarm) system is proposed to the entrance hall and staircase to bring the system in line with current legislation. Repaint doors with intumescent paint to make them as

fire resisting as possible and ensure that any gaps between the doors and frames are reduced. Several of the doors are not original and it is proposed to renew these doors with new panelled fire doors which are more sympathetic to the buildings interior.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
County Archaeologist
English Heritage

Final Date for Receipt of Representations: **30.01.2012**

REPRESENTATIONS:

ENGLISH HERITAGE

No comments to make on the application.

COUNTY ARCHAEOLOGIST

No comments to make on the application.

NEIGHBOURS

One letter of representation has been received following the expiry of the consultation period. Concerns raised included the proposal being located too close to residential properties, too high and generally too large. The design not respecting the conservation area and a potential loss of privacy and increase in noise.

Each of the above concerns relate specifically to the new build element of the proposal and have been covered within the Full Planning application ref. 11/03342/FUL. None of the above concerns are material to the determination of the Listed Building Consent proposal.

POLICIES:

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

B_10_Development affecting the setting of listed buildings

COMMENTS:

In determining the proposal the main issues to consider are the impact of the demolition works upon the setting of the listed building and the special architectural character of the host property.

Planning Policy Statement 5 (PPS5) : Planning for the Historic Environment provides the Government's overarching aim to conserve the historic environment and its heritage assets for the enjoyment and quality of life they bring to this and future generations.

Policy HE9.1 states in part that:

"There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be."

Whilst Policy HE10 relates to applications for development affecting the setting of a designated heritage asset with para. HE10.2 stating that:

"Local Planning Authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset. taking such opportunities should be seen as a public benefit and part of the process of place-shaping.

Policy B10 of the Unitary Development Plan (UDP) states:

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

In summary, and in light of the above guidance and policy, it is considered that the demolition of the attached toilet block, link building and demountable classroom would be desirable, removing an unattractive two storey extension from the south western corner of Westburn House.

The general scope of the repair and restoration works to the listed building were discussed with the Conservation section at the pre-application stage and are reflected in the submitted scheme. Overall, the Conservation section consider the details provided for the works to be appropriate and provided they are properly specified and carried out to a high standard of workmanship befitting a building of special architectural and historic interest they should considerably enhance the listed building.

In the event members be minded to approve the proposal, and in order to safeguard the integrity of the listed building, the Conservation section have requested additional details relating to the proposal be conditioned. It should be noted that the full extent of repair and restoration works to the south west corner of the building will not be known until the extensions have been removed when inspection of the exposed stonework will be possible.

There is a requirement to provide a detailed specification and method statement for all repair and restoration works to the listed building, including stone replacement, stone indenting/re-facing, mortar repairs, mortar mix and method of finishing for re-pointing works and other remedial works such as cleaning of stonework etc.

There is a requirement for a sample area of re-pointing (and bedding of new stone if necessary) to be provided for inspection.

There is a requirement for a method statement for demolition of extensions, including details of measures to be taken to protect stonework of the listed building as the extension is taken down and a further requirement to inform the Conservation Team on completion of demolition works so a joint inspection of exposed stonework can be undertaken and the scope of repair and restoration works agreed.

There is a requirement for full details of all measures to satisfy building and fire regulations i.e. specification of intumescent products.

Finally, there is a requirement for all samples of all external materials - including new stonework for quoins, cills and pilasters to be provided for inspection.

CONCLUSION

With regard to the above, the proposal is considered to comply with the general conservation principles as outlined in PPS5 and policy B10 of the UDP. However, any decision on this application should be made in the light of any further information received following members site visit which will take place on 23rd March 2012.

It is therefore intended to report further to the sub-committee on a Circulation Report, following the site visit and the receipt of the further information requested.

RECOMMENDATION: Deputy Chief Executive to Report

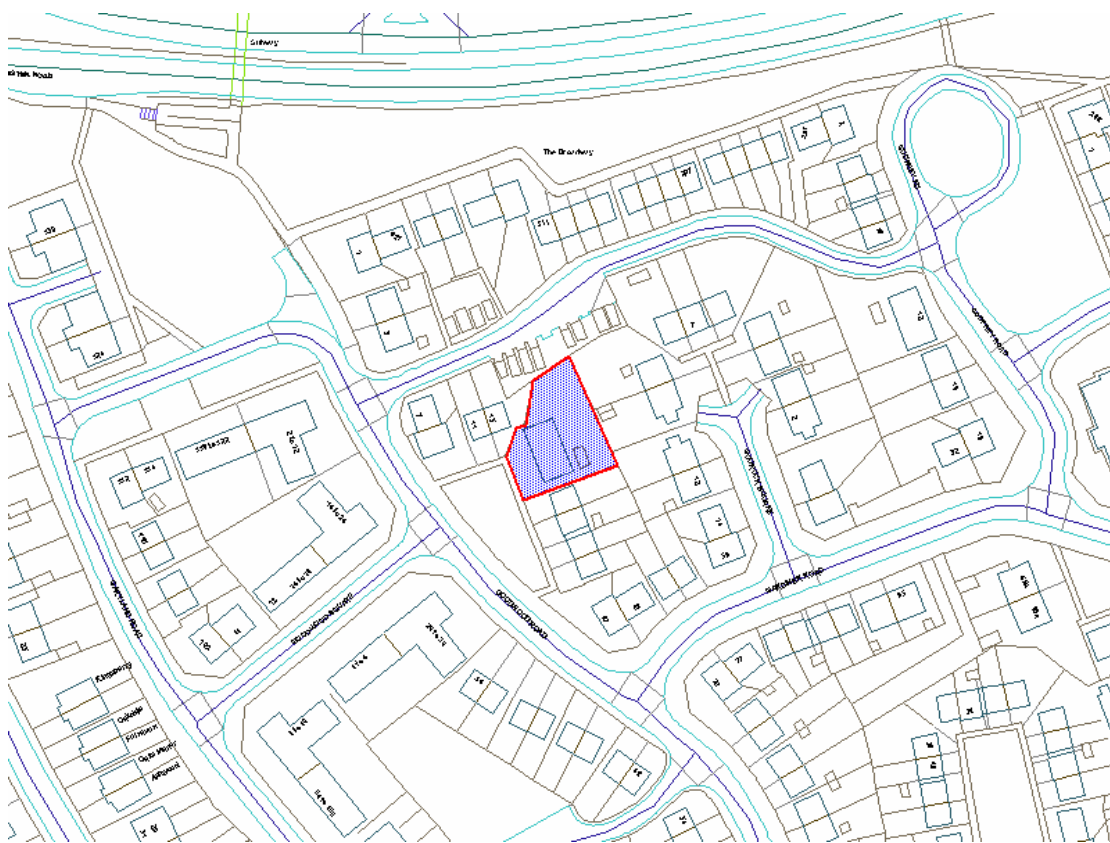
Reference No.: 11/03411/LAP Development by City(Regulation 3)

Proposal: **Change of use from residential care facility to single dwellinghouse**

Location: 17 Goodwood Road Sunderland SR4 9QA

Ward: Sandhill
 Applicant: Brad Shields
 Date Valid: 14 February 2012
 Target Date: 10 April 2012

Location Plan



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PROPOSAL:

The application relates to the change of use of a residential care facility to a single dwellinghouse. Council records indicate that the host property was in use as a children's home in the early 1970's but has more recently been operated by the City Council as a residential care home for adults.

The relatively large two storey detached property is sited in rather expansive grounds within the residential area of Grindon. The neighbouring properties are semi detached in nature but appear of similar form and design to that of the host dwelling.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management

Final Date for Receipt of Representations: **19.03.2012**

REPRESENTATIONS:

The Council's Executive Director of City Services: Network Management have raised no objections.

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

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

COMMENTS:

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

- i) Planning Policy.
- ii) The impact of the proposal on both the residential amenity of the surrounding properties and wider streetscene.

Planning Policy

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 this instance it is evident that the use of the host property for residential purposes would clearly be compliant with the nature of the surrounding residential area. As such, the proposal is considered to comply with policy EN10

Residential Amenity

The host dwelling has previously operated in a residential capacity for the purposes of both a children's home and a care facility for adults albeit within class C2 of the General Permitted Development (Use Classes Order) (Amended 2005) and the proposed use of the property as a single residential dwellinghouse, class C3, would not be markedly different in overall nature.

Policy B2 seeks to ensure that the scale, massing, setting and layout of new developments respects and enhances the best qualities of nearby properties and the locality and retains acceptable levels of privacy for neighbouring properties.

The surrounding area is almost exclusively residential and no external alterations/extensions are proposed to the host building. In this respect there are no material reasons to suggest that use of the property for residential purposes would adversely impact on the living conditions of neighbouring occupiers or impact on the visual qualities of the prevailing streetscene.

Subject to the receipt of no objections, the proposal is considered to be acceptable, however, should any objections be received the relevant issues will be addressed in a supplementary report.

In summary, and subject to no objections being received, the use of the property as a single residential dwelling is considered to adhere with the established residential land use of the surrounding area without adversely impacting on the residential amenity of nearby occupiers or affecting the wider character of the streetscene. The proposal therefore complies with the provisions of UDP policies EN10 and B2 and Members are therefore recommended to grant approval under Regulation 3 of the Town and Country Planning General Regulations 1992.

RECOMMENDATION: Approve subject to conditions

Conditions:

- 1 The development 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 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

The floor plans and elevations as existing and proposed received 01.02.2012, the site plan as existing and proposed received 18.01.2012 and the location plan received 21.11.2012

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 The premises shall be used as a residential dwelling and for no other purpose (including any other purpose in Class C3) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. In the interest of residential amenity and to comply with Policy B2 of the adopted Unitary Development Plan.

Reference No.: 12/00078/EXT1 Extension of Time

Proposal: Extension of time to previously approved application 08/04727/FUL (Proposed reduction in retail floor space to existing retail department store and the conversion of three floors to hotel use, including additional floorspace to fourth floor and elevational treatments.)

Location: Vacant Property Former Joplings John Street Sunderland SR1 1DP

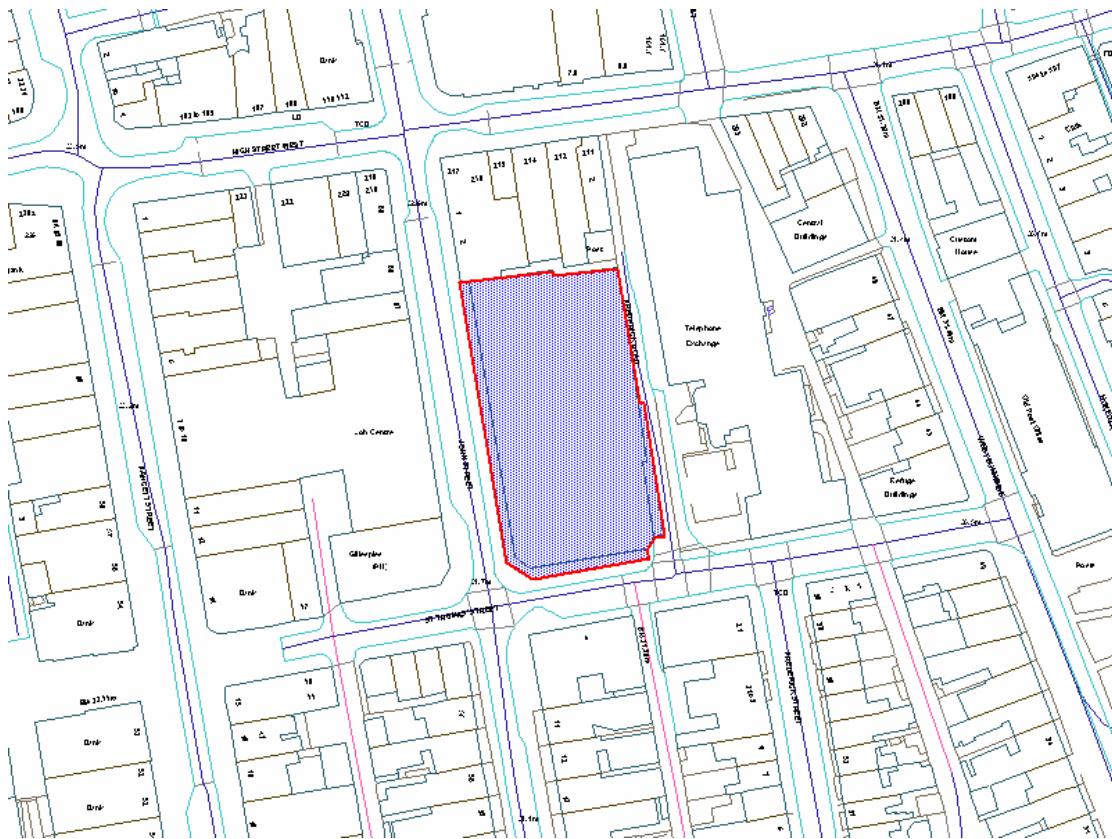
Ward: Hendon

Applicant: Sunderland Regeneration (General Partners)

Date Valid: 17 January 2012

Target Date: 17 April 2012

Location Plan



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PROPOSAL:

This planning submission is an application to extend the time limit of implementing the approved development (Ref. 08/04727/FUL) at the former Joplings store, John Street, Sunderland.

Applications to extend the time limits for implementing planning permissions has been introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

Communities and Local Government (CLG) brought into force on 1 October 2009 via the Town and Country Planning (General Development Procedure) (Amendment No.3) (England) Order 2009 (SI 2009 No. 2261) the ability for applicants to apply to their Local Planning Authority for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. For convenience, the procedure is referred to in this report as an 'extension', more formally, it is an extension of time for the implementation of a planning permission by grant of a new permission for the development authorised by the original permission.

In the case of planning application 08/04727/FUL, as this was approved on the 30 March 2009 and in light of the three year implementation condition, given that this extension application was submitted before the expiry of the three years i.e. valid on the 17 January 2012, it satisfies the parameters governed by SI 2009 No. 2261 and is therefore eligible for consideration.

Members may recall that planning application 08/04727/FUL was approved by Committee at the 24 March 2009 meeting. A copy of the report(s) which appeared before Committee have been attached to this item at Appendix A for ease of reference. This approved scheme, which is the subject of this extension, involves the segregation of the Joplings building into a department store at basement, ground and first floor level with a hotel at second, third and fourth floor level. The incorporation of the hotel use requires re-building and refurbishment of the building at third and fourth floor levels via the introduction of a lightweight glazed structure.

The scheme also involves the positioning of a separate hotel entrance at the northern end of the John Street elevation, which is characterised by a blue surround extending upwards to the point where the existing Joplings brick elevation meets the proposed lightweight glazed structure. The rear elevation of the building also benefits from a greater degree of variety and interest through the introduction of render and projecting box windows.

The 08/04727/FUL application was supported by a brief report entitled "Structural Engineers Comments in Support of Planning Application", Design and Access Statement, photomontage of the proposed development, Transport Statement, Design/Heritage Statement and Street scene illustrations.

Application site

This property is a prominent building in the Central Sunderland Conservation Area and occupies a significant corner location in this historic part of Sunnyside and is considered to be a distinctive local landmark. Joplings department store has an important place in the social and economic development of the city,

opening in High Street East in 1804, before moving to High Street West in 1878 where it stayed until the present premises opened in John Street in 1954.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
Sunniside Partnership
County Archaeologist
English Heritage
Northumbrian Water
Fire Prevention Officer
Force Planning and Police Architectural Liaison Officer
NE Ambulance Service NHS Trust
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **23.03.2012**

REPRESENTATIONS:

Neighbours

No letters of representation have been received to date.

County Archaeologist

Comments were received advising, as per the previous response to the 08/04727/FUL application, that a photographic record of the building should be taken before it is converted, in order to record this iconic and socially significant building. This requirement is reflected in condition 20, should Members be minded to approve.

Northumbrian Water

Northumbrian Water has no objections to the proposed development.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

B_4_Development within conservation areas

B_6_Measures to preserve and enhance conservation areas

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

EN_1_Improvement of the environment

B_14_Development in areas of potential archaeological importance

COMMENTS:

Extension considerations

The CLG's practical guidance note 'Greater flexibility for planning permissions' advises that LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations which may have

changed significantly since the original grant of permission. In light of this it is important to look at any relevant policies which may have changed since the approval of the 08/04727/FUL application.

Land-use and Policy Considerations

The land use and policy considerations have not changed materially since the granting of the last planning permission for this site. However, Planning Policy Statement 6: Planning for Town Centres (2005) has been superseded by Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009). Nevertheless, a hotel is still considered to be a town centre use and as such it remains the view, as it was during the consideration of the 08/04727/FUL submission, that the proposed redevelopment of this building will help to ensure an appropriate and efficient use of the land in a location that is accessible by a choice of means of transport including public transport, walking, cycling and private car.

Regarding local planning policy, Unitary Development Plan (UDP) policy EC9 remains of relevance, which aims to locate hotel uses in centres, which are well related to the primary road network. The provision of car parking for the hotel through using existing multi-storey car parks has also been established via the 08/04727/FUL approval.

Furthermore UDP policy S2 remains of relevance as this policy seeks to give favourable consideration to proposals which will sustain and enhance the vitality and viability to existing centres and as the development would support the economic viability of retail through retaining the basement, ground and first floors of the Joplings building for retail, it is considered that the hotel use would complement the offer of services within the City Centre.

In terms of the specific land use policy considerations UDP Alteration No. 2 policy EC5B (Strategic Locations for Change) is still relevant. This policy seeks diversification to encourage as wide range of uses and as such hotel development is considered ancillary to many uses detailed in this policy. Furthermore, policy SA55B.1 of UDP Alteration No. 2 also supports the scheme in the sense that the proposal involves the conversion and redevelopment of this landmark building in the City, whilst it also encourages mixed-use developments within the Sunnyside and Tavistock areas.

In conclusion it is considered that the development proposal meets with the aims, objectives and relevant and contemporary policy guidance and as such the principle of development is still considered to be acceptable.

Regarding other considerations, in particular, (i) design and conservation, (ii) highway engineering and (iii) residential amenity, it is not considered that there have been any significant changes to relevant material and policy considerations since the original grant of permission to warrant refusing this extension application.

Conclusion

In light of the fact that extension applications were introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn CLG advises that Local Planning Authorities should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. It is therefore

considered that as development plan policy and other material considerations have not changed significantly since the original grant of permission that this extension is recommended for approval subject to the following conditions, as stipulated on the 08/04727/FUL permission.

RECOMMENDATION: APPROVE subject to conditions

Conditions:

1. The development 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 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
2. No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
3. The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.
4. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including glazing, cladding, render, window and door surrounds, windows, roofing materials and all other building elements and architectural components has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2, B4 and B6 of the UDP.
5. Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
6. Before the development, hereby permitted, is commenced a plan showing the provision of adequate facilities for the storage of refuse within the site

shall be submitted to and approved by the Local Planning Authority, and shall be so installed and maintained thereafter in order to ensure a satisfactory form of development and to comply with policy EN1 of the UDP.

7. Before the development hereby approved is commenced details of the means of demolition shall be submitted to and approved by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policies B2, B4, B6 and EN1 of the UDP.
8. Before the development hereby approved is commenced the details of any floodlighting / exterior lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved plans before the hotel building is occupied, in order to ensure a satisfactory form of development and to comply with policies B2, B4 and B6 of the UDP.
9. Notwithstanding the submitted plans, before the development hereby approved is commenced, full details of the design, materials and proposed treatment of the ground floor elevations shall be submitted for the written approval of the Local Planning Authority and the approved works so implemented in the interests of visual amenity and to comply with policies B2, B4 and B6 of the UDP.
10. Notwithstanding the submitted plans, before the development hereby approved is commenced, full details of the design, materials and proposed treatment of the hotel entrance portal feature shall be submitted for the written approval of the Local Planning Authority and the approved works so implemented in the interests of visual amenity and to comply with policies B2, B4 and B6 of the UDP.
11. Prior to the commencement of work, the specification / method statement for the cleaning of the brickwork (and re-pointing if necessary) to the existing building shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt a gentle steam / water based cleaning technique should be used. The brickwork shall then be cleaned (and re-pointed) with the approved details and maintained as such thereafter, in the interests of visual amenity and to comply with policies B2, B4 and B6 of the UDP and the requirements of PPG15.
12. No development shall take place until a programme of photographic building recording has been completed, in accordance with a specification provided by the County Archaeologist. The archaeological report shall be submitted to and approved by the Local Planning Authority before development work commences and in order to provide an archive record of the historic building before conversion and to comply with policy B14 of the UDP.