

## **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**

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.

## **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/](http://www.sunderland.gov.uk/online-applications/)

Peter McIntyre

Executive Director City Development

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**Reference No.:** 20/00996/MW3 Minerals and Waste (Reg 3)

**Proposal:** **Household Waste Recovery Centre including re-use centre/  
shop, staff facilities and associated infrastructure**

**Location:** Land At Pallion Way Pallion Trading Estate Sunderland

**Ward:** Pallion  
**Applicant:** Sunderland City Council  
**Date Valid:** 7 July 2020  
**Target Date:** 6 October 2020

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## **PROPOSAL:**

### **INTRODUCTION**

This application seeks planning permission for a proposed Household Waste Recovery Centre (HWRC) including re-use centre/shop, staff facilities and associated infrastructure at Land at Pallion Way, Pallion Trading Estate, Sunderland.

### **SITE DESCRIPTION**

The application site is located approximately 3 miles to the west of Sunderland City Centre, within the Pallion Ward and approximately 2 miles from the existing HWRC at Beach Street.

Pallion Industrial Estate is located off European Way (B1405) and is an established Industrial Estate offering accommodation to a variety of uses and the site was formerly occupied by the Rolls Royce Plant.

The application site covers 1.63 hectares and is positioned within the heart of the industrial estate, surrounded by other industrial uses on all sides. The topography of the site is flat, with no major level differences.

North of Pallion Industrial Estate is the Northern Spire Bridge (A1231). Residential housing bounds the industrial estate to the south in St. Lukes Road and east in Victory Street. To the west is Claxheugh Rock and Ford Quarry.

Access to the industrial estate is from three separate points including a roundabout at European Way/Brussels Road to the west, a junction from European Way at the north and junction from Victory Street to the east. European Way (B1405) links to the A1231 Northern Spire Bridge, City Centre and A19 to the North and the A183 Chester Road and A19 to the South.

### **PROPOSAL**

As Waste Disposal Authority Sunderland City Council has a legal duty to arrange for the disposal of waste collected in the City. The proposal at Pallion Industrial Estate is required to replace the City's main HWRC at Beach Street, Deptford. Beach Street HWRC has outgrown the site and needs to be relocated to accommodate SSTC3 which is the new road between the Northern Spire and the City Centre.

The proposals for Pallion HWRC are aimed at providing a site that the general public can easily and safely use for the segregation of recyclable materials and disposal of waste and that is more convenient to use than the existing facility. The primary role of the HWRC is to receive

and store waste to be recycled, recovered or disposed of before it is transferred to a Transfer Station or Material Recycling Facility.

The redevelopment of the Pallion site will include a re-use centre for the sale of goods and materials that have been brought to the site for disposal but are suitable for re-use. The new HWRC will increase the City's potential to achieve higher recycling levels and divert greater quantities of waste from landfill, in line with the Waste Hierarchy.

The total capacity of the HWRC would be 1300 cubic metres with maximum annual operation of 21000 tonnes.

The site will continue to take the same types of waste as accepted at Beach Street. It is also proposed that the site will also allow for a small proportion of trade/commercial waste amounting to approximately 20% of all waste, similar in character to bulky household waste, on a pre-booked permit basis.

The site will be split to include skip pods, recovery area and service yard, the recovery zone, the re-use centre and the operations centre. The site office and staff car parking will be located away from the public entrance.

The main skips will be centred around a service yard. The large-scale recycling and residual waste area will be located at a split-level, with the waste containers situated at the lower level to reduce the need for ramps. In total 40 skips will be provided along with 24 other bins/banks/containers/cages. Canopies are to be included over the open skips, footways and gangway areas.

The proposed central service yard will create separation between the visitor and the operational activities/plant movements. The central service yard will be able to accommodate large hook-lift, roll-on, roll-off skip handling to reduce off-site vehicle movements. The central service yard will allow vehicles to remove skips once full without requiring the site to be closed. The skips will be moved by hook-lift vehicles or taken off site to appropriate reprocessing facilities.

The yard will be constructed of concrete slabs to provide a durable surface resistant to damage caused by heavy vehicle movements. The recovery zone, located to the south east of the site will be for people to bring and deposit household waste items that are suitable for material recovery such as cooking oils, batteries, electrical equipment etc. The recovery zone will be serviced and emptied via the central service yard.

A key feature of the development proposed is the construction of a purpose-built re-use shop which has proven to be a success at similar facilities across the Country. It is intended that the shop will be let under a formal lease agreement to an organisation from the community and voluntary sector. The re-use centre will be a warehouse type unit that will be fitted with the basic service requirements needed for operating the facility. The opening hours for the shop will not exceed the opening hours of the HWRC.

Alongside the re-use building will be several charity recycling bins which will be serviced and emptied via the central service yard.

Welfare provision and office function will be housed in a single storey Portakabin style office unit. The welfare building will provide an office, breakout area, and toilet and shower facilities for the onsite staff.

The hours of operation will remain the same as those at the existing facility at Beach Street. It is proposed that the site will be open 7 days a week, all year round apart from Christmas Day and will operate as follows:

- o Between 1st April and 30th September from 8am until 8pm all week.
- o Between 1st October and 31st March 8am until 5pm Monday to Friday and 8am until 6pm on a Saturday and Sunday.

Following entry into the site, visitors will follow the one-way system. It is anticipated that there will be on average between 106 to 138 vehicles arriving per hour with 20 operational vehicles per day. Unlike Beach Street pedestrian visitors to the site will be able to use the facility as pedestrian footways will be provided.

A new junction is required to provide access to the HWRC. The site will have three separate points of access for vehicular traffic, one way in and one way out for public. Two way in and out for service vehicles. Also, segregated pedestrian areas will be provided from the road network and throughout the site.

Parking on site would include 8 parallel parking bays for Pod A and 29 chevron bays for Pod's B and C. The Recovery Zone at the end of the site will contain 7 chevron bays supplying the Waste Electrical and Electronic Equipment (WEEE) section and 11 bays (7 standard and 4 disabled) for the re-use centre. 4 cycle parking hoops will also be provided across the site.

Landscaped areas currently exist around the site, which incorporate some existing trees. 3 trees will need to be removed from the existing grass verge to facilitate the new access into the site. Whilst 17 new trees will be planted within the site boundary along the proposed new hedge line. In addition to trees it is proposed to plant scrub planting and wildflower grassland to the boundary embankments and hedgerows along the outer edge of the internal carriageway.

The HWRC will include CCTV cameras to focus on the internal area of the site including offices, the re-use centre, the skips and perimeter. The system will also have the ability to view the surrounding areas to support the Estate Security and emergency services if ever required. The system will comprise of 5 column mounted, fully functional CCTV cameras, 1 located in each corner of the site and 1 towards the centre of the site and each column will be 10m high.

There will be 4 fixed lens cameras monitoring the access road, car park and main entrance area and 16 thermal cameras located under the roof of the skip area to assist in both security and Fire Detection. In addition, there will be 3 Automatic Number Plate Recognition cameras. The site will also be secured with entrance gates and steel security fencing to a height of 2.4m.

All the proposed security systems will be linked back to the site Operations Centre for daily routine monitoring and Sunderland City Alarm and Emergency Centre (CAEC) for out of hours monitoring and for any emergency incidents.

In total 18 lighting columns will be provided on site which in the main will comprise LED luminaires. 14 lighting columns will be 8 metres high around the periphery of the site and 4 floodlight lighting columns will be located adjacent to the re-use centre and the service yard. The floodlights will be accommodated on 10 metres high lighting columns, along with CCTV cameras. There will also be 8 canopy mounted floodlights to the skip bays.

The planning application has been supported by the following documents:

- o Planning Supporting Statement

- o Design and Access Statement
- o Drainage Strategy
- o Noise Assessment
- o Air Quality Assessment
- o Odour Assessment
- o Transport Statement

The application has been screened in accordance with the Environmental Impact Regulations Assessment (EIA) criteria and it is considered that the proposal would not be likely to have significant effects on the environment. The proposal is not considered to represent significant environmental effects that warrant the submission of an EIA Environmental Statement as part of the planning application.

#### **PLANNING HISTORY**

The site was previously occupied Rolls Royce, but the factory was demolished in 2019 following a move to a site in Washington, planning reference number 19/00261/DEM.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Pallion - Ward Councillor Consultation  
Network Management  
Tyne And Wear Archaeology Officer  
Flood And Coastal Group Engineer  
Environmental Health  
North Gas Networks  
Northumbrian Water  
The Highways England  
Northern Electric  
Northumbria Police  
Environment Agency  
Fire Prevention Officer

Final Date for Receipt of Representations: **14.08.2020**

#### **REPRESENTATIONS:**

##### **Public consultation**

Publicity included individual letters being sent to the occupiers of 36 properties in close proximity to the application site and the application has been advertised as a departure by way of site notices being displayed and an advertisement being placed in the local press.

In total 7 representations have been received in relation to the proposal which include 5 letters of objection and 2 letters of support.

## Neighbour Consultation Responses

### Objections

The 5 letters of objection include a representation from Councillor Haswell on behalf of local residents. The objections to the proposal can be summarised as follows:

- o Proximity to residential properties.
- o Waste centres should be on the edge of town.
- o Traffic specifically during holiday times.
- o Physical measures should be in place to reduce traffic speeds.
- o Noise levels should be conditioned as part of any permission.
- o Despite the Odour Management Plan what measures would be in place to address any problems.
- o Need a condition to manage litter.
- o Light pollution should be conditioned.
- o Aesthetics, should ensure that the planting can go ahead.
- o Potential increase in vermin.
- o Area is already suffering from greatly increased noise and air pollution from extra traffic to the new bridge.
- o Litter, although canopies would be provided request additional measures be put in place to prevent the spread of litter including netting to be installed over the skips with a gap to allow for waste to be placed in the skips.
- o Suggest a condition that requires lorries only access to the site using the A19, Wessington Way, A1231 and Paul Watson Way or Woodbine Terrace to European Way and Central Way through the industrial estate.
- o Planting of semi-established trees and shrubs rather than saplings and immature shrubs so the benefit is felt immediately rather than in 5-10 years.

### Case Officer Comment

The following are all subject to suggested conditions:

- o Noise assessment.
- o Scheme of lighting.
- o Implementation of the submitted signage strategy to encourage traffic to utilise the main access routes to the site rather than via the nearby residential streets.
- o Landscape scheme to be carried out in accordance with the submitted information.

In terms of potential vermin to the site a statement has been submitted with the application to advise of the good housekeeping and appropriate control that will be employed.

Also, an Environmental Management Waste Permit is required from the Environment Agency which will control issues raised as a concern.

### Support

The letters of support include the following comments:

- o Pallion Industrial Estate needs improvement.
- o Might stop fly tipping in the Cossack Terrace area.
- o Not before time.
- o Hope it works better than the present one at Beach Street.

## Internal Consultees

### Landscape

#### Initial Comments

The landscape proposals plan includes a variety of hedges as well as numerous specimen trees, ornamental shrub areas and areas of wildflowers. It is considered that these will provide amenity value to the area, seasonal interest and potential habitat. The proposed hedges and trees will also provide valuable screening of the development. However, it is noted that proposed drainage runs and ducting currently clash with these landscape features in places. To allow the hedge and trees to be planted and flourish ducting and drainage runs should be moved into or onto the very edge of the carriageway.

#### Final Comments

The revised duct layout plan addresses previous raised concerns.

### LLFA

In relation to flood risk and drainage it is suggested that the application can be approved.

### Transportation Development

#### Initial Comments

- o The proposed site is located in an established industrial estate and was formerly occupied by a large Rolls Royce plant, it is considered therefore, that the location of the facility is acceptable.
- o The busiest times for the proposed facility will be at weekends when the industrial estate will be generally unoccupied and the local road network less busy; and
- o The proposed facility is to replace the existing facility located at Beach Street, therefore the majority of vehicle trips to the proposed facility will simply be transferring from the existing facility;
- o The increase in vehicle trips on the local road network will therefore be minimal and less than that previously generated by the Rolls Royce plant or an alternative industrial use and therefore will not result in a material impact on the local road network;
- o Whilst Transportation Development is generally supportive of the planning application further information is requested with regards to pedestrian access, parking provision for the re-use centre and details of the traffic model used to establish the operational capacity of the proposed facility to enable a no objection response to be issued.

#### Final Comments

The additional information has now been submitted and following a review the following comments can be made:

- o It has been satisfactorily demonstrated that the proposed pedestrian refuges will ensure safe pedestrian crossing of the site access.
- o It has been satisfactorily demonstrated that the proposed parking provision for the re-use shop is in accordance with the appropriate Council parking standards.
- o Since the online booking system will be a permanent feature at the proposed Pallion facility it is evident that the number of vehicles arriving at the site will be controlled and will ensure that queuing back onto the local road network will not occur. If approval is granted it is considered that a planning condition should be imposed that states that the online booking system must be in place prior to the commencement of operation of the proposed facility, the number of vehicle

slots available on the online booking system is to be agreed with the Local Highway Authority and will be reviewed within 3 months to gauge the level of demand.

- o The proposed signing strategy has been developed to direct drivers to use the roundabout access of European Way to access the site to help mitigate any concerns from the local residents. Whilst it is evident that some local traffic will access the site from Pallion Way to the east of the site it is considered that the number of vehicles using this route will be low. It is considered that the proposed signing strategy will ensure most visitors to the site will use the European Way roundabout to access the site which will minimise the impact for local residents. The proposed signing strategy is therefore acceptable and should be secured by planning condition.

Subsequent to a review of the additional information submitted in support of the application Transportation Development has no objection to the proposal subject to the requested planning conditions being imposed should approval be granted.

#### Natural Heritage

Have no objection to the proposal but have made the following comments:

- o Trees on or adjacent to the site that are proposed to be retained should receive protection measures necessary during construction.
- o Best practice methods should be employed during construction and operation of the development and associated works to limit negative impacts on nesting birds and with regard to animal entrapment in unattended open excavations and stockpiles of materials.
- o The landscape proposals should be implemented in full, including sustained long-term maintenance appropriate to the habitat/features created, to ensure a net gain in biodiversity on site.

#### Environmental Health

Land contamination - It does not appear that land contamination is a significant constraint in respect of the proposed development. It is recommended that any planning consent is conditioned to require the submission and approval of:

- o Site Characterisation (in relation to the Temples Yard which has not yet been investigated)
- o Detailed Remediation Scheme
- o Implementation of Approved Remediation Scheme and Verification of Remedial Works
- o Reporting of Unexpected Contamination

Lighting - A scheme of lighting should be submitted for approval to the Local Planning Authority.

Noise - A noise assessment should be undertaken and submitted for approval and it should identify any required mitigation measures. Within 3 months of the commence of the operation a noise validation exercise should also be undertaken to substantiate the assumptions in the noise assessment and provide details of any further mitigation required.

Operational Management Plan - An Operational Management Plan should be submitted for approval which addresses all environmental impacts (both on and off-site) that have not been subject to consideration under this application. Once approved, the site shall operate in accordance with the plan for the lifetime of the development.

#### Case Officer Comment

The Environment Agency have confirmed that a permit application has been received for a standard rules waste permit for non-hazardous household waste amenity site. The permit would



cover the requirements of the Operational Management Plan and it is not considered necessary to duplicate the control through a condition of the planning permission.

Construction Environmental Management Plan (CEMP) - A CEMP should be submitted to the Local Planning Authority for approval and it should address the potential environmental impacts arising from the site clearance and construction phases of the development and also identify suitable mitigation measures to protect the local environment and nearby sensitive receptors.

#### Planning Policy

The proposal seeks permission for a Household Waste Recovery Centre on a site allocated as a Key Employment Area, which represents the second tier of employment site within the CSDP. Where a proposal is for a non-B use class on a Key Employment Area, the applicant is normally required to demonstrate that they meet the criteria set out within Criterion 2 of Policy EG2. It is considered, based on the information provided that although the applicant is able to demonstrate compliance with some of the criteria, the requirements have not been met in full.

Notwithstanding this, Policy WWE7 of the adopted CSDP requires new waste developments to be focussed on previously developed employment land (excluding Primary Employment Sites). The application is in accordance with WWE7. In addition, there are a number of other benefits of the proposal which are clearly articulated in the applicant's supplementary statement. These include the release of existing employment land at another Key Employment Area site which would partly compensate for the loss, the development of a new modern HWRC facility which will help to increase reuse and recycling rates within the City, and new jobs which would be created at the facility.

The decision maker should therefore consider the partial departure from Policy EG2 against the positive benefits of the scheme, also taking into account the requirements of Policy WWE7 which directs waste uses to previously developed employment land.

#### Urban Design

Have no concerns regarding the proposal. The main structure proposed has detailing and fenestration on all elevations and an interesting roofscape. There are adequate levels of landscaping and screening to soften the development. Also, the materials proposed are appropriate for the nature of the development.

### External Consultees

#### Archaeology

There are no known Historic Environment Records located within the boundary of the site of the proposed Household Waste Recovery Centre. The site is located south of North Ford Farm (HER 13662) and west of Pallion Brick Works (HER 13652). Historic maps show that the site was used as grazing and/or agricultural land for North Ford Farm. The site was then briefly used as a football ground before being developed into an engineering works in the 1950's.

The site was then used by Rolls Royce Plant which was demolished in 2019 (planning application reference: 19/00261/DEM). There have been no previous archaeological events undertaken within the boundary of the site, however it is likely that the engineering works and associated inspection pits would have severely truncated and/or destroyed any archaeological remains that were preserved on this site.

This site is deemed to have low archaeological potential and therefore no archaeological investigation is required in relation to the proposed development.

Tyne and Wear Fire and Rescue Service

No objections to the proposal. Further comment will be made on receipt of a Building Regulation submission.

Highways England

The Transport Statement submitted by the applicant has been reviewed and it satisfactorily demonstrates that the proposed development will not have a significant impact on the Strategic Road Network. Highways England raises no objection to the application being determined.

Northern Gas Networks

No objections to the proposal.

Northumbrian Water

Having assessed the proposed development it can be confirmed that we are in agreement with the principles set out in the Flood Risk and Drainage Report and Plan and have no further comments to make with regard to the proposal.

Environment Agency

No objection to the application as submitted. Further advice is provided with regard to the permit which will be required.

## **POLICIES:**

The following policies of the Council's Core Strategy and Development Plan are relevant to the consideration of this application: BH1, BH2, EG2, EG6, HS1, HS2, HS3, NE2, NE3, ST2, ST3, VC2, WWE2, WWE3, WWE4, WWE5, WWE6, WWE7 and WWE9.

## **COMMENTS:**

### **PLANNING POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. All planning applications in Sunderland are assessed against the 'saved' Policies contained within the Unitary Development Plan (UDP) and the Policies contained within the adopted Core Strategy and Development Plan (CSDP).

The Government's planning policies for England are set out in the National Planning Policy Framework (NPPF) which states that the purpose of the planning system is to contribute to the achievement of sustainable development. To achieve this the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) - an economic, social and environmental objective. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

The NPPF has a presumption in favour of sustainable development. For decision-taking this means approving development that accords with the development plan, or where there are no

relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting planning permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance (such as habitat sites, Green Belt land, Local Open Space, designated heritage assets and areas at risk of flooding) provide a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local Planning Authority's may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

One of the core principles of the NPPF is that planning should always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Members should be aware that the Council has adopted a new Core Strategy and Development Plan (CSDP), which becomes the strategic development plan for the City for the period up to 2033. Relevant to the consideration of the current application are Policies BH1, BH2, EG2, EG6, HS1, HS2, HS3, NE2, NE3, ST2, ST3, VC2, WWE2, WWE3, WWE4, WWE5, WWE6, WWE7 and WWE9.

## ASSESSMENT OF PROPOSAL

The main issues relevant to the assessment of the proposal include the following:

- o Principle
- o Siting and Design
- o Amenity
- o Highway Safety
- o Trees and Landscaping
- o Ecology
- o Flood Risk and Drainage

### Principle of Proposal

The application site is situated on Pallion Key Employment Area (KEA4), as allocated via adopted Core Strategy and Development Plan Policy EG2: Key Employment Area, which represents a second-tier employment site within the CSDP.

Since the proposal is located within a designated Key Employment Area CSDP Policy EG2: Key Employment Areas seeks to safeguard employment land for employment uses (use class B1 (excluding B1a), B2 and B8).

The proposal would involve the development of a non-employment use (B Use Class) and therefore the release criteria set out in EG2 criterion 2 would apply. Criterion 2 sets out four factors where sites can be released, and all four components would be required to be met in order to justify the release of employment land to alternative uses.

Policy WWE6 of the CSDP sets out the overarching Policy regarding waste management. This indicates that development that encourages and supports the minimisation of waste production, and the re-use and recovery of waste materials will normally be supported. The proposals would accord with this Policy.

In addition to the above, CSDP Policy WWE7: Waste Facilities is relevant and sets out that waste facilities should be focused on previously developed land excluding Primary Employment Areas and development is required to meet a range of specific criteria. The criteria includes (at criterion 1) that the applicant should set out the need for the facility (where it conflicts with other development plan policies) and (criterion 3) that proposals must accord with all other Policies in relation to the protection of the environment and public amenity or demonstrate that other material considerations outweigh any Policy conflict.

Also, CSDP Policy WWE9: Open Waste Facilities is also relevant given the nature and configuration of the scheme. This sets out at Criterion 1, that the development for new open waste management facilities will be permitted where:

- i. waste site allocations and existing waste facilities are shown to be unsuitable and/or unavailable for the proposed development;
- ii. a need for the capacity of the proposed development has been demonstrated to manage waste arising from within the Sunderland administrative area;
- iii. it is demonstrated that the site is at least as suitable for such development as Site Allocations with reference to the overall spatial strategy and site assessment methodology associated with the Development Plan.

Criterion 2 sets out appropriate locations, this includes at subpoint vii, employment areas that are existing or allocated in the Development Plan for B2 and B8 with the exception of Primary Employment Areas, the IAMP and the Port of Sunderland.

The proposed HWRC would be located on a site that is allocated for B2 and B8 use and it is not a Primary Employment Area.

Sunderland City Council as a Waste Authority has a legal responsibility to arrange "for places to be provided, at which persons resident in its area, may deposit their household waste and for the disposal of waste so deposited" (section 51 para. 1(b) of the Environmental Protection Act 1990). The Council discharges this duty by the provision of the existing Beach Street Household Waste Recycling Centre.

However, the existing HWRC is a small, single level site and has been at its current location since the 1980's. The site is of an outdated design and is too small for the level of use it now receives. It was not designed to cater for the current volume of household recycling, and it will not be able to cater for the Council's sought-after increase in recycling waste targets. The site cannot be extended or enhanced. The site has no disabled parking facilities and being single level requires users to climb steps to deposit material. It is considered that the above clearly demonstrates that the facility is no longer fit for purpose.

In relation to the need for the facility, the supporting Planning Statement sets out that the Council require a larger and more modern facility suitable for all members of the community. The proposal would also assist in improving re-use and recycling rates. Since the proposal clearly provides a necessary civic function it is considered that the need argument is justified.

Also, it is considered that it has been demonstrated that the site is suitable for the proposed use being located on an industrial estate.

The proposal would also include a re-use centre/shop. The supporting Planning Statement sets out the purpose of which would be for items which have been taken to the HWRC site for disposal would be placed in the shop for resale and it would be run by the community and voluntary sector.

As indicated the re-use centre would represent just 318sqm compared to the 16,000sqm covering the overall operations.

Also, the re-use centre is inextricably linked to the functions of the wider waste disposal site. Whilst a sequential test would normally be required for a main town centre use within an out-of-centre location in accordance with CSDP Policy VC2, due to the scale of the re-use centre compared to the wider operations and the fact that they are inextricably linked and need to be located together, in this instance it is not considered that a sequential assessment is required.

Furthermore, Policy EG6 is relevant to Trade Counters within Key Employment Areas. Whilst the re-use centre may not be considered to be a trade counter, its function as an ancillary retail element to the main function of the site is consistent with a trade counter use. Policy EG6 allows such trade counters where they would not exceed 500sqm or 15% of the overall floorspace of the principal use. In this instance the re-use centre would fall beneath both of these thresholds.

The proposal seeks permission for a Household Waste Recovery Centre on a site allocated as a Key Employment Area, which represents the second tier of employment site within the CSDP. Where a proposal is for a non-B use class on a Key Employment Area, the applicant is normally required to demonstrate that they meet the criteria set out within Criterion 2 of Policy EG2. It is considered, based on the information provided that although the applicant is able to demonstrate compliance with some of the criteria, the requirements have not been met in full.

Notwithstanding this, Policy WWE6 of the adopted CSDP encourages and supports the minimisation of waste production and the re-use and recovery of waste materials and Policy WWE7 requires new waste developments to be focussed on previously developed employment land (excluding Primary Employment Sites). The application is in accordance with Policies WWE6 and WWE7.

In addition, there are a number of other benefits of the proposal which include:

#### Social benefits:

- o Satisfies Sunderland City Council legal obligations to provide a HWRC facility.
- o Provides an accessible HWRC.
- o More convenient waste handling for members of the public with a quicker turn around.

#### Environmental benefits:

- o Potential increase in the volume of material recycled, reused and recovered as opposed to landfilled.
- o Larger overall site area will accommodate landscape planting and screening with associated ecological, visual and environmental benefits.
- o Inclusion of a re-use centre which further drives waste up the waste hierarchy, 're-use' being the highest tier. No similar facility exists in the City.
- o Reduces carbon output and assists the Council in achieving its aspiration for achieving carbon neutrality.

#### Economic Benefits:

- o Facilitates the redevelopment of the Beach Street and adjoining land.
- o Facilitates the development of the SSTC3.
- o Increases in the annual recycling rates.
- o Further job creation with the site being larger and the additional on-site re-use centre.

It is considered that the partial departure from Policy EG2 should be considered against the positive benefits of the proposal whilst also taking account of the requirements of Policies WWE7 and WWE9 which direct waste uses to previously developed employment land.

On balance, it is considered that the partial departure from the development plan Policy would be acceptable and it would not set a precedent for future releases of KEA land to alternative uses that do not comply with the Policy requirements set out within Policy EG2. The principle of the proposed development is therefore considered to be acceptable.

#### Siting and Design

Chapter 12 of the National Planning Policy Framework (NPPF) places emphasis upon achieving well designed places with paragraph 124 stating that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and help make development acceptable to communities.

Policy BH1 of the adopted CSDP reflects this principle, stating that the scale, massing, layout and/or setting of new developments should respect visual amenity and paragraph 127 of the NPPF requires that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

The Council's Urban Design Officer has advised that the main structure proposed has detailing and fenestration on all elevations with an interesting roofscape and the materials proposed are appropriate for the nature of the development. Also, there are adequate levels of landscaping and screening proposed to soften the development.

It is considered that the scale, massing and layout of the proposed development would respect the character and appearance of the site itself and the industrial estate of which the development would form a part and the Council's Urban Design Officer has raised no objections. Therefore, the proposal would satisfy Policy BH1 of the adopted CSDP and the requirements of the NPPF in terms of the siting and design.

#### Amenity

Policy BH1 of the adopted CSDP requires that development should provide an acceptable standard of amenity for all existing and future occupiers of land and buildings. Policy HS1 also requires that development must demonstrate that it does not result in unacceptable adverse impacts which cannot be addressed through appropriate mitigation arising amongst other things noise, odour and land contamination and instability.

Paragraph 180 of the NPPF also requires that development should be appropriate for its location taking into account the likely effects including cumulative effects of pollution on health and living conditions as well as the sensitivity of the site or the wider area to impacts that could arise from the development.

The impact of the proposal in relation to amenity will be considered in relation to noise, air quality, dust and odour, lighting, ground conditions and vermin and litter.

It should be noted that the closest residential receptors are located approximately 85m to the south of the site on St. Lukes Road and there are intervening industrial uses between the site and the nearest residential properties.

## Noise

Paragraph 180 of the NPPF states that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and the quality of life.

In addition, Policy HS2 of the adopted CSDP outlines that development sensitive to noise or affected by existing sources of noise should submit an appropriate noise assessment where necessary, and a detailed schedule of mitigation and development should include measures to reduce noise within the development to acceptable levels, including external areas.

A noise report has been prepared in support of the planning application, with background measurements taken in the vicinity of the closest residential receptors, in accordance with the relevant standards.

The report advises that as a worst case during peak use, there is likely to be a 2dB(A) increase when compared with the measured baseline noise level, associated with development traffic on Pallion Way. This increase is deemed to be minor in the short term and negligible in the long term. Overall noise associated with increased vehicle movements on Pallion Way from the proposed development is therefore considered within the noise report to be not significant.

The noise report concludes that subject to a more detailed BS4142 assessment, including consideration of context, being conditioned, noise should not be a prohibitive factor in the determination of the planning application.

The Council's Environmental Health Team have advised that prior to commencement of construction a further noise assessment should be undertaken to determine the potential exposure of nearby residents to noise resulting from site operations along with the identification of any required mitigation measures.

Also, the Council's Environmental Health Team have suggested that within 3 months of the commencement of the operation of the proposed facility, a noise validation exercise should be undertaken to substantiate the assumptions made in the noise assessment and demonstrate compliance with the rated noise level at the nearest noise sensitive receptor. In the event that this assessment shows that the rated noise level is exceeded, the Operator should then identify further mitigation measures in order to comply with the rated and maximum noise levels and the approved mitigation measures would then need to be put in place in accordance with a timescale to be agreed.

Conditions have been suggested to be attached to the permission to require the submission of a noise assessment prior to the commencement of construction and a noise validation report within 3 months of the facility becoming operational. It is considered that subject to the submission of the noise assessment and validation report and the implementation of any mitigation measures deemed to be necessary, noise associated with the operation of the HWRC would not be significantly detrimental and the proposal would satisfy Policies BH1, HS1 and HS2 of the adopted CSDP and the requirements of the NPPF in relation to potential noise associated with the development.

## Air Quality

Policy HS1 of the adopted CSDP outlines that development should not result in unacceptable adverse impacts with regard to air quality and paragraph 180 of the NPPF states that planning decisions should seek opportunities to improve air quality or mitigate impacts.

An Air Quality Assessment has been undertaken and submitted to support the planning application. Consideration of local air quality effects has been undertaken with a review of background concentrations alongside traffic flows associated with the proposed development.

The site does not lie within, or adjacent to an existing Air Quality Management Area (AQMA) and representative background concentrations of relevant pollutants are all well below the annual air quality objective levels. The report advises that the predicted slight increase in pollutant concentrations associated with development traffic on Pallion Way will not cause any air quality objectives to be approached or exceeded.

Overall, the air quality impact associated with the proposed development is therefore considered to be not significant and would comply with Policy HS1 of the adopted CSDP and the objectives of the NPPF.

#### Dust and Odour

As has been mentioned previously above, Policy HS1 of the adopted CSDP requires development to demonstrate that it does not result in unacceptable impacts including with regard to dust and odour. Also, paragraph 180 of the NPPF requires proposals to consider the likely effects of pollution on living conditions.

A desk-based risk assessment has been undertaken to consider the potential for dust and odour associated with the proposed recycling centre, to give rise to an adverse impact on existing receptors. The assessment demonstrates that the risk of dust or odour at existing receptors in the locality is negligible, based on the assessment methodologies contained within the relevant Institute of Air Quality Management (IAQM) Guidance documents.

Also, a Dust and Odour Management Plan has been submitted to support the planning application and the Plan includes the following control measures:

- o Effective housekeeping.
- o On site staff monitoring of waste arriving.
- o Low storage volume and strict turnaround of any biodegradable household waste.
- o All waste vehicles leaving the site containing dusty or potentially malodorous wastes will be securely sheeted or enclosed at all times.
- o Open-door policy for complaints from neighbouring premises to be dealt with immediately.
- o Site management.
- o Training.

Based on the distance to the sensitive receptors and the operational measures that will be implemented as part of the general site management, it is considered likely that any dust or odours potentially generated within the waste facility are unlikely to have a significant impact on the nearest sensitive locations over and above the existing situation with the receptors being located in close proximity to an existing industrial estate.

Therefore, it is considered that dust and odour associated with the proposed development would not be significantly detrimental and would accord with Policy HS1 of the adopted CSDP and the requirements of the NPPF.

#### Lighting

Policy HS1 of the adopted CSDP seeks to ensure no unacceptable impacts of development with regard to illumination whilst paragraph 180 of the NPPF requires the limiting of light pollution from artificial light on local amenity.



In total 18 lighting columns will be provided on site which will mainly comprise LED luminaries. 14 lighting columns will be 8 metres high around the periphery of the site and 4 floodlighting columns will be 10 metres high around the re-use centre and service yard. There will also be 8 canopy mounted floodlights on the skip bays.

The Council's Environmental Team have advised that in order to adequately assess the impact of the proposed lighting and prior to the first operation of the development a lighting scheme should be submitted for approval. The lighting scheme would need to identify the measures proposed to minimise light spill and glare and to avoid impacts upon residential receptors.

It is considered that subject to the submission, approval and implementation of the lighting scheme the proposal would not cause any significantly detrimental impact in relation to light pollution to the occupiers of the nearest residential properties which would satisfy Policy HS1 of the adopted CSDP and the objectives of the NPPF.

#### Ground Conditions

Paragraph 178 of the NPPF states that planning decisions must ensure that development sites are suitable for the new use, taking account of ground conditions and land instability, including from former activities such as mining and pollution.

Policy HS3 of the adopted CSDP states that development should identify any existing contaminated land and the level of risk that contaminants pose in relation to the proposed end use and it should be demonstrated that the developed site will be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment.

As set out in the representations section of this report, the proposals have been assessed by the Council's Environmental Health Team who have concluded that subject to appropriate conditions being attached to the permission in relation to the submission of a ground investigation and risk assessment, remediation scheme, verification report and the reporting of any unexpected contamination the application site would be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment in accordance with Policy HS3 of the adopted CSDP and to satisfy the requirements of the NPPF.

#### Vermin and Litter

The application submission advises that the HWRC will only accept dry goods and garden waste with skips being emptied/cleared on a regular basis with no food waste on site. It has also been confirmed that the existing facility at Beach Street does not have persistent problems with vermin, litter and/or fly tipping near to the site.

A statement has been provided which outlines the potential issues with vermin and litter and how these matters will be managed/mitigated if an issue does arise. The conclusions of the statement include the following:

- o Rats/Mice - rodents are attracted in particular by waste that is liable to decay. The HWRC will only accept dry goods and garden waste with skips emptied/cleared on a regular basis.
- o Flies - there will be no decaying waste element due to the short retention period of waste on site and the outdoor storage of waste.
- o Birds - are likely to be attracted by putrescible waste, which if brought onto the site, will be bagged and given a short retention period.
- o Litter - the improved facility design and the skip canopies will reduce the risk of litter. Internal and perimeter fencing, along with the landscaping scheme proposed have been designed to ensure the easy containment and removal of windblown litter.

- o Fly tipping - is not currently a problem at the Beach Street site and is not anticipated to be a concern at the new facility given the high levels of CCTV proposed. Also, the industrial estate is gated.

In addition, the submitted statement advises that good housekeeping and appropriate control will also be used as necessary to minimise potential nuisance, specific controls include:

- o The roadways and hardstanding areas within the site boundary will all utilise a high-quality finish, to withstand the workings of the site and enable easier cleaning.
- o Daily checks will be undertaken for the presence of pests in the operational areas of the HWRC. If pests are found, appropriate measures will be put in place to mitigate the nuisance. The contractor will ensure that any pest issues are dealt with (normally by arranging a pest control contract if required) and/or where necessary liaising with Sunderland City Council Environmental Health Team.
- o The skips with the possibility of putrescible waste will be the general waste and green waste skips. These will be emptied on a regular basis to minimise the potential to create nuisance.
- o Site staff will ensure that waste is securely contained within the skips and that all other areas of the HWRC are kept free from waste and litter. Sweeping and collection litter will be undertaken as and when necessary with particular focus on the high use areas such as the areas in front of the skips, the gangways and the car parking areas.
- o Rat bait boxes with rodenticides and/or traps will be positioned around the site and regularly serviced by an appropriate pest control contractor.
- o The site entrance, gates and perimeter fences will be inspected daily, by a member of staff for windblown litter. Where litter is blown outside of the boundaries, it will be collected as soon as possible.
- o Security measures will be put in place to discourage fly-tipping occurring, including the use of signage, CCTV and secure site entrance gates.

In addition to the requirement for planning permission an Environmental Waste Management Permit from the Environment Agency would be required to operate the facility. The permit would provide for the ongoing supervision of the activities on the site. The Environment Agency regularly check that the conditions of the permit are being adhered to during the operation of the facility.

A permit application has been submitted to the Environment Agency for a standard rules waste permit for non-hazardous household waste amenity site.

It is considered that subject to the subsequent submission, approval and implementation of the additional information requested by the Council's Environmental Health Team and since the facility requires an Environmental Waste Management Permit from the Environment Agency which would include regular checks that the conditions of the permit are being adhered to, the proposal would not give rise to any significantly detrimental impacts in relation to the residential amenities of the occupiers of nearby residential properties and the development would therefore accord with Policies BH1, HS1, HS2 and HS3 of the adopted CSDP and the objectives of the NPPF in this regard.

#### Highway Safety

Paragraph 111 of the NPPF advises that planning decisions should take account of whether opportunities for sustainable transport modes have been taken up, that safe and suitable access to the site can be achieved and whether improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Paragraph 109 is clear in stating that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

Policy ST2 of the adopted CSDP outlines that safe and adequate means of access, egress and internal circulation/turning arrangements for all modes of transport relevant to the proposal should be achieved and Policy ST3 of the adopted CSDP outlines that development should provide safe and convenient access for all road users and include a level of vehicle parking in accordance with the Council's standards.

The Council's Transportation Development have advised the following with regard to the proposal and in relation to highway safety.

#### Site Location

The proposed site is located within the Pallion Industrial Estate and it is clear that the proposed site satisfactorily accommodated the traffic associated with a large industrial use including staff and visitor cars as well as larger delivery and service vehicles. The site is located within an existing industrial estate which has been designed to accommodate vehicles associated with industrial uses. Therefore, the site location is considered to be acceptable for the proposed use in highway terms.

#### Access

Access to the proposed facility is located at the existing access point to the former Rolls Royce plant on Pallion Way, which is considered acceptable in principle.

#### Parking

6 staff parking spaces are provided within the HWRC which is considered acceptable for the 6 members of staff that will be on site at any one time. It is also noted that 11 parking spaces are provided for the re-use centre, with 4 of the spaces being disabled spaces. It has been satisfactorily demonstrated that the proposed parking provision for the proposed use is in accordance with the appropriate Council parking standards.

#### Trip Generation

Traffic surveys were undertaken at the existing Beach Street facility to establish the current traffic volumes using the existing HWRC. The traffic surveys demonstrated that the busiest times for the HWRC occurred between 12:00 and 16:00 on Saturdays and Sundays with around 100 vehicles visiting the site. It should also be noted that during the weekday commuter peak hours the number of vehicles visiting the site was relatively low.

The submitted Transport Statement assumes a 30% increase in visitors to the proposed facility on the number currently visiting the existing facility. This is considered to be acceptable and would result in the number of visitors at weekday peak times increasing to about 130 on average (a maximum of 138) and during the weekday peak periods to about 45 visitors.

The TS states that a traffic model has been developed to establish the operational capacity of the proposed facility, which was indicated to be 135 vehicles per hour, after which queuing would start to take place. Taking this into account the TS concludes that the assumed operational capacity of the proposed facility could satisfactorily accommodate the likely demand without queuing occurring on the local road network.

The improved operational efficiency of the proposed development reduces the impact of queueing and the internal storage capacity for up to 30 vehicles mitigates any risk of queues backing up into the surrounding road network. The operational capacity of the development has been designed to accommodate an increase of up to 30% more visitors using the facility, when compared to the existing Beach Street facility, which justifies the size and nature of the proposed development and removes the current problems of congestion on the existing strategic highway network.

### Traffic Impact

As stated in the TS Pallion Industrial Estate is accessed from three separate points on the local highway network; a roundabout at European Way/Brussels Road to the west, a junction from European Way at the north and junction from Victory Street to the east.

The TS states that a signing strategy will be put in place to encourage visitors to the proposed facility to use the European Way/Brussels Road roundabout route to the site.

With regards to visitors to the proposed facility it is considered that those travelling from north of the river and to the east of the City Centre would use the A1231 and European Way to access the site. These roads are appropriate to accommodate the numbers and types of vehicles accessing the site.

Those visitors from the south of the City are likely to use the B1405 Holborn Road and Front Road to access the site, however, it should be noted that this route would also have been used by these visitors to the existing facility at Beach Street.

It should also be noted that a small number of visitors would access the proposed facility from Victory Street to the east.

It is estimated therefore that the distribution of visitors to the facility would be as follows:

- o 50% from European Way;
- o 40% from the B1405; and
- o 10% from Victory Street.

At peak weekend times this equates to 65 vehicles using European Way, 52 vehicles using the B1405 and 13 vehicles using Victory Street. During the weekday peak times this would be 22,18 and 5 on each route respectively.

However, as previously stated, the majority of these vehicles would have already been on the road network as they would have been visiting the existing facility at Beach Street. This means the actual increase in trips on the B1405 is likely to be in the region of 12 during the busiest weekend periods and 4 during the weekday peak periods.

It is considered that these increases in vehicle trips would be significantly lower than those generated by the former Rolls Royce plant and if the site were to be redeveloped for an alternative industrial use.

Taking the above into account it is concluded that the increases in vehicle trips as a result of the proposed development would not have a material impact on the operation of the local road network or on road safety.

With regards to the internal roads on the Pallion Industrial Estate it is noted that the busiest time for the proposed facility is at weekends when the rest of the industrial estate is likely to be unoccupied. It is considered therefore that there would be no operational issues associated with the proposed facility on the internal industrial estate roads. This is particularly so when considering the previous use of the site as a Rolls Royce plant and its potential re-use for another industrial use.

The internal road network within Pallion Industrial Estate has a 10mph speed limit with frequent road humps along Pallion Way. The condition and width of the roads are considered appropriate

for the anticipated use of the site. The proposed relocation of the HWRC to Pallion and additional off-peak traffic volumes generated by the proposed development are unlikely to have an adverse effect on the existing strategic highway network or the internal road network of Pallion Industrial Estate.

The additional information submitted to support the application states that in recent months the existing Beach Street HWRC has been operating under the management of an online booking system, which has eliminated the risk of large queues forming at peak times. It has been confirmed that the online booking system will transfer to the new facility at Pallion and be retained as a permanent feature. It is noted that the increased capacity of the proposed Pallion HWRC would allow more slots to be allocated at any one time and would reduce the delay between booking a slot and the availability of the next free slot.

As the online booking system will be a permanent feature at the proposed Pallion facility it is evident that the number of vehicles arriving at the site will be controlled and will ensure that queuing back onto the local road network will not occur.

The implementation of the proposed online booking system is therefore considered acceptable. However, it is considered that a planning condition should be imposed that states that the online booking system must be in place prior to the commencement of operation of the proposed facility. In addition, the condition should also state that the number of vehicle slots available on the online booking system is to be agreed with the local highway authority prior to the facility becoming operational and will be reviewed within 3 months to gauge the level of demand and if the number of slots should be changed to maximise capacity whilst ensuring no queuing occurs on the local road network.

#### Signing Strategy

The proposed signing strategy for the Pallion site has been developed to direct drivers to use the roundabout access of European Way to access the site to help mitigate any concerns from the local residents. Whilst it is evident that some local traffic will access the site from Pallion Way to the east of the site it is considered that the number of vehicles using this route will be low.

It is considered that the proposed signing strategy will ensure most visitors to the site will use the European Way roundabout to access the site which will minimise the impact for local residents. The proposed signing strategy is therefore acceptable and should be secured by planning condition.

#### Public Transport and Pedestrian Access

By Metro, the closest station is Pallion which is located approximately 0.3 miles/seven minutes' walk from the Victory Street entrance on the east side of the estate. During peak hours Monday to Saturday, Metro services run in both directions every 12 minutes and on Sundays every 15 minutes.

There are a number of bus services that operate nearby the site also. The number 18 Stagecoach bus stops nearest to the site at Merle Terrace, running every hour.

All three accesses to the industrial estate have wide footpaths on both sides of the road to allow for safe pedestrian movements. Within Pallion Industrial Estate, there are 2m wide footpaths with tactile paving and dropped kerbs at each crossing. It has been satisfactorily demonstrated as part of the planning application submission that the proposed pedestrian refuges will ensure safe pedestrian crossing of the site access.

If staff or visitors wish to cycle, National Cycle Route 7 can be accessed by the Northern Spire Bridge which is approximately six minutes ride from the European Way entrance of the industrial estate. Route 7 crosses Sunderland from Roker in the east to Washington in the West.

It is considered that the application site, access, parking provision, trip generation, traffic impact, signage strategy and accessibility from public transport and for pedestrians would all be acceptable in terms of the highway implications of the proposal subject to the implementation of the online appointment booking system and the review of this within 3 months of the operation of the facility and the implementation of the signage strategy to direct drivers to use the roundabout access of European Way. Therefore, the proposal would satisfy Policies ST2 and ST3 of the adopted CSDP and the requirements of the NPPF in relation to highway safety.

#### Trees and Landscaping

Policy NE3 of the adopted CSDP states that development proposals should consider the impact on trees in relation to both individual merit as well as their contribution to amenity and interaction as part of a group within the broader landscape setting.

Although 3 trees would be required to be removed to facilitate the access into the site, 17 trees will be planted within the site boundary along the proposed new hedge line. Also, scrub planting and wildflower grassland will be provided to the boundary embankments and hedgerows along the outer edge of the internal carriageway.

None of the trees proposed to be removed are subject to a Tree Preservation Order and the proposal would enhance the tree planting and landscaping that bounds the site. Therefore, it is considered that the proposal will improve the existing landscape vegetation at the site and the proposal will consequently, satisfy Policy NE3 of the adopted CSDP in this regard.

#### Ecology and Biodiversity

Section 15 of the NPPF sets out a general strategy for the conservation and enhancement of the natural environment and at paragraph 175 it advises that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gain for biodiversity.

Policy NE2 of the adopted CSDP further advises that biodiversity will be protected, created, enhanced and managed by requiring development to demonstrate how it will provide net gains in biodiversity and avoid or minimise adverse impacts on biodiversity and geodiversity in accordance with the mitigation hierarchy.

The site is a cleared site that is predominantly hard standing and as such, the site is unlikely to function as a biodiversity habitat and has no ecological receptors, therefore no survey work was required to supplement the planning application.

The Council's Ecologist has raised no objections to the proposal but has suggested the following:

- o Trees on or adjacent to the site that are proposed to be retained should receive protection measures necessary during construction. A condition has been suggested to be attached to the permission to ensure the protection of the trees.
- o Best practice methods should be employed during construction and operation of the development and associated works to limit negative impacts on nesting birds and with regard to animal entrapment in unattended open excavations and stockpiles of materials. An informative has been attached to remind the contractor of these best practice methods.
- o The landscape proposals should be implemented in full, including sustained long-term maintenance appropriate to the habitat/features created, to ensure a net gain in biodiversity on

site. Two conditions have been included in relation to the implementation of the proposed landscape scheme and the maintenance of the landscaped areas.

Therefore, subject to the development being completed in accordance with the suggested conditions and the informative to be attached to the permission it is considered that biodiversity improvements would be secured as part of the proposal and the development would not have a detrimental impact on ecology and biodiversity in accordance with Policy NE2 of the adopted CSDP and the objectives of the NPPF.

#### **Flood Risk and Drainage**

Paragraph 155 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied.

Policy WWE2 of the adopted CSDP states that development will be required to demonstrate, where necessary, through an appropriate Flood Risk Assessment that development will not increase flood risk on site or elsewhere. Whilst Policy WWE3 outlines that development must consider the effect on flood risk, on and off-site commensurate with the scale and impact.

In terms of drainage Policy WWE4 of the adopted CSDP states that the quantity and quality of surface and groundwater bodies will be protected and Policy WWE5 states that development should utilise the drainage hierarchy.

A Flood Risk Assessment and Drainage Strategy has been prepared to support the planning application. A medium flood risk has been identified for existing surface water sewers. The report demonstrates a preferred option for the disposal of surface water and foul water to private combined sewer by using Sustainable Drainage Systems. Sustainable Drainage methods to be used include permeable paving, rainwater harvesting, filter drains, hydrodynamic separators, tanked storage and flow restriction.

It is proposed that any surface water generated in events with a magnitude of greater than 1 in 100 AEP + 40% Climate Change are retained on site and discharge rates are restricted to a maximum of 11.5 l/s. The peak foul water loading from the development has been calculated as 2.0 l/s and it is proposed to direct flows to the onsite 225 mm diameter combined sewer.

The Council, as Lead Local Flood Authority, have confirmed that the information submitted in relation to flood risk and the drainage strategy are both adequate and no objections to the proposal have been raised. The proposal therefore satisfies Policies WWE2, WWE3, WWE4 and WWE5 of the adopted CSDP and the NPPF in relation to flood risk and drainage.

#### **CONCLUSION**

The existing HWRC at Beach Street is no longer fit for purpose and needs to be relocated. The current proposal will seek to improve recycling provision within the City whilst providing an efficient and effective modern facility.

The proposal seeks permission for a HWRC on a site allocated as a Key Employment Area in the adopted CSDP and although the submission has demonstrated compliance with some of the criteria to release the land the requirements have not been met in full. However, the adopted CSDP encourages and supports the minimisation of waste production and the re-use and recovery of waste materials with the requirement for new developments to be focused on previously developed employment land.

Also, there are benefits to the proposal including satisfying the Council's legal obligations to provide a HWRC, it will allow a potential increase in recycling which would reduce carbon output, would facilitate the redevelopment of Beach Street and SSTC3 and it would create jobs.

The partial departure from Policy EG2 of the adopted CSDP should be considered against the positive benefits whilst also taking account of the requirements of Policies WWE7 and WWE9 which direct waste uses to previously developed land.

On balance, it is considered that the partial departure from the development plan would be acceptable for the reasons discussed and the principle of the proposal is therefore acceptable.

The scale, massing and layout of the proposed development would also be acceptable. Subject to the submission of additional information and details of any mitigation, if required, it is not considered that there would be a significantly detrimental impact on amenity for the occupiers of nearby residential properties.

There are also no highway safety concerns regarding the proposal. The landscaping scheme, impact on ecology and biodiversity and flood risk and drainage are all considered to be satisfactory.

It is for the reasons elaborated above that the proposal is considered to be an acceptable form of development and is recommended that Consent is Granted for the scheme, subject to the conditions suggested 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: -

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o 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:**

For the reasons elaborated within the report it is recommended that Member GRANT CONSENT for the development under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions set out below.

#### **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:

- o Landscape layout plan Drg No. LS000166\_001 Rev P01 received 19.06.20.
- o Prefabricated steel canopy detail sheet Drg No. HWRC-SCC-SSC-Z0-DR-S-18 001-S4 Rev P01 received 19.06.20.
- o Precast retaining wall detail sheet Drg No. HWRC-SCC-SRW-Z0-DR-S-17 001-S4 Rev P01 received 19.06.20.
- o Steel pedestrian walkways detail sheet Drg No. HWRC-SCC-SPW-Z0-DR-S-18 001-S4 Rev P01 received 19.06.20.

- o General cross sections location plan Drg No. HWRC-SCC-HGN-00-DR-CR-01111 Rev P01.1 received 19.06.20.
- o General cross sections Drg No. HWRC-SCC-HGN-00-DR-CR-01110 Rev P01.1 received 19.06.20.
- o General arrangement plan Drg No. HWRP-SCC-HGN-00-DR-CR-01001 Rev P01.1 received 19.06.20.
- o Street lighting plan Drg No. HWRC-SCC-HEL-00-DR-CR-14010 Rev P01.1 received 19.06.20.
- o Site security CCTV layout plan Drg No. HWRC-SCC-HEL-00-DR-CR-14001 Rev P01.1 received 19.06.20.
- o Proposed S.W and F.W drainage HWRC-SCC-HDG-00-CR-05002 Rev P01.1 received 19.06.20.
- o Operations facilities proposed floor and elevation plans Drg No. 1019001/ARCH/005 received 19.06.20.
- o Re-use centre proposed roof and section plan Drg No. 1019001/ARCH/004 received 19.06.20.
- o Re-use centre proposed elevations Drg No. 1019001/ARCH/003 received 19.06.20.
- o Re-use centre proposed floor plan Drg No. 1019001/ARCH/002 received 19.06.20.
- o Site plan as proposed Drg No. HWRC-SCC-HGN-00-DR-CR-30002 Rev P01.1 received 19.06.20.
- o Re-use centre proposed plinth plan layout Drg No. HWRC-SCC-SGN-00-DR-CR-010003 received 26.08.20.
- o Proposed signage overview Drg No. HWRP-SCC-HGN-Z0-SK-C-SK\_101-S4 received 26.08.20.
- o Duct layout plan Drg No. HWRC-SCC-HDG-00-DR-CR-05010 Rev P01.2 received 21.09.20.

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

3 The external materials to be used for the hereby approved development shall be as specified in the application submission, unless the Local Planning Authority first agrees any variation in writing.

In the interests of visual amenity and to comply with Policy BH1 of the adopted Core Strategy and Development Plan.

4 Development shall not commence until a suitable and sufficient ground investigation and Risk Assessment to assess the nature and extent of any contamination on the site (whether or not it originates on the site) has been submitted to and approved in writing by the Local Planning Authority.

The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced and submitted for the approval of the LPA. The report of the findings must include:

- i a survey of the extent, scale and nature of contamination;
- ii an assessment of the potential risks to:
  - o human health;
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;

- o adjoining land;
- o ground waters and surface waters;
- o ecological systems;
- o archaeological sites and ancient monuments; and
- iii where unacceptable risks are identified, an appraisal of remedial options, and proposal of the preferred option(s).

The Investigation and Risk Assessment shall be implemented as approved and must be conducted in accordance with the Environment Agency's "Land contamination: risk management".

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy HS3 of the adopted Core Strategy and Development Plan and the National Planning Policy Framework Paragraphs 170, 178, 179, and 183.

The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a manner to protect future users of the site and the environment.

5 Development shall not commence until a detailed Remediation Scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) has been submitted to and approved in writing by the Local Planning Authority.

The Remediation Scheme should be prepared in accordance with the Environment Agency document Land Contamination: Risk Management and must include a suitable options appraisal, all works to be undertaken, proposed remediation objectives, remediation criteria, a timetable of works, site management procedures and a plan for validating the remediation works. The Remediation Scheme must ensure that as a minimum, the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Once the Remediation Scheme has been approved in writing by the Local Planning Authority it shall be known as the Approved Remediation Scheme.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy HS3 of the adopted Core Strategy and Development Plan and the National Planning Policy Framework Paragraphs 170, 178, 179, and 183.

6 The Approved Remediation Scheme for any given phase shall be implemented in accordance with the approved timetable of works for that phase.

Within six months of the completion of measures identified in the Approved Remediation Scheme, a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be produced and is subject to the approval in writing of the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy HS3 of the adopted Core Strategy and Development Plan and the National Planning Policy Framework Paragraphs 170, 178, 179, and 183.

7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. A Risk Assessment must be undertaken in accordance with the requirements of DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and where remediation is necessary a Remediation Scheme must be prepared and submitted to the Local Planning Authority in accordance with the requirements that the Remediation Scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Once the Remediation Scheme has been approved in writing by the Local Planning Authority it shall be known as the Approved Remediation Scheme. Following completion of measures identified in the Approved Remediation Scheme a verification report must be prepared and submitted in accordance with the approved timetable of works. Within six months of the completion of measures identified in the Approved Remediation Scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy HS3 of the adopted Core Strategy and Development Plan and the National Planning Policy Framework Paragraphs 170, 178, 179, and 183.

8 No development shall take place until a Construction Environmental Management Plan for the hereby approved Household Waste Recycling Centre which should include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated has been submitted to, and approved in writing by, the Local Planning Authority. The construction works shall then be carried out in accordance with the approved Management Plan.

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 BH1 of the adopted Core Strategy Development Plan.

9 No development shall take place until a Construction Environmental Management Plan for the hereby approved Re-Use Centre which should include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated has been submitted to, and approved in writing by, the Local Planning Authority. The construction works shall then be carried out in accordance with the approved Management Plan.

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 BH1 of the adopted Core Strategy Development Plan.

10 The landscaping shall be carried out in accordance with the landscape layout plan Drg No. LS000166\_001 Rev P01 received 19.06.20 and should include the protection of the trees and shrubs to be retained during the course of development, unless the Local Planning Authority first agrees any variation in writing.

In the interests of visual amenity and to comply with Policy BH1 of the adopted Core Strategy and Development Plan.

11 All planting included within the approved landscaping scheme shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity and to comply with Policy BH1 of the adopted Core Strategy and Development Plan.

12 Prior to the first operation of the hereby approved facility the signage shall be installed and implemented as per Drg No. HWRP-SCC-HGN-Z0-SK-C-SK\_1101-S4, received 26.08.20, and shall be retained for the lifetime of the development, unless the Local Planning Authority first agrees any variation in writing.

In the interests of highway safety and residential amenity and to comply with Policies BH1, ST2 and ST3 of the adopted Core Strategy and Development Plan.

13 Prior to the first operation of the hereby approved facility the online booking system shall be in place to allow the booking of a time to visit the facility. Only vehicles which have a pre-booked slot should be allowed to use the facility. The number of vehicle slots available on the online booking system should be first agreed with the Local Highway Authority and should be reviewed within 3 months of the facility becoming operational to gauge the level of demand and to establish if the number of slots should be changed to maximise capacity whilst ensuring that no queuing occurs on the local road network. Additionally, details of how the site will operate in the event of a booking system failure shall be submitted to and approved in writing by the Local Planning Authority, prior to the facility being brought into operation. The facility shall operate in strict accordance with the approved details.

In the interests of highway safety and to comply with Policies ST2 and ST3 of the adopted Core Strategy and Development Plan.

14 Notwithstanding the submitted information prior to the first operation of the hereby approved facility a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify measures to minimise spill and glare and to avoid impacts on residential receptors.

In the interests of residential amenity and to comply with Policies BH1 and HS1 of the adopted Core Strategy and Development Plan.

15 Prior to the commencement of the construction of the hereby approved facility a noise assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The noise assessment should determine the potential exposure of nearby residents to noise resulting from site operations. The report should follow the procedures in BS4142:2014 in determining the rated noise level and ensure that this does not exceed background noise levels and address the noise criteria set out in BS8233:2014. Where those criteria may be exceeded then suitable mitigation measures should be identified and implemented following agreement with the Local Planning Authority.

In the interests of residential amenity and to comply with Policies BH1, HS1 and HS2 of the adopted Core Strategy and Development Plan.

16 Within 3 months of the hereby approved facility becoming operational, a noise validation exercise shall be undertaken, and a validation report shall be submitted to and approved in writing by the Local Planning Authority. The noise validation report should substantiate the assumptions made in the noise assessment and demonstrate compliance with the rated noise level at the nearest noise sensitive receptor. In the event that the noise validation exercise shows that the rated noise level is exceeded, the Operator shall then identify further mitigation measures in order to comply with the rated and maximum noise levels and this should be included in the validation report. The approved mitigation measures must be put in place in accordance with a timescale to be agreed in writing by the Local Planning Authority.

In the interests of residential amenity and to comply with Policies BH1, HS1 and HS2 of the adopted Core Strategy and Development Plan.

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**Reference No.:** 20/01000/LB3 Listed Building Consent (Reg3)**Proposal:** **Listed building consent for the provision of internal 'suspension bridge' structure within the mill cap and coverings to external sheers.****Location:** Fulwell Mill Newcastle Road Sunderland SR5 1EX**Ward:** Southwick  
**Applicant:** Sunderland City Council  
**Date Valid:** 19 June 2020  
**Target Date:** 14 August 2020

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## PROPOSAL

### SITE

The site relates to Fulwell Mill, which is a Grade II\* listed building of exceptional significance. It is a nationally important example of a vaulted tower windmill and one of only 16 grade II\* listed buildings in Sunderland, and is a cherished community asset and key landmark of the City. Dating from the early years of the 19th century, the mill is an unusually complete example of a vaulted tower mill, retaining almost all its internal machinery it is the best preserved of its type within the region.

### PROPOSAL

A comprehensive scheme of urgent repairs, restoration and improvement works has recently been completed that has enabled the Mill to be removed from Historic England's Heritage-at-Risk Register. The current proposal builds on these works to correct a weight distribution issue with the cap, further improve the performance of the Mill and protect the cap, fantail and their working parts from future damage.

The works are described as provision of a temporary suspension bridge structure and tie rods within the cap and covering of the external upper face of the fantail frame sheers at cap level.

### TYPE OF PUBLICITY:

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

### CONSULTEES:

English Heritage  
Southwick - Ward Councillor Consultation  
Tyne And Wear Archaeology Officer  
Environmental Health  
The Ancient Monuments Society  
The Georgian Group  
The Society For The Protection Of Ancient Buildings  
Victorian Society

Final Date for Receipt of Representations: **26.08.2020**

## **REPRESENTATIONS:**

### **PUBLIC CONSULTATION**

No representations received.

### **PUBLIC PROTECTION AND REGULATORY SERVICES TEAM**

No Objections to make.

### **CONSERVATION TEAM**

The Council's Conservation Team commented that the proposals will have a positive impact on the significance, on-going conservation and maintenance of the listed Mill satisfying the requirements of NPPF paragraphs 192 and 193 and CSDP Policies BH7 and BH8. The proposals are therefore fully supported Subject to a condition to submit sample of zinc covering fully painted /finished for fantail frame sheers.

### **HISTORIC ENGLAND**

The grade II\* listed status of Fulwell Mill is in large due to its working machinery which brings to life a once common feature of life in England. The working of the mill is sophisticated but subject to major physical forces which require subtle adaptations to the machinery. The works presented here would ensure the smoother running of the mill and reduce wear and so present good conservation practice in line with the policies of the NPPF.

## **POLICIES:**

The following policies of the Council's Core Strategy and Development Plan are relevant to the consideration of this application: BH1 and BH8.

## **COMMENTS:**

The works have been designed by the design team's specialist Millwright Consultant and Conservation Architect and are essential to correct a problem with the weight distribution and rotation of the cap, and to provide additional protection to the fantail. The proposed suspension bridge is a traditional weight distribution system used in historic Mills elsewhere that will correct the uneven distribution of weight on the skate plates of the cap and allow the Mill to turn safely to wind.

It will be a relatively simple and discreet addition to the interior of the cap that will not harm the significance of the listed building but be beneficial as a temporary or permanent measure that improves the performance of the working parts of the cap and protects them from long term damage, supporting the future conservation and maintenance of the Mill. The proposed zinc covering to the upper surfaces of the rear ends of the fantail frame sheers will provide essential additional protection to these exposed horizontal timber members that could otherwise become vulnerable to decay and damage in the longer term. This protection will have negligible visual impact on the overall appearance of the Mill.

Paragraphs 192 and 193 of the National Planning Policy Framework (NPPF) state that Local Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the contribution they make to the local character and distinctiveness. Great weight should be given to the asset's conservation and the more important the asset the greater the weight should be given.



The Core Strategy Development Plan recently replaced some policies of the Unitary Development Plan. Policy BH1 of the Core Strategy Development Plan (CSDP) states that high quality design and positive improvement, development should create places which have a clear function, character and identity based upon a robust understanding of local context, constraints and distinctiveness.

It also states that development should be of a scale, massing, layout, appearance and setting which respects and enhances the positive qualities of nearby properties and the locality.

Policy BH8 of the CSDP relates to Development affecting heritage assets (both designated and non-designated) or their settings should recognise and respond to their significance and demonstrate how they conserve and enhance the significance and character of the asset(s), including any contribution made by its setting where appropriate.

Development affecting a listed building, including alterations and additions should conserve and enhance its significance in regards to the protection, repair and restoration of its historic fabric, its features and plan form, its boundary enclosures, its setting and views of it, its group value and contribution to local character and distinctiveness and be sympathetic and complimentary to its height, massing, alignment, proportions, form, architectural style, building materials, and its setting.

In this instance this important Grade II\* listed building is of significant heritage importance to the City and works to ensure its protection and functionality and protect it from the elements, is considered necessary to maximise the life of the key structural components of the Mill.

The works would have no impact to the external appearance of the structure and as such the works are considered to comply with the requirements of Policy BH1 and BH8 of the Core Strategy Development Plan (CSDP) and Paragraphs 192 and 193 of the NPPF. It is therefore recommended that Members Grant Listed Building Consent for the proposed works.

#### 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: -

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o 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:** GRANT LISTED BUILDING CONSENT under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions below:

**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 The development hereby granted permission shall be carried out in full accordance with the following approved plans:

- Location and existing plan received on 19.6.20
- Proposed plans received on 19.6.20

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.