DEVELOPMENT PLAN
Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Development Plan - current status
The Core Strategy and Development Plan was adopted on the 30 January 2020, whilst the saved policies from the Unitary Development Plan were adopted on 7 September 1998. In the report on each application specific reference will be made to policies and proposals that are particularly relevant to the application site and proposal. The CSDP and UDP also include several city wide and strategic policies and objectives, which when appropriate will be identified.

STANDARD CONDITIONS
Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

SITE PLANS
The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS
The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION
The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the City Development Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Peter McIntyre
Executive Director City Development

1. South Sunderland

Reference No.: 20/02296/LP3 Local Authority (Reg 3)

Proposal: **Engineering works including the creation of a new vehicular access from Barrack Street, alterations to the vehicular access from Extension Road and the re-profiling of the site (additional ecology and land contamination reports received).**

Location: Hendon Sidings Enterprise Zone, Adjacent to Prospect Row, Sunderland, Port Of Sunderland

Ward: Hendon
Applicant: Port Of Sunderland
Date Valid: 8 December 2020
Target Date: 9 March 2021

PROPOSAL:
Full planning permission is sought for engineering works including the creation of a new vehicular access from Barrack Street, alterations to the vehicular access from Extension Road and the re-profiling of the site at former Hendon Sidings, adjacent to Prospect Row, Sunderland.

The proposals affect a vacant area of land covering approximately 5.5ha, which was historically occupied by the Hendon rail sidings. The land in question is of a narrow, tapering shape and is bordered by Prospect Row and the remaining Sunderland Town Moor to the west, Extension Road to the south and Barrack Street to the north. To the east, it is bordered by the rail line serving the adjacent Port of Sunderland.

The application site forms part of the wider 'Hendon Sidings' area, which also includes the rail line corridor and land further to its east, which forms a proposed Local Wildlife Site. The operational land of the Port of Sunderland is located to the east of the wider Hendon Sidings area. Hendon Sidings was purchased by the City Council in 2012 to complement its operations at the Port; it does not, however, form part of its operational land as defined by the Harbours Act 1964.

The west side of Prospect Row is fronted by dwellinghouses, whilst a public house (The Welcome Tavern) stands in isolation immediately to the north of the application site at the junction between Prospect Row and Barrack Street. The front (south) elevation of the Welcome Tavern is flanked by a section of dead-end adopted highway which is informally being used for car parking and which leads to an existing gated vehicular access into the application site. The Town Moor, meanwhile, forms a significant area of historically significant open space and is within the Old Sunderland Conservation Area; the boundary with the application site forms the Conservation Area's eastern edge. The southern tip of the site is bounded by Extension Road, which enables vehicular access to the site. Commercial properties are present to the south side of Extension Road.

The site is generally level but undulating in nature and in terms of its current condition, it is largely covered in vegetation, with areas of hardstanding, stockpiles, concrete storage bays and

demolished buildings in evidence. A stone wall runs along the western perimeter of the site (to the Prospect Row and Town Moor boundary) and inside this are trees and shrubs providing some screening of the site.

Together with land at East Shore within the Port, the application site forms part of the Port of Sunderland Enterprise Zone (EZ), a status which offers enhanced capital allowances for businesses investing within the Zone. In August 2018, a maximum of £8.202m was approved (subject to tenders) to support EZ works, including remediation and infrastructure works to accelerate the development of commercial and industrial employment sites, stimulate private investment and support export potential. The Hendon Sidings site is now being marketed as the 'Trinity - Road, Rail and Sea Enterprise Zone'.

The development proposed by the application forms part of efforts to make Hendon Sidings 'shovel ready', i.e. primed and immediately available for any developer/investment interest.

The development proposed by the application involves the following works:

- New vehicular access to the north, from Prospect Row. This would allow vehicles, including HGVs, to access the northern section of the site. Works would include modifications to Barrack Street and Prospect Row to accommodate a revised priority and at grade access and footways will be incorporated into the design to enable safe pedestrian access into the site;
- Vehicular access to the south, involving improvements to the existing access from Extension Road. The existing access will be widened to accommodate HGVs and requires a new earthwork cutting with associated embankments down to road level, a new footway, a widened 'bellmouth' junction and a reduction to the existing southern boundary wall level to mirror the proposed earthworks;
- Retention of stone and brick boundary wall to western perimeter, with repairs, repointing and re-coping to be undertaken as required and new green mesh fencing erected to fill gaps in the boundary and replace sections of palisade fencing. Trees and shrubs alongside the wall are also to be retained;
- Removal of existing areas of hardstanding, concrete bays, transient stockpile mounds and vegetation (other than retained trees and shrubs to the western edge) within the site;
- Earthworks to remove buried foundations/obstructions and create a level site for future development;
- Reprofiling of the site to provide a level development platform of between 14m and 15m AOD;
- Resurfacing of the site, following completion of earthworks, with site-won hardcore and geotextile membrane to retard vegetation growth;
- Creation of minor bunds and wildlife habitats to the north of the site;
- The erection of two small electricity substations, one to the northern boundary and one to the southern boundary.

It is reiterated at this point that the current application is simply seeking to prepare the site for future development; any future proposals to develop the land would also be subject to planning controls. Members may recall that a similar planning application to prepare the East Shore part of the Port of Sunderland Enterprise Zone for development was approved by the Council's Development Control (South) Area Planning Committee on 2nd March 2020 (application ref. 19/02155/LP3).

The application has been accompanied by a range of supporting technical reports and documents, including the following:

- Planning, Design and Access Statement;
- Phase 1 Land contamination report (updated June 2021);
- Phase 2 Contaminated Land report (updated June 2021 and August 2021);
- Protected Species Report (October 2019);
- Ecological Impact Assessment (June 2021 and updated October 2021);
- Ecological Mitigation and Enhancement Plan (November 2020, updated June and October 2021);
- Biodiversity Net Gain calculations (updated October 2021);
- Habitats Regulations Assessment: Statement to Inform an Appropriate Assessment (updated June and October 2021), which considers the effects of development on nearby European-protected sites and species;
- Historic Environment Assessment;
- Flood Risk Assessment and Drainage Strategy (supplemented with further information during consideration of application);
- Arboricultural Impact Assessment;
- Archaeological Evaluation Report;

Members should note that the operational land of the Port is in the ownership of the Council and that the current application has been submitted by the Council's Port Director.

Members will recall that this application was originally presented to the Planning and Highways (East) Committee at the meeting held on 2nd November 2021, however a decision on the application was deferred to allow for a site visit to take place.

TYPE OF PUBLICITY:
Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:
Natural England
Land Contamination
Land Contamination
Hendon - Ward Councillor Consultation
Network Management
Tyne And Wear Archaeology Officer
City Arboricultural Officer
Flood And Coastal Group Engineer
Environment Agency
North Gas Networks
Northumbrian Water
Environmental Health
Northumbria Police
Network Rail
Fire Prevention Officer

Final Date for Receipt of Representations: **22.07.2021**

REPRESENTATIONS:

Public consultation - the application has been subject to public consultation via letters to 115 no. nearby properties, the posting of site notices and the publication of a press notice. This level of consultation is considered to fully discharge (and in fact significantly exceeds) the Council's statutory obligations in relation to publicity for planning applications and is considered to be appropriate for a planning application of this nature. The following representations have been received in response to the consultation exercise:

From occupier of flat above Welcome Tavern public house:
- Proposed access and realignment of road is below living room window and will bring traffic nearer to the building;
- There will be increased noise from additional traffic using the access;
- There will be increased pollution from heavy vehicles which has been proven as detrimental to public health;
- There could be an effect on the structural integrity of the building;
- There could be a potential effect on the cost of building insurance;
- Effect on access to the flat from Prospect Row/Barrack Street;
- Effect on parking and safety of household vehicles;

From licensee of Welcome Tavern public house:
- Increase in heavy traffic could cut the public house off from its customer base as customers would be less inclined to cross a busy road;
- Introduction of parking restrictions around new site access would not allow for customer parking;
- Worries over structural integrity of whole building, which was rebuilt in 1915 and features a large, deep cellar;
- Concerns over increased environmental impact, such as from carbon monoxide;

Two representations have been received from occupiers of 18 Mariner Square, with the following concerns raised:
- Concerns over increases in traffic, loss of parking and privacy;
- Existing concerns in relation to speeding cars and use of local roads by buses and HGVs visiting the Port;
- There are already noise and smells coming from the Port, which could be exacerbated by the development;
- Current boundary treatment of the site is ugly and unkempt and covered in litter, proposed development could worsen this;
- Proposals could devalue property and 'make life more difficult' for the objector and their neighbours;
- Suggests compensation should be payable to cover these factors;

At this point, it should be noted that concerns regarding the impact of a development proposal on the value of private property and the cost of insurance is a private concern and is not material to the determination of a planning application. Furthermore, and in respect of the concerns raised regarding the structural integrity of the Welcome Tavern public house, it would be the responsibility of the applicant/developer to ensure that all works are carried out in a manner which would not cause any damage to, or affect the stability and integrity of, any private property which is located outside of the planning application site.

To this end, further information in relation to the works adjacent to the public house have been provided by the Council's Highways engineers. The Highways engineers have advised that a competent contractor would be appointed to carry out the highway works, which would be overseen by the Council as Highways Authority. The contractor would be responsible for ensuring the proposed works do not impact on the structural integrity of the public house and its

cellar. The construction activities in the vicinity of the public house building involve the realignment of carriageways, kerbs and footways within the existing highway boundary and in general, these works are confined to the surface layers of the highway up to a depth of approximately 600mm. Due to the construction depths involved, the Council's Highways engineer considers there is unlikely to be any structural impact upon the public house building or its cellar.

Environment Agency - initial comments from the Environment Agency (EA) advised that the Phase 1 and Phase 2 land contamination reports had been reviewed and it was noted that the application site is subject to contamination due to its previous use as railway sidings. Controlled waters are also particularly sensitive at this location because the site is located upon a Principal Aquifer, namely the Magnesian Limestone aquifer.

The EA initially confirmed there was no objection to the application, subject to the imposition of a series of conditions and advice on working practices being provided to the applicant by way of informative notes.

Following further review of the information supplied with the application, the EA has since revised their initial consultation response and now advises that there is no requirement for the previously requested conditions to be imposed. Instead, detailed advice is provided to the applicant in relation to working practices, to ensure groundwater is not polluted by construction activity and that site works are undertaken safely.

Natural England - advise that further assessment should be undertaken to determine impacts on designated sites. To this end, it is considered that the development could have potential significant effects on the Northumbria Coast Special Protection Area and Ramsar site and the Durham Coast Special Area of Conservation. In order to understand potential effects on these sites, Natural England recommended that a Habitats Regulations Assessment (HRA), including an Appropriate Assessment, be undertaken.

Natural England note that the HRA report submitted with the application concludes that the proposed development can be 'screened out' from further stages of assessment because significant effects are unlikely to occur, either alone or in-combination. This conclusion is, however, drawn from having regard to measures built into the proposal which seek to avoid all potential impacts. With reference to the recent 'People Over Wind' ruling by the Court of Justice of the European Union, Natural England advise that an Appropriate Assessment should be undertaken, to formally establish whether the proposed measures designed to avoid or reduce likely harmful effects on the protected European sites will be effective and can be endorsed by the Council as competent authority.

Following further revisions to the submitted HRA report and confirmation that the Council, as competent authority, is minded to endorse the proposed mitigation, Natural England have confirmed there is no objection to the development proceeding, provided that the necessary mitigation measures are secured by appropriately-worded conditions.

Northern Gas Networks - no objections to the proposals, notes that the developer should be aware of apparatus in the area.

Tyne and Wear County Archaeology officer - initially noted that the local Historic Environment Record (HER) indicates the presence of a smithy, a rope walk, possible air raid shelters, a Goods station and engine sheds within the development site, as well as the extant remains of a coal depot. The site also historically formed part of Sunderland Town Moor. The submitted Historic Environment Assessment highlights that the potential archaeological interest

of the site will have been limited by subsequent development and its use as railway sidings, however it is possible that some pre-1856 archaeology could remain.

The County Archaeology officer therefore requested that additional site evaluations, in the form of targeted trial trenches, be carried out prior to the approval of planning permission.

The recommended site evaluations have been undertaken and a report submitted for consideration. This has been reviewed by the County Archaeology officer, who notes that the trenches identified well-preserved 19th and 20th century remains in the northern part of the site, including an engine house and associated turntable. In the event planning permission is approved, it is requested that further archaeological excavation and monitoring in the northern portion of the site is undertaken. These works can be secured by condition. It is also requested that conditions be imposed requiring a photographic survey and archaeological recording of the extant structures within the site and an archaeological recording of the existing stone boundary wall to the south of site (affected by the Extension Road access).

Since the application was heard by the Committee at the meeting on 2nd November 2021, the photographic survey and archaeological recording requested by the County Archaeologist has been produced and submitted for consideration. The County Archaeologist has confirmed that the submitted survey and recording is acceptable and as such, there is now no requirement for a condition relating to this matter.

Northumbrian Water - no issues with the proposed development, provided the application is carried out within strict accordance with the submitted Flood Risk Assessment and Drainage Strategy. A condition requiring compliance with this strategy is requested.

Network Rail - no objections to the principle of the development. Advice is provided in relation to any covenants affecting the site, drainage arrangements, the use of cranes and plant during construction works, excavations/earthworks, site security, fencing, lighting and other working methods and arrangements. Network Rail request that matters relating to drainage, boundary fencing, method statements and lighting are subject to conditions, with all other matters subject to advice provided via informative notes.

Council's Landscape officer - no comments to make.

Council's Flood and Coastal team (in capacity as Lead Local Flood Authority) - initially advised that further information and detail in relation to maintenance arrangements, pipe sizes, sewer network and modelling data was required before the proposed sustainable drainage solution could be approved. The requested information has since been provided and the LLFA confirm there is no objection to the development proceeding from a flood risk and sustainable drainage perspective, subject to conditions requiring the provision of a CCTV pipe survey and the submission and approval of a drainage verification report.

Council's Environmental Health team - no objections to the proposed development, subject to conditions requiring the submission and approval of a Construction Environmental Management Plan (CEMP) and the submission of details, including the relevant environmental permit, of any mobile crusher and screen to be brought onto the site.

Council's Ecology team and Ecology consultants - initial comments from the Council's Ecology team advised that in the first instance, the proposed development has to mitigate its own impacts and cannot rely on any future development of the site to secure mitigation measures. In addition, further information and updates to the submitted surveys and reports were requested in relation to biodiversity net gains, wildlife corridors, the preparation of an

Ecological Impact Assessment (EcIA), the timing of works, the location of bird nesting boxes, the creation of habitat features and taking into account the operation of the adjacent Port railway line. In addition, it was noted that the submitted HRA report did not fully address potential functionally linked land.

Further work was undertaken and submitted by the applicant's ecology consultant, in the form of an updated HRA report, updated Ecological Impact Assessment (EcIA), an Ecological Mitigation and Enhancement Plan (EMEP) and Biodiversity Net Gain (BNG) calculations. The updated work was subsequently reviewed by the Council's Ecology consultant and issues relating to the suitability of the HRA report and its conclusions, the suitability of baseline ecological data and the suitability of the updated EcIA and EMEP. In turn, the issues identified with the survey EcIA and EMEP was considered to affect the robustness of the submitted BNG calculations.

Subsequent to the issues raised by the Council's consultant, further discussions have taken place with the applicant's consultant and following from this, additional ecology work has been undertaken by the applicant's ecology consultant. Updated EcIA and EMEP reports have been submitted, along with an updated BNG metric and an updated HRA report.

The Council's Ecology consultant has reviewed the updated information. In relation to HRA, it is advised that it can now be concluded the proposed works will not result in adverse effects on site integrity following application of mitigation and an 'Appropriate Assessment' proforma has been produced to record this position. Similarly, in relation to the submitted EcIA and EMEP, it is considered that sufficient information has now been provided and minor updates to the reports recommended by the Council's Ecology consultant have been undertaken and are considered acceptable.

Council's Land contamination consultant - has reviewed the submitted Phase 1 and Phase 2 land contamination reports. It was initially advised that the originally submitted Phase 1 report required supplementing with contaminated land information available from the Council and an assessment of potential risks from vapours in soils and groundwater. The conceptual site model should then be accordingly updated. The Phase 1 report has been updated to address these issues and no further comments are offered.

In relation to the Phase 2 report, this should be updated to reflect changes to the Phase 1 report and further site analysis was also required in relation to risks to controlled waters, from ground gas, imported materials and the re-use of site won materials. The Remediation Strategy within the Phase 2 report should also be updated to reflect this additional work. The Phase 2 report and Remediation Strategy have been amended/updated to reflect the comments provided and the Council's Land Contamination consultant has confirmed that no further work is required. Conditions requiring the implementation of the submitted Remediation Strategy and to cover encountering unexpected contamination have been recommended.

Council's Built Heritage officer - no objections to the development. Advises that the submitted Historic Environment Assessment correctly identifies the heritage assets which may potentially be affected by the development and its conclusion that the nature of the proposed works means the development will not have any impact on their setting or significance is agreed with. A condition requiring agreement of a specification and method statement for works to the boundary wall to Prospect Row/Town Moor is requested.

POLICIES:

In the Core Strategy and Development Plan the site is subject to the following policies: SS5, HS1, HS2, HS3, HS4, BH1, BH8, BH9, NE2, WWE2, WWE3, WWE4, WWE5, ST2 and ST3.

CONSIDERATION OF APPLICATION

By virtue of section 38(6) of the Planning and Compulsory Purchase Act, 2004, the starting point for consideration of any planning application is the saved policies of the development plan. A planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

However, since the publication of the National Planning Policy Framework (NPPF), which, as paragraph 2 therein makes clear, is a material consideration for the purposes of Section 38(6) of the Act, the weight that can be given to the development plan depends upon the extent to which the relevant policies in the plan are consistent with the more up to date policies set out in the NPPF. The closer the relevant policies in the development plan to the policies in the NPPF, the greater the weight that can be given to the development plan.

The NPPF provides the Government's planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. At paragraph 7, the NPPF sets out that the purpose of the planning system is to contribute positively to the achievement of 'sustainable development' which is defined as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. Meanwhile, paragraph 8 states that in order to achieve sustainable development, the planning system has three overarching objectives - an economic objective, a social objective and an environmental objective - and these are to be delivered through the preparation and implementation of plans and the applications of the policies within the NPPF.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development and states that in respect of decision-making, this means authorities should:

c) Approve applications that accord with an up to date development plan without delay; or

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

i) The application of policies in the NPPF that protect areas or assets of particular importance provides 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 policies in the NPPF taken as a whole.

With regard to paragraph 11 d) i) of the NPPF, footnote 6 states that the areas and assets of particular importance referred to relate to habitats sites, Sites of Special Scientific Interest, Green Belts, Local Green Space, Areas of Outstanding Natural Beauty, National Parks, Heritage Coasts, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

Paragraph 12 of the NPPF goes on to advise that the presumption in favour of sustainable development set out by paragraph 11 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 normally be granted.

In terms of the more detailed planning policies of the NPPF, of importance in considering the current application are those which seek to:

- Build a strong, competitive economy (section 6);
- Promote healthy and safe communities (section 8);
- Make effective use of land (section 11);
- Achieve well-designed places (section 12);
- Meet the challenge of climate change, flooding and coastal change (section 14);
- Conserve and enhance the natural environment (section 15); and
- Conserve and enhance the historic environment (section 16).

The Council's Core Strategy and Development Plan (CSDP) is the strategic development plan for the City for the period up to 2033. Policies SS5, HS1, HS2, HS3, HS4, BH1, BH8, BH9, NE2, WWE2, WWE3, WWE4, WWE5, ST2 and ST3 of the CSDP are considered to be pertinent to the determination of this application.

The new CSDP policies serve to replace the majority of policies within the Council's Unitary Development Plan (1998), but some, mainly non-strategic, policies have not been superseded and can continue to be given weight where appropriate. In this case, policies B14, CN20 and CN23 of the UDP remain applicable.

With reference to the above national and local planning policy background and taking into account the characteristics of the proposed development and the application site, it is considered that the main issues to examine in the determination of this application are as follows:

1. Land use considerations;
2. The implications of the development in respect of the amenity of the locality;
3. The impact of the development in respect of highway and pedestrian safety;
4. The impact of the development in respect of ecology and biodiversity;
5. The impact of the development in respect of built heritage and archaeology;
6. The impact of the development in respect of flooding and drainage;
7. The impact of the development in respect of ground conditions;

1. Land use considerations

The Council's online Interactive Map for the UDP and CSDP shows the northern portion of the site as still being subject to an allocation for new housing through policy SA9 of the UDP; this allocation does not appear to have been formally deleted upon adoption of the CSDP.

Given that the proposed development only entails site preparation works, there would not necessarily be any conflict with the housing allocation through the UDP. It should be noted, however, that there is no commitment from the Council to bring forward this site for housing - it is not identified as being available for housing development in the Council's most recent Strategic Housing Market Availability Assessment (SHMAA) and it is not intended to be included as a housing site in the Council's draft Allocations and Designations (A&D) Plan. In addition, the entirety of the site is now subject to policy SS5 of the CSDP, which identifies the site as being within the Port of Sunderland. Consequently, the most recently adopted and emerging policies for the site do not make the site available for housing, rather the site is allocated as Port of Sunderland land through CSDP policy SS5.

Policy SS5 of the CSDP applies to the entirety of the application site and it states that the Port will be reinvigorated through:

1. The provision of road and rail links suitable for heavy freight to link the Port to national networks;
2. Preventing waterside developments that would negatively impact on operations;
3. Supporting the use of the River Wear as a freight corridor and serving waterfront businesses;
4. Enabling development of Port-related uses within use classes B1 (light industry and offices), B2 (general industry) and B8 (storage and distribution), including offshore renewables and automotive supply chains; and
5. Requiring development which is located within Flood Zones 2 and 3 to meet the sequential test and exceptions test, where necessary.

The supporting text to the policy (at paragraph 4.70) does note, however, that the Port estate extends into the former Hendon Railway Sidings site, which is located outside of the operational Port. As the area is located outside of the operational Port, development for B1, B2 and B8 uses which are not Port-related can be supported at this location.

Members should note at this point that following the September 2020 amendment to the Town and Country Planning (Use Classes) Amendment Order 1987, use class B1 has been absorbed into the new use class E.

On a national level, section 6 of the NPPF requires the planning system to support the building of a strong, competitive economy, with paragraph 82 advising that in making planning decisions, significant weight should be placed on the need to support economic growth and productivity, and paragraph 83 stating that planning decisions should recognise and address the specific locational requirements of different sectors. Section 11, meanwhile, requires the planning system to make effective use of land, including placing an emphasis on the use of brownfield (i.e. previously-developed) land and ensuring that policies and decisions recognise and reflect changes in the demand for land.

Clearly, the development proposed by the current application is designed to increase the attractiveness of the Hendon Sidings site as a location for new businesses and investment, thus enabling the development of the site for economic activity in line with the site's allocation through policy SS5 of the CSDP. The development would also support the reinvigoration of the site and wider Port area in its role as a key employment area for the City. Additionally, the proposed site works will serve to increase the likelihood of an extensive area of brownfield land being developed in a positive and economically beneficial manner. The proposal is therefore considered to be entirely consistent with policy SS5's objectives and also those of the NPPF in terms of supporting economic growth and making effective use of previously developed land.

Notwithstanding the development's compatibility with the land use policies directing development at the Port, before it can be determined whether the proposal represents the sustainable development required by the NPPF, all other material considerations relevant to the scheme must be satisfactorily assessed and addressed. Such an exercise is undertaken below.

2. Visual and residential amenity implications

Policy BH1 of the Council's CSDP seeks to achieve high quality design and positive improvement by, amongst other measures, ensuring development is of a scale, massing, layout, appearance and setting which respects and enhances the qualities of nearby properties.

Paragraph 130 of the NPPF, meanwhile, states that planning decisions should ensure that developments create places which, amongst other objectives, have a high standard of amenity for existing and future users.

Also relevant are paragraph 185 of the NPPF and CSDP policies HS1 and HS2, which require consideration to be given to ensuring that the amenity of sensitive properties isn't unacceptably harmed by pollution from sources such as noise.

In this case, the development proposed by the application primarily involves groundworks, site reprofiling works and other site preparation works required to ready the Hendon Sidings site for potential future development interest. The proposals also involve the creation of a new vehicular access onto Barrack Street/Prospect Row and the improvement of the existing access onto Extension Road. On their own, these works are not considered to give rise to any concerns relative to the visual amenity of the locality, given that the overall appearance of the site will not differ significantly from its current condition and as it is largely screened from public views by the existing boundary wall along Prospect Row and the Town Moor, which, with reference to the representation from 18 Mariner Square, is being improved and retained. The overall appearance of the boundary to Prospect Row will be further enhanced by the replacement of sections of palisade fencing with new green mesh fencing. Further screening of the interior of the site is provided by the tree/vegetation belt along the inside of the boundary to Prospect Row, which is also being retained.

In relation to residential amenity, it is considered that the proposed development will not substantively affect the living conditions of the nearest dwellings, which face the site from across Prospect Row and are at the corner of Barrack Street and to the first floor flat above the Welcome Tavern public house, in terms of their outlook, privacy or receipt of sunlight/daylight.

The licensee of the Welcome Tavern public house and the occupier of its first floor flat have raised concerns regarding the proposed new access onto Prospect Row, which will be located close to the building. It is suggested that the provision and use of the access could cause disturbance to occupiers of the flat, worsen air quality, affect the structural integrity of the building and make it less attractive to visiting customers.

It must be noted at this stage that the current planning application is purely seeking permission for the construction of the access into the site in order to support its potential development for economic and commercial activity, in line with the site's allocation in the Council's adopted CSDP. Exactly how the access into the site would be used in the future, in terms of the types of vehicle using it and the frequency and timings of its use, will not become apparent until any future development proposals for the Hendon Sidings site are submitted for consideration. Any future planning applications for development of the site would be required to be accompanied by a full analysis of likely vehicle movements and at such a time, an assessment will be made as to whether any proposed use of the access would give rise to amenity, noise, air quality and other environmental considerations, taking into account prevailing site conditions and the characteristics of the locality.

In relation to usage associated with the development proposed by the current planning application (i.e. creation of the 'shovel-ready' site), vehicular movements will be minimal and limited to wagons bringing plant and machinery to the site at the start and end of works, with movements during works being those associated with the comings and goings of site operatives and the delivery of materials.

It should also be noted at this point that an existing vehicular access into the site exists at the end of the section of 'dead end' road to the front/south elevation of the Welcome Tavern. There

are no apparent restrictions on using this route to access the site. The proposed new access into the site is preferred as it will create a simpler, more direct route into the site which, in comparison to the existing access point, would serve to reduce potential conflict between pedestrians and vehicles and would keep traffic away from the public house frontage and enable priority to be given for the 'dead end' highway in front of the public house to be used for access and deliveries. Nevertheless, the existing access into the site is considered to represent an alternative to the access proposed by the current planning application.

In relation to the proposed substation, this will have a plan footprint of 4.26m x 3.14m and is of a similar size and specification to existing substations frequently found in urban areas, including in residential locations. The structure itself is not considered to give rise to any concerns in relation to the amenity of the Welcome Tavern or other nearby properties, in terms of their outlook or the structure appearing as overbearing or visually intrusive. In relation to any concerns regarding public health and perceived links between electricity infrastructure and certain health conditions, it should be noted that the Government sets national exposure limits in relation to electromagnetic fields and the national electricity infrastructure system is required to comply with these. The limits set are informed by research undertaken by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). All electricity substations must be designed to comply with exposure limits set by the Government and there are currently no restrictions on the distance a substation can be from a property (residential or otherwise). In this regard, it is observed that substations are commonly located in close proximity to dwellinghouses; an example is evident at nearby Stafford Street, to the west of the application site, where a substation is only 11 metres from a residential property. The proposed substation is over 16 metres from the front elevation of the Welcome Tavern.

Given the above, it is considered that the current proposals raise no significant concerns relative to visual and residential amenity, in accordance with the requirements of the NPPF and the Council's adopted CSDP.

3. Impact of the development on highway and pedestrian safety

Policy ST2 of the Council's adopted CSDP states that to ensure development has no unacceptable adverse impact on the Local Road Network, proposals must ensure that:

- new vehicular access points are kept to a minimum and designed in accordance with adopted standards;
- they deliver safe and adequate means of access, egress and internal circulation;
- where an existing access is to be used, it is improved as necessary;
- they are assessed and determined against current standards for the category of road;
- they have safe and convenient access for sustainable transport modes;
- they will not create a severe impact on the safe operation of the highway network.

Additionally, policy ST3 requires new development to provide safe and convenient access for all road users, in a way which would not compromise the free flow of traffic or exacerbate traffic congestion. It also requires applications to be accompanied by an appropriate Transport Assessment/Transport Statement and Travel Plan to demonstrate that appropriate mitigation measures can be delivered to ensure that there is no detrimental impact to the existing highway.

Paragraph 110 of the NPPF states that in considering applications, local planning authorities should ensure that:

- appropriate opportunities to promote sustainable transport modes can be taken up;
- that safe and suitable access to the site can be achieved for all users; and

- that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree;

Also relevant is paragraph 111, which states that development should only be refused on highways grounds if it would have an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

In this case, the works proposed by the current application will not, on their own, result in any additional vehicle movements to or from the site (other than during the construction phase). Any additional movements generated by future development at the site will be considered in the context of any forthcoming planning applications. At this point, consideration can only be given as to whether the location and design of the new and improved access points into the site are acceptable in relation to highway and pedestrian safety.

To this end, the new access into the site from the junction of Prospect Row/Barrack Street is considered to represent the most obvious point of access, for it creates a straight route into the site from the end of Barrack Street, and is preferable to using the alternative existing access from the section of dead-end road in front of the Welcome Tavern. The location of this access also minimises disruption to the boundary wall and vegetation along the north-western edge of the site and means the access is not directly in front of dwellings facing the site across Prospect Row. The design of the new access will include appropriate pedestrian provision, including an at-grade crossing point to maintain direct pedestrian connections from Prospect Row to the Welcome Tavern public house, whilst the reprioritisation of the junction between Barrack Street and Prospect Row will serve to ensure that future traffic flows can be appropriately managed.

Objections from the licensee and occupier of the first floor flat to the Welcome Tavern public house have suggested that the proposals will affect parking and access arrangements to the building. To this end, it is observed that the dead-end area of road to the south side of the property appears to be available for parking and access to the building. This area will still be available to the property and access into it is provided by the proposed new junction layout, whereas using the existing alternative access from the end of the dead-end road would bring vehicles accessing the site into greater conflict with visitors to the public house and persons using the dead-end road for parking. Objectors from 18 Mariner Square have also cited parking concerns but the proposed access does not appear to materially affect the availability of on-street or private parking in the locality.

The proposals for the southern access point, meanwhile, will serve to improve this existing route into the site from Extension Road and enable access by HGVs and other larger vehicles.

Overall, the current proposals do not give rise to any significant concerns in terms of impact on the existing highway network or highway and pedestrian safety and consequently, the proposals are considered to satisfy the objectives of paragraphs 110 and 111 of the NPPF and policies ST2 and ST3 of the Council's adopted CSDP.

4. Implications of development in respect of 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 180 it advises that planning permission should be refused for development which has significant harm on biodiversity or will have an adverse effect on a Site of Special Scientific Interest (SSSI). Paragraph 182 makes it clear that the NPPF's presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with

other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Locally, policy NE2 of the Council's adopted CSDP sets out measures for the protection, creation, enhancement and management of biodiversity and geodiversity, whilst proposals which would adversely affect European designated sites will only be permitted where the Council is satisfied that any necessary mitigation is included such that there will be no significant effects on the integrity of the sites and, with regard to SSSIs, will have to demonstrate that the reasons for the development clearly outweigh the nature conservation value of the site.

Additionally, continuing to be applicable are UDP policy CN20, which seeks to prevent unacceptable harm being caused to SSSIs, and policy CN23, which seeks to conserve and enhance the wildlife corridors identified on the UDP proposals map.

Also relevant with regard to ecology in the United Kingdom are the terms of the EU Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive) and the EU Council Directive 92/42/EEC on the conservation of natural habitats and wild flora and fauna (the Habitats Directive). These are implemented in the UK through the Conservation Regulations, which provide for the protection of areas of European importance for wildlife, in the form of Special Areas of Conservation (SACs) designated under the Habitats Directive, and Special Protection Areas (SPAs) designated under the Birds Directive. Collectively, these are termed 'European' sites, and overall network of European sites is termed Natura 2000. It is an offence under the legislation and regulations to carry out an act which may damage a qualifying species or habitat for which the site is designated.

A Habitat Regulation Assessment (HRA) is the mechanism to be implemented to ensure the above legislation is complied with and determines whether a plan or project would adversely affect the integrity of any European site in terms of its conservation objectives. Where adverse effects are identified alternative solutions should be identified and the plan or project modified to avoid any adverse effects. The Local Planning Authority, as the Competent Authority, can adopt the plan or approve the project only after having ascertained that it will not adversely affect the integrity of a European Site.

The planning application has been accompanied by a Habitats Regulations Assessment (HRA): Statement to Inform an Appropriate Assessment, which is designed to inform an Appropriate Assessment to be undertaken by the Council. The Statement assesses the direct effects of the proposed development on the Northumbria Coast Special Protection Area (SPA) and Ramsar Site and the Durham Coast Special Area of Conservation (SAC), all approximately 2km to the north and south of the application site. The Northumbria Coast SPA and Ramsar site support important numbers of purple sandpiper, turnstone and little tern, whilst the Durham Coast SPA is unique in the UK for its vegetated sea cliffs on magnesian limestone exposures.

The following potential impacts have been identified in relation to the European Sites and their reasons for designation:

o Noise pollution during site clearance - cumulatively expected to occur at functionally linked land at the piers etc. next to the Port;
o Disturbance of birds via light pollution - light spill is envisaged to be negligible however there could be cumulative light pollution issues alongside those already exhibited within the Port on functionally linked land and not designated sites themselves;
o Dust/air pollution and litter - generated by new vehicular access and storage of waste within the site;

o Introduction of invasive plants - possibility that invasive plants could spread beyond the site boundary;

The submitted Statement sets out a series of mitigation measures designed to reduce the potential impacts identified above. The mitigation measures are as follows:

o Noise - restrictions on working hours and implementing good practice measures during construction works (e.g. using quieter machinery and tools, no idling vehicles etc.);
o Light pollution - use of cowling to direct light downwards and other measures to minimise spillage and switch lighting off overnight;
o Dust and air pollution - measures and good practice to prevent and manage fuel and other spillages, advice provided on storage of fuel and chemicals, restrictions on certain working practices to minimise emissions and other potential sources of air pollution;
o Invasive species - avoid areas containing Japanese knotweed and montbretia and keep a disinfectant on site for use if contractors come into contact with invasive plants

Provided these measures are adopted and enforced during works, the Statement concludes that likely significant impacts on the European sites will be reduced to a suitable level and that the integrity of the sites and functionally linked land will be protected.

The application has also been accompanied by an Ecological Impact Assessment (EcIA), which notes that various surveys of the site have been carried out since 2019, with specific regard to breeding birds, bats, dingy skipper (an increasingly-rare type of butterfly) and reptiles. The application site was previously intended to form part of a Local Wildlife Site (LWS), designated for supporting lowland meadow and pasture, early successional brownfield habitats and lowland heath, but the proposed boundary has been amended and the proposed LWS now only includes land to the east of the Port railway line. The following conclusions have been reached in respect of the site's ecological value:

- Evaluation of the site in relation to breeding birds would suggest district level importance given species assemblage, however the numbers of breeding pairs of identified species is relatively low, suggesting an overall evaluation should be closer to one of local significance;
- Bat surveys of structures on the site have identified no roosts, with activity levels of bats generally low across the site;
- Dingy skipper numbers have drastically reduced, based on surveys undertaken in 2013, 2016 and 2019, likely due to a lack of site management resulting in scrub encroachment and loss of bare ground for basking;
- No recordings of reptiles at the site;

The EcIA identifies a series of potential impacts on the habitats and species present at the site, primarily resulting from ground clearance (e.g. loss of bird, bat, dingy skipper and potential reptile habitat), noise impacts, light pollution impacts, loss of wildlife network land and other forms of pollution. Measures are recommended to either avoid, mitigate or compensate for these potential impacts.

In terms of avoidance, there are recommendations in relation to the timing of site works; in terms of mitigation, there are recommendations relating to lighting, new habitat creation, noise reduction measures, site clearance practices and other pollution control measures; in terms of compensation, there are recommendations relating to delivering net gains in biodiversity, the retention of the scrub bank between the proposed LWS and the Port for birds, the creation of a 20-year site management plan and the inclusion of bat and bird boxes.

The submitted Ecological Mitigation and Enhancement Plan (EMEP) sets out more detailed mitigation and enhancement measures and provides the 20-year site management plan recommended by the EcIA. The measures proposed by the EMEP include:

Within the site/future proposed development area:
- Inclusion of a seeded bund, to create neutral grassland habitat of particular suitability for Dingy skipper;
- Retention of timber from vegetation removal or discarded sleepers to create natural refugia/log piles;
- Development of ecological monitoring programme to assess the success of mitigation and enhancement scheme in relation to key habitats and species;

Outside the site clearance/future proposed development area;
- Enhancement of the urban mosaic habitat on previously-developed land via a habitat management plan, as well as woodland enhancement;
- Bird boxes, including little owl boxes;
- Bat boxes;
- Retention of timber from vegetation removal or discarded sleepers to create natural refugia/log piles;
- Development of ecological monitoring programme to assess the success of mitigation and enhancement scheme in relation to key habitats and species;

As set out in the 'Representations' section of this report, the Council's Ecology consultant is now broadly satisfied with the HRA Statement and is able to conclude that no adverse effects on the integrity of the European sites will occur, subject to the adoption of the proposed mitigation measures. An 'Appropriate Assessment' proforma has been produced to record this position. Natural England also confirm there is no objection to the application, provided the proposed mitigation measures within the HRA Statement are secured by appropriately-worded conditions. The Council's consultant is also now broadly satisfied in relation to the assessment of the application site itself and the proposed mitigation and enhancement measures. The requested minor updates to the EcIA and EMEP reports have also been carried out and these reports and the conclusions within are considered to be acceptable.

The ecology and biodiversity implications of the development relative to the application site itself are therefore considered to be acceptable, in accordance with the objectives of the NPPF, the Council's Core Strategy and Development Plan and the relevant policies of the UDP.

5. Implications of development relative to archaeology and built heritage

Paragraph 189 of the NPPF states that heritage assets (such as Conservation Areas and Listed buildings) are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraphs 194 and 195 require Local Planning Authorities to consider the significance of any heritage asset affected by a development proposal, with paragraph 206 then stating that Local Planning Authorities should look for new development within the setting of heritage assets to enhance or better reveal their significance; proposals that preserve those elements of the setting which make a positive contribution to the asset should be treated favourably.

With regard to archaeology, paragraph 205 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

On a local level, policy B14 of the Council's UDP states that where development proposals affect sites of known or potential archaeological importance, the Council will require appropriate investigations to take place before planning permission will be granted.

In the CSDP, policy BH8 states that development affecting the setting of heritage assets should recognise and respond to their significance and demonstrate how they conserve and enhance their significance and character of the asset(s), including any contribution made by its setting where appropriate. Policy BH9 states that the Council will support the preservation, protection and, where possible, the enhancement of the City's archaeological heritage by requiring applications affecting archaeological remains to properly assess and evaluate impacts and, where appropriate, secure the excavation, recording and analysis of remains and the production of a publicly-accessible archive report.

The application has been accompanied by an Historic Environment Assessment, section 6 of which considers the significance and setting of the built heritage assets closest to the application site. This includes the adjacent Old Sunderland Conservation Area, which encompasses the remains of the historic Town Moor and contains a number of Listed buildings associated with the early development of Sunderland parish, including the Grade I Listed Holy Trinity Church. The Assessment also considers potential impacts on the range of Listed buildings within the South Docks area of the Port, to the east of the application site.

The submitted Assessment advises that due to the nature of the proposed development, which as noted earlier primarily involves site preparation works, there will be minimal effect on the significance of the heritage assets outside of the application site, including the Old Sunderland Conservation Area and the Listed buildings within it and the Listed buildings at South Dock to the east. The proposed works to the western boundary wall of the site represent an opportunity to improve its appearance and role as a defined boundary between the application site and Prospect Row, the Town Moor and the Conservation Area beyond. The presence of the Conservation Area and nearby Listed buildings will, however, have to be taken into account in the event any proposals for built development of the site come forward in the future. The Council's Built Heritage officer agrees with the Assessment's conclusions and has no objection to the application, subject to a condition requiring agreement of specification/method statement for the western boundary wall repairs.

In terms of archaeology, the submitted Assessment and subsequent Evaluation Report have been reviewed by the County Archaeology officer, who notes that the trenches identified well-preserved 19th and 20th century remains in the northern part of the site, including an engine house and associated turntable. In the event planning permission is approved, the County Archaeologist requested that further archaeological excavation and monitoring in the northern portion of the site is undertaken. These works can be secured by condition. The photographic survey and archaeological recording of the extant structures within the site and an archaeological recording of the existing stone boundary wall to the south of site (affected by the Extension Road access) requested by the County Archaeologist have been undertaken and have been confirmed as acceptable.

Subject to the conditions requested by the County Archaeology officer being imposed, it is considered that the proposed development will satisfy the objectives of the UDP, CSDP and NPPF policies identified above relevant to built heritage and archaeology and the proposals are therefore considered to be acceptable in this regard.

6. Implications of development in respect of flooding/drainage

In relation to flooding, paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraphs 162 to 165 of the NPPF set out that in areas at risk of flooding, a sequential test should be applied to development proposals, the aim of which is to steer new development to areas with the lowest risk of flooding, whilst paragraph 167 advises that when determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere.

Paragraph 169, meanwhile, states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

(a) take account of advice from the Lead Local Flood Authority (LLFA);
(b) have appropriate proposed minimum operational standards;
(c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
(d) where possible, provide multifunctional benefits.

Policy WWE2 of the CSDP sets out measures to reduce flood risk and ensure appropriate coastal management, whilst policy WWE3 states that development must consider the effect on flood risk, on-site and off-site, commensurate with its scale and impact.

The application has been accompanied by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy which observes that the application site lies within Flood Zone 1 and so is at the lowest risk of flooding. It is therefore suitable for the proposed development. The main risks to and from the site are from pluvial surface water flooding, which will be mitigated through appropriate drainage design and site contouring. The site is currently permeable brownfield land and there will be no net increase in the impermeable area as a result of the development; as a result, the existing drainage philosophy will be maintained as far as possible, with localised improvements and drainage measures as required, including the use of SuDS. This will include an interception ditch/conveyance swale to intercept severe rainfall runoff and a filter drain to the northern access point to ensure run-off does not affect the highway. Discharges from the swale and drain will be conveyed into the new surface water drainage system within the Port, with flows discharging into the docks.

In relation to the current scheme, there are no objections from the Environment Agency or Northumbrian Water, whilst the Council's Flood and Coastal team, in their capacity as Lead Local Flood Authority, initially advised that further information was required before the application can be approved. The required details have been submitted by the applicant and the LLFA advises the application can be approved, subject to recommended conditions.

It is considered that the implications of the development relative to flood risk and sustainable drainage are acceptable and the proposals consequently comply with the objectives of the NPPF and the Council's Core Strategy and Development Plan in relation to these matters.

7. Implications of development in respect of land and groundwater contamination

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, amongst other measures, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 183 of the NPPF then 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.

Meanwhile, policy HS3 of the CSDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

Furthermore, policy WWE4 of the CSDP also require development to not adversely affect the quality or availability of ground or surface water, including rivers and other water.

The application has been accompanied by a Phase 1 Desktop Study and a Phase 2 Contaminated Land Risk Assessment which, following intrusive investigations, identifies the contamination risks at the site and provides a remediation strategy to recommend measures to address these risks.

As noted in the 'Representations' section of this report, having reviewed the relevant reports and assessments submitted by the applicant, the Environment Agency (EA) has no objections to the proposals. Advice for the applicant has been provided and can be communicated via informative notes on the decision notice. The Council's Land Contamination consultant has also reviewed the submitted reports and agrees that the development can proceed, subject to conditions requiring the implementation of the site remediation strategy and to cover encountering unexpected contamination during site works.

Subject to the conditions recommended by the Council's Land Contamination consultant, it is considered that the risks posed by potential contamination and ground conditions can be adequately addressed, and so the proposals will satisfy the objectives of the NPPF and policies HS3 and WWE4 of the CSDP in this regard.

CONCLUSION

For the reasons set out above, it is considered that the proposed development is acceptable in land use terms given that the proposed engineering works are intended to support the redevelopment of a key brownfield site which is allocated for commercial and industrial development by the Council's adopted Core Strategy and Development Plan and which forms part of the Port's Enterprise Zone. The development proposals are considered necessary to help market the site and increase its attractiveness to potential developers and to this end, the current access arrangements to the site are not considered to be satisfactory and would be significantly improved by the proposals.

In addition, and subject to the imposition of the conditions highlighted throughout this report, the proposals raise no significant concerns relative to visual and residential amenity, the setting of the Old Sunderland Conservation Area and other heritage assets proximate to the application site, archaeology, highway and pedestrian safety, flood risk and drainage and land contamination/ground conditions.

As set out in the relevant sections of this report, the implications of the proposals relative to European sites are confirmed as being acceptable by Natural England and the Council's Ecology consultant, subject to the adoption of the proposed mitigation measures. The proposals

are also considered to be acceptable in relation to the biodiversity and ecology considerations relative to the application site itself.

To conclude, it is considered that the proposed development is acceptable in relation to all relevant material planning considerations and that there are significant benefits to be derived from the proposals in terms of supporting the future redevelopment of a key brownfield site which is allocated for commercial and industrial development by the Council's adopted Development Plan and which forms part of the Port of Sunderland Enterprise Zone. It is therefore recommended that Members Grant Consent for the development under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the draft conditions below.

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY

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

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 CONSENT under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the draft 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 plan, drawing no. 373088-MMD-01-XX-DR-C-4000, rev. P3;
Existing site plan, drawing no. 373088-MMD-01-XX-DR-C-4001, rev. P2
Amended proposed site plan, drawing no. 373088-MMD-01-XX-DR-C-4002, rev. P4
Proposed cross sections plan, drawing no. 373088-MMD-01-XX-DR-C-4004, rev. P2
Proposed long sections plan, drawing no. 373088-MMD-01-XX-DR-C-4003, rev. P2
Amended proposed southern access plan, drawing no. 373088-MMD-01-XX-DR-C-4009, rev. P3
Proposed northern access plan, drawing no. EZHSA-SCC-HGN-Z0-DR-C-01_001-D2, rev. P01
Fence and gates general arrangement overview plan, drawing no. 373088-MMD-01-XX-DR-C-5023, rev. P1
Proposed drainage general arrangement plan, drawing no. 373088-MMD-01-XX-DR-C-4005, rev. P3
Proposed drainage details plan, drawing no. 373088-MMD-01-XX-DR-C-4006, rev. P1

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.

3 No development shall commence within each phase (i.e. full planning and outline phases) until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall, for the avoidance of doubt, include the following:

- Executive Summary;
- Project Background
- Outline of Project
- Framework of this CEMP
- Legal Compliance
- Summary of the Requirements of Condition 3
- Site Information and Consented Development

- Site and Surrounding Area
- Scheme Description
- Sensitive Receptors
- Control of the Construction Process
- Roles and Responsibilities
- Training and Raising Awareness
- Reporting
- Monitoring, Continual Improvement and Review
- Environmental Complaints and Incidents
- Public Relations and Community Relations
- Construction Management
- Description of Construction Works
- Phasing of Construction Works
- Construction Equipment
- Hours of Working (Hours of Site Operation)
- Construction Traffic Management Plan (may not always require this)
- Storage of Plant and Materials
- Handling of Plant and Materials
- Health and Safety Management
- Security On-Site
- Considerate Constructors
- Phase-specific Construction Method Statements (CMS)
- Environmental Control Measures
- Public Access and Traffic Management
- Waste and Materials Management and Storage
- Noise and Vibration
- Dust & Air Quality
- Measures to be implemented to minimise the risk of harm to/ensure the protection of protected and notable species, and those habitat features to be retained through the works; this includes, but is not limited to, bats, amphibians, otter, badger, water vole, nesting birds, hedgehog and brown hare, including information on key working methods and timings, as informed by the Ecological Impact Assessment submitted with the planning application
- Mitigation measures required to be adopted as part of Habitats Regulations Assessment
- Contaminated Land Procedures
- Hydrology & Water Quality
- Visual Impacts
- Artificial Lighting
- Emergency Procedures
- Conclusions

Appendices
Appendix A - Sensitive Receptor Locations
Appendix B - Landscape Resource Information
(including hedgerow and tree group numbers)
Appendix C - Potential for Archaeological Mitigation Requirement
Plan
Appendix D - Site Access Locations
Appendix E - Proposed Temporary Construction Access

The development within each Phase shall then be implemented in accordance with the approved CEMP for that Phase.

Reason: In order to protect the amenity of adjacent occupiers, the adjacent highway network and local wildlife and its habitat and to comply with policies BH1, NE2 and ST3 of the CSDP.

4 Prior to the commencement of development, a detailed CCTV survey of the pipe that will receive downstream connection from the scheme towards the Port shall be undertaken. The survey is required to demonstrate that the pipe will drain freely. In the event the CCTV survey demonstrates that the pipe does not drain freely, proposals for remedial action or alternative connection measures must be provided for the approval of Council as Local Planning Authority (in consultation with the LLFA) prior to development commencing. The development must then be carried out in accordance with any agreed alternative details.

Reason: in order to ensure an appropriate sustainable drainage system can be delivered for the scheme and to comply with the objectives of policies WWE2 and WWE3 of the CSDP and the NPPF.

5 Prior to any development commencing on site, specific details of the timing of the submission of a verification report(s), which are to be carried out by a suitably qualified person, and the extent of the SuDS features covered in the report(s) must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme.

Verification report(s) shall then be submitted in accordance with the agreed details and must include, in totality:

As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc) and supported by photos of installation and completion.
Construction details (component drawings, materials, vegetation).
Health and Safety file.
Details of ownership organisation, adoption & maintenance.
Confirmation that there is no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts

To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDS and comply with policies WWE2 and WWE3 of the CSDP.

6 No works to the existing boundary features at the site shall be undertaken until a full specification and method statement for repair (including re-pointing) and alteration works (including materials to be used) to the north stone boundary walls to the Town Moor and Prospect Row and at the new and altered vehicular access points have been submitted to an approved in writing by the Council as Local Planning Authority. The works shall then be undertaken in full accordance with the approved details.

Reason: in order to maintain the heritage integrity of the boundary walls and comply with the objectives of policy BH8 of the CSDP.

7 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 and prior to the occupation of any dwelling in that phase, 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.

Reason: 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 the National Planning Policy Framework and policy HS3 of the CSDP.

8 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.

Reason: 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 the NPPF and policy HS3 of the CSDP.

9 No groundworks or development shall commence until a programme of archaeological fieldwork has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF and Core Strategy Policies BH8 and BH9.

10 The site shall not be brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition (9) has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can

be preserved wherever possible and recorded, in accordance with paragraph 199 of the NPPF and Core Strategy Policies BH8 and BH9.

11 The site shall not be brought into use until a report detailing the results of the archaeological fieldwork undertaken pursuant to conditions 9 and 10 has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason: The site is located within an area identified as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 199 of the NPPF and Core Strategy Policies BH8 and BH9.

12 No groundworks or development shall commence (except for the undertaken of archaeological excavation pursuant of condition 9) until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and , if necessary, emergency salvage undertaken in accordance with paragraph 199 of the NPPF and Core Strategy Policies BH8 and BH9.

13 The site should not brought into use until the report of the results of observations of the groundworks pursuant to condition (12) has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 199 of the NPPF, Core Strategy Policies BH8 and BH9.

14 No new permanent or temporary fencing to the site's boundary with the Port railway shall be erected until full details have been submitted to the Local Planning Authority for approval, in consultation with Network Rail. The fencing shall then be erected in accordance with the approved details.

Reason: in order to maintain the safety, security and operational integrity of the adjacent railway and comply with the objectives of policy SP10 of the CSDP.

15 Development shall not commence until a method statement for working adjacent to Network Rail's operational land has been submitted to and approved in writing by the LPA in

consultation with Network Rail. For the avoidance of doubt, the statement must be informed by discussions with Network Rail's Asset Protection Team and should include:

- an outline of the proposed method of construction,
- a risk assessment in relation to the railway,
- a construction traffic management plan,

Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic, i.e. 'possession', which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. If excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval. The development should then be undertaken in accordance with the agreed statement.

Reason: in order to maintain the safety, security and operational integrity of the adjacent railway and comply with the objectives of policy SP10 of the CSDP.

16 No lighting shall be erected adjacent to the site's boundary with the Port railway without details being submitted for the approval of the LPA, in consultation with Network Rail. The approved lighting shall then be installed in accordance with the agreed details.

Reason: in order to maintain the safety, security and operational integrity of the adjacent railway and comply with the objectives of policy SP10 of the CSDP.

17 No mobile crusher and screen shall be brought onto the site without first submitting the relevant environmental permit and the approval of the LPA. Thereafter the plant shall be operated in accordance with its permit conditions and where necessary provided with an adequate water supply. The plant shall not be operated outside the hours 0900 to 17.00 Mondays to Fridays.

Reason: in order to protect the amenities of the area and comply with the objectives of policy HS1 of the CSDP.

18 The development hereby approved shall be carried out in full accordance with section 6.3 'Proposed Mitigation' of the 'Habitat Regulations Assessment: Statement to Inform an Appropriate Assessment, Hendon Sidings, Sunderland' (DWS Ecology, October 2021), in order to ensure the effects of the development on European-protected species and sites are not adverse and to comply with the requirements of the NPPF and policy NE2 of the Council's CSDP.

19 The development hereby approved shall be carried out in full accordance with section 9.1 'Avoidance, Compensation and Mitigation' measures of the 'Ecological Impact Assessment, Hendon Sidings' (DWS Ecology, October 2021), in order to ensure the effects of the development on species and habitats at the site can be appropriately managed and mitigated and to comply with the requirements of the NPPF and policy NE2 of the Council's CSDP.

20 The proposed ecological mitigation and enhancement scheme detailed in the 'Ecological Mitigation and Enhancement Plan, Hendon Sidings (DWS Ecology, October 2021) must be delivered in full accordance with the submitted details, including the timings provided in the Plan, in order to provide appropriate ecological mitigation, enhancements and biodiversity net gains at the site and accord with the objectives of the NPPF and policy NE2 of the Council's CSDP.

21 The habitats and ecological features of the site delivered through the proposed mitigation and enhancement plan must be subject to the monitoring programme set out at section 8.0 of the 'Ecological Mitigation and Enhancement Plan, Hendon Sidings' (DWS Ecology, October 2021). A monitoring report must be submitted to the Council as Local Planning Authority within two calendar years of the proposed management and enhancement measures being implemented. The report shall provide a summary of the monitoring undertaken in accordance with section 8.0 of the Plan and shall also include a proposed timetable, to be agreed with the LPA, for the submission of subsequent monitoring reports to the LPA, in order to demonstrate accordance with the Plan. Where considered necessary, the first report and all subsequent reports should include recommendations for any amendments to the monitoring programme set out at section 8.0 of the Plan. Monitoring reports shall then be submitted in accordance with the agreed timetable, in order to ensure effective monitoring of the proposed mitigation and enhancement measures and to comply with the objectives of the NPPF and policy NE2 of the Council's CSDP.

2. South Sunderland

Reference No.: 21/01696/LP3 Local Authority (Reg 3)

Proposal: **Proposed new building to include dining and kitchen facilities, a mix of new teaching spaces and small group rooms, external teaching terraces to first and second floor, new link bridges to connect to existing schools and associated external works.**

Location: Barnes Infants/Junior School Mount Road Sunderland SR4 7QF

Ward: Barnes
Applicant: People Directorate
Date Valid: 28 July 2021
Target Date: 27 October 2021

PROPOSAL:
Planning permission is sought to erect a new building to include dining and kitchen facilities, a mix of new teaching spaces and small group rooms, external teaching terraces to the first and second floors, new link bridges to connect to the existing schools and associated external works at Barnes Infants and Junior School, Mount Road, Sunderland.

The site in question comprises the location of the recently demolished former dining/kitchen building which sat between the principal eastern and western school buildings within the wider Barnes School site. The site is bounded by Mount Road to the south, Wycliffe Road to the north, Colchester Terrace to the west and the rear lane of Ewesley Road to the east. The school buildings are set back towards the Wycliffe Road boundary, but face southwards across the school yards and car park towards Mount Road. The attractive and impressive Infant and Junior school buildings were built circa 1900 and are Grade II Listed. The surrounding area is residential comprising predominantly of terraced houses.

The proposed scheme will replace the former detached building which stood between the Infants and Junior buildings prior to being demolished earlier this year following the submission of a prior notification application for its demolition (See ref: 21/01369/DEM). This building previously provided dining and kitchen facilities at ground floor, whilst the first floor was understood to have been rented out to a local boxing club.

The accompanying planning statement sets out that the proposed development will provide a new building to accommodate dining facilities and flexible learning spaces for use by both the Infant and Junior Schools. The dining facilities and small group teaching spaces will be located at ground floor whilst the first floor will also incorporate three larger flexible teaching spaces. The statement continues that the proposal has been designed to maximize the outdoor teaching facilities available to the children attending both schools through a more vertical emphasis due to the limited external site area available to increase the footprint.

In addition to the above, the new building would also include a mix of outdoor areas including at ground floor (between the existing and new building), a first- floor roof terrace overlooking the

school yard and a second-floor roof terrace. An accessible lift is to be incorporated into the scheme to allow accessibility to all floors and roof terraces of the new building. Glazed link bridges are proposed between the host building and the existing main school buildings to the east and west to allow for secure, covered and level access. This approach will also enable further accessibility to the existing infant and junior schools which cannot currently provide special needs education.

The statement advises that the new building has been specifically designed to meet the educational needs of both the infant and junior school cohorts whilst also providing a facility that can be utilised independently for school holiday provision and as a community use where required.

The submission confirms that school role numbers will remain as existing therefore no additional staff or visitor car parking is requried as part of the scheme. Similalry, the existing service yard is to be retained and re-used to serve the new facilities.

It should be noted that an accompanying application for listed building consent (ref. 21/01697/LB3) is also currently being considered for the works relative to the heritage implications of the proposal.

The application has been accompanied by a range of supporting information and technical surveys and reports, including the following:

- Planning and Heritage Statement;
- Design and Access Statement (including a Sustainability Statement);
- Statement of Community Involvement;
- Transport Statement;
- Preliminary Site Investigation (Phase 1) report;
- Geoenvironmental Appraisal (Phase 2) report;
- Flood Risk Assessment and Drainage Strategy;

Members should note that the application has been submitted by the City Council's Capital Projects team on behalf of the Council's People Directorate.

TYPE OF PUBLICITY:
Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:
Barnes - Ward Councillor Consultation
Network Management
Flood And Coastal Group Engineer
Environmental Health
Land Contamination
Northumbrian Water
Northern Electric
North Gas Networks
Fire Prevention Officer
NE Ambulance Service NHS Trust
Northumbria Police

Tyne And Wear Archaeology Officer
Planning Policy
Nexus
Land Contamination

Final Date for Receipt of Representations: **06.09.2021**

REPRESENTATIONS:
Public consultation - the application has been publicised via letters sent to nearby residential properties, the posting of site notices in the area and the publishing of a press notice in the Sunderland Echo newspaper.

No representations have been received as a result of the publicity carried out.

The Statement of Community Involvement - The (SCI) submitted with the application advises due to the seriousness of the current pandemic and the resulting Government restrictions, it was agreed that a Public Consultation, which would normally convene at the school or local community venue, could not be held.

In light of the above the agreed best way for the consultation process was via Sunderland City Council's Consultation Portal, which is part of the Council's website. When accessing the portal there was a concise description of the proposals; a full list of the supporting documents consisting of the presentation boards that had been produced and a comprehensive document detailing the proposal and a link to start the survey.

An article in the local press described the proposed development and informed of the link to the survey. Additionally, there has been a local letter drop to 66no surrounding residents describing the proposals, including visuals, informing of the link to the portal. Local Councillors were also consulted about the project and the proposed location.

A total of 2no responses were received one positive and one negative.

The positive comment set out that the children were very lucky to be having a new building and that it was a nice building, whilst the negative comment strongly rejected the scheme stipulating that the building would not blend into the local area or the style of the existing school buildings.

Tyne and Wear Fire and Rescue Service - no objections to the proposed development.

Northumbria Police (Designing out crime Officer) - no objections to the proposed development

Nexus - As the development has no change to staff or student numbers at the schools it will not affect transport services on nearby Barnes Park Road. No objections offered.

County Archaeologist - I have checked the site against the Historic Environment Record and historic maps and consider that the proposed works are unlikely to impact any below ground archaeological resources that could be present on the site, and therefore no further archaeological investigation is recommended in association with this application.

Northern Gas Networks - No objection offered

Council's Flood and Coastal team (in capacity as Lead Local Flood Authority) - considers that the application can be approved, subject to a verification condition to ensure the sustainable drainage scheme is constructed as approved.

Council's Environmental Health team - considers that the development is acceptable in principle, subject to conditions relating to the submission of a Construction Environmental Management Plan, a scheme for ventilation extraction and odour with regard to the new kitchen facility.

Ground contamination - It is considered that land contamination does not represent an impediment to granting planning permission for the development of the site; however, it is has been requested that, if the application is approved, conditions be imposed requiring the submission of updates to the Phase 1 and 2 studies, a suitable remediation strategy for the site and verification statement.

Council's Highways team - Noted that the proposal would not increase staff or pupil numbers and offered no objections.

POLICIES:
In the Core Strategy and Development Plan the site is subject to the following policies; SP1, SP7, HS1, HS2, HS3, BH1, BH2, BH7, BH8, VC5, WWE2, WWE3, WWE4, WWE5 and ST3

COMMENTS:
By virtue of section 38(6) of the Planning and Compulsory Purchase Act, 2004, the starting point for consideration of any planning application is the saved policies of the development plan. A planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

However, since the publication of the National Planning Policy Framework (NPPF), which, as paragraph 2 therein makes clear, is a material consideration for the purposes of Section 38(6) of the Act, the weight that can be given to the development plan depends upon the extent to which the relevant policies in the plan are consistent with the more up to date policies set out in the NPPF. The closer the relevant policies in the development plan to the policies in the NPPF, the greater the weight that can be given to the development plan.

The NPPF provides the Government's planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. At paragraph 7, the NPPF sets out that the purpose of the planning system is to contribute positively to the achievement of 'sustainable development' which is defined as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. Meanwhile, paragraph 8 states that in order to achieve sustainable development, the planning system has three overarching objectives - an economic objective, a social objective and an environmental objective - and these are to be delivered through the preparation and implementation of plans and the applications of the policies within the NPPF.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development and states that in respect of decision-making, this means authorities should:

c) Approve applications that accord with an up to date development plan without delay; or

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
i) The application of policies in the NPPF that protect areas or assets of particular importance provides 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 policies in the NPPF taken as a whole.

With regard to paragraph 11 d) i) of the NPPF, footnote 6 states that the areas and assets of particular importance referred to relate to habitats sites, Sites of Special Scientific Interest, Green Belts, Local Green Space, Areas of Outstanding Natural Beauty, National Parks, Heritage Coasts, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

Paragraph 12 of the NPPF goes on to advise that the presumption in favour of sustainable development set out by paragraph 11 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 normally be granted.

In terms of the more detailed planning policies of the NPPF, of importance in considering the current application are those which seek to:

- Promote healthy and safe communities (section 8);
- Make effective use of land (section 11);
- Achieve well-designed places (section 12);
- Meet the challenge of climate change, flooding and coastal change (section 14);
- Conserve and enhance the natural environment (section 15);
- Conserve and enhance the historic environment (section 16);

The Council's Core Strategy and Development Plan (CSDP) was adopted in January 2020 and is considered to represent an up-to-date development plan for the purposes of the NPPF. Members should note that the CSDP is therefore the 'starting point' for the consideration of the current planning application.

The CSDP sets out the Council's long-term plan for development across the City until 2033 and the policies therein serve to replace the majority of policies within the Council's Unitary Development Plan (1998) and the UDP Alteration No. 2 (Central Sunderland). Some UDP and UDP Alteration No. 2 policies have been saved pending the future adoption of an Allocations and Designations (A&D) Plan (a draft A&D Plan has recently been subject to a public consultation exercise, ended 12th February 2021). All CSDP, UDP, UDP Alteration No. 2 and draft A&D Plan policies referred to within this report are considered to be consistent with the NPPF, although limited weight can be given to any A&D Plan policies given that this document is in draft form and at an early stage in the adoption process.

The CSDP policies are relevance to the consideration of this proposal are SP1, SP7, HS1, HS2, HS3, BH1, BH2, BH7, BH8, VC5, WWE2, WWE3, WWE4, WWE5 and ST3.

With reference to the above national and local planning policy background and taking into account the characteristics of the proposed development and the application site, it is considered that the main issues to examine in the determination of this application are as follows:

1. Land use considerations;
2. The implications of the development in respect of residential amenity;

3. Visual amenity and design considerations;
4. The impact of the development on highway and pedestrian safety;
5. The impact of the development in respect of flooding and drainage;
6. The impact of the development in respect of ground conditions and land contamination;

1. Land use considerations

The school is considered a 'community facility' in planning terms. Consequently, CSDP Policy VC5: Protection and Delivery of Community Facilities and Local Services is relevant. It sets out community facilities will be protected and enhanced by (inter alia) supporting development of new and extended community facilities. Development for new community facilities should be located in accessible neighbourhood and centre locations.

With regard to the above, the school, whilst well maintained, is constrained by its age and is lacking in specialist teaching provision and facilities which newer primary schools can offer. In this regard the enhancement of the school's facilities as promoted through Policy VC5 will offer new accessible amenities to both existing schools and provide scope to suit additional curriculum activities that are not currently available.

The facilities will be provided within the sustainably located school site and there is considered to be no conflict with CSDP Policy VC5.

Notwithstanding this conclusion, in order to determine the acceptability of the proposed development, consideration must be given to all other relevant material considerations; this exercise is undertaken below.

2. Residential amenity considerations

Paragraph 127 of the NPPF states that planning decisions should ensure that developments create places which, amongst other objectives, have a high standard of amenity for existing and future users.

Meanwhile, policy BH1 of the Council's Core Strategy and Development Plan seeks to achieve high quality design and positive improvement by, amongst other measures, ensuring development is of a scale, massing, layout, appearance and setting which respects and enhances the qualities of nearby properties and retains acceptable levels of privacy and ensures a good standard of amenity for all existing and future occupiers of land and buildings.

CSDP Policy HS1 states that development must demonstrate that it does not result in unacceptable adverse impacts which cannot be addressed through appropriate mitigation, arising from sources such as air quality, noise, dust, odour, illumination and land and water contamination. Where unacceptable impacts arise, planning permission will normally be refused.

In terms of the physical massing of the new development it is noted that it would broadly sit within a similar footprint to that of the former dining block with the northern most elevation now shown to be pulled slightly further away (in the region of 800mm) from the Sunderland Cottage properties on Wycliffe Road. Notwithstanding, in contrast to the former dining block's single storey elevation which previously fronted Wycliffe Road, the new development would now present a two-storey frontage onto the street scene.

The ground floor windows within the northern elevation are shown to serve a plant room, storerooms and a small office and thus will have no demonstrable impact on privacy by way of

overlooking. The upper floor windows are shown to serve teaching spaces (marked as a multi-purpose room and a studio) and it is acknowledged that these windows have the potential to introduce a level of overlooking onto the opposing properties that previously wasn't there. Despite this, it is also acknowledged that the built form of the new development holds the same building line as the adjacent listed school buildings to the east and to the west which in part present three stories onto Wycliffe Road. In this respect, it is evident that this type of mutual overlooking within this relatively tight knit residential area is a longstanding characteristic of the street and it is not considered to be unreasonable for the new development to seek to mirror this long-established relationship. It should also be noted that the overall height and general massing of the new building is notably less than the adjacent school buildings and that the use of the upper floor will primarily be restricted to school hours. In addition, it also noted that no objections have been offered from the opposing occupiers following the public consultation carried out by the Local Planning Authority.

In terms of impact on sunlight entering the fronts of the opposing cottage properties, it is considered that the 16m interfacing distance between respective elevations would ensure that there would be no undue loss of sunlight or associated overshadowing impacting during the spring and summer months, whilst given the low height of the sun during the autumn and winter months, it is not considered that the impact of the new development would substantially differ from that presented by the previous dining facility.

The new development will also introduce solar panels with a roof terrace further inset. These areas would be screened by a parapet wall which will provide safety for the children and prevent any overlooking of nearby properties.

The southern fronting elevation would extend marginally beyond the established building line but would be significantly remote from the nearest dwellings on Mount Road to have no impact on residential amenity.

In order to mitigate impacts arsing during the construction phase, the applicant has submitted a Construction Environmental Management Plan (CEMP) which has been assessed by the Council's Environmental Health Officer and is deemed to be acceptable. Compliance with the CEMP would be a condition of approval.

A planning condition relating to a scheme for ventilation/extraction and odour with regard to the new kitchen facility will also need to be imposed and thereafter agreed prior to first operation of the kitchen.

In considering the above and given the historical context of the relationship between the properties on Wycliffe Road and the school, it is on balance considered that the impact of the development on the amenity of existing properties in the area is acceptable, whilst the school will also provide pupils with a high-quality learning environment, in accordance with the requirements of policy BH1 and HS1 of the CSDP and paragraph 127 of the NPPF.

3. Design and visual amenity implications

Policy BH1 of the Council's CSDP seeks to achieve high quality design and positive improvement by, amongst other measures, ensuring development is of a scale, massing, layout, appearance and setting which respects and enhances the qualities of nearby properties and the locality and by creating visually attractive and legible environments through provision of distinctive, high quality architecture, detailing and building materials.

Paragraph 127 of the NPPF, meanwhile, states that planning decisions should ensure that developments create places which, amongst other objectives, function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Policy BH7 sets out that the council will ensure that the historic environment is valued, recognised, conserved and enhanced, sensitively managed and enjoyed for its contribution to character, local distinctiveness and sustainable communities in part by;

o supporting new development which makes a positive contribution to the character and townscape quality of the historic environment;

o supporting and developing innovative initiatives that identify, maintain, conserve and sustain or return to beneficial usage designated or non-designated heritage assets;

Policy BH8 continues that 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.

Further, development affecting a listed building, including alterations and additions should:

o conserve and enhance its significance in regard 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

o be sympathetic and complimentary to its height, massing, alignment, proportions, form, architectural style, building materials, and its setting.

o The demolition of and/or substantial harm to listed buildings will only be considered in exceptional circumstances and with clear and convincing justification.

As set out within the introduction, the new building will be positioned between the respective eastern and western gables of the main infants and junior school building which are impressive Victorian Grade II Listed Buildings. The submission has been accompanied by a Design and Access Statement and a Planning and Heritage Statement which, in part, set out the rationale for the design whilst also outlining the significance of the adjacent buildings, the impact of the development on the heritage assets and the community benefits arising from the scheme.

The Design and Access statement (DAS) sets out that the building has been designed to be dual frontage to provide activation to both elevations and was a key consideration when taking in to account the rather more unsightly rear elevation of the former dining block which presented a service yard, security fencing on to Wycliffe Road. The DAS continues that new footprint now also allows opportunities for new external play and seating through the removal of the 'darker alley's that previously ran between the buildings. In terms of landscaping, the site largely consists of hard standing which surrounds the existing building. The proposed new facility will provide additional planting and outdoor educational spaces on the first and second floor roof terraces, these include a sensory garden, wildflower garden, 'plants of the world' and a vegetable garden. A section of the roof is also utilised for drainage mitigation and will consist of a wildflower and sedum roof.

The development has been designed to respect the verticality of the existing school buildings with the more contemporary building design chosen to integrate into the site rather than

compete against the existing listed buildings. Notwithstanding the, elevations have been created to respect brickwork found in the existing school, with the addition of the lightweight cladding and glazing systems providing the modern contrast.

Given the heritage impacts arising from the development, the submission has been subject to consultation with the City Councils Conservation Team.

The consultation response sets out that Barnes Junior and Infant Schools are fine examples of late Victorian / Edwardian School Buildings. The finely crafted and imposing architecture of the buildings featuring terracotta detailing is impressive and collectively they are key landmarks of the local area.

The significance of the buildings derives from their historic interest as one of the most complete surviving examples of Victorian / Edwardian School Buildings in Sunderland and their architectural interest as one of the most impressive and well-preserved buildings of their type and period in the City and region.

The kitchen / dining block building which has recently been demolished and sat between the two listed schools was not included in the listing as a curtilage building as it was built after 1948 and was not considered to be of any particular historic or architectural value, indeed it was considered to have had a minor negative / neutral impact on the setting and significance of the listed group. On this basis no objection was offered to its demolition.

The Conservation Officer has qualified that the replacement building will in general terms sit more comfortably between the two listed buildings when compared to the former building, with its height, massing, relatively simple design and palette of materials dictating that it should not compete or draw attention away from the architectural qualities and prominence of the Junior and Infant school buildings.

The detailing on the northern elevation to Wycliffe Road will provide a more active frontage to the street, whilst the increased space around the new building will be more usable and help better reveal the side elevations of the listed buildings. In this regard, the Conservation Officer is satisfied that the new building will represent an improvement in design terms on the existing dining block and on balance, with the exception of concerns over the glazed walkways which are discussed below, the redevelopment proposals should have a positive impact on the setting of the listed school buildings. The palette of materials to be used in the development reinforces this position through the application of high-quality texture bricks, render and aluminium cladding which are considered to be acceptable and will need to be conditioned to ensure adherence.

Further details of the proposed solar panels will be required to be submitted showing their height and orientation from street level for clarity although the perceived visual impact is considered to be minor and can be dealt with by way of planning condition.

In returning to the glazed walkways which provide east to west connectivity between the new building and the respective gables of the existing school buildings, the Conservation Officer has raised some concern. The concerns relate primarily to the height at which they attach to both the school buildings, with the consultation comments stating that the height of the connection would appear quite odd and incongruous thereby detracting from the architectural character and qualities of the listed buildings. The connections of the walkways, albeit positioned through existing openings to minimise impact, will also result in the loss of some historic bricks and timberwork. In this regard, the Officer has set out that this physical intrusion together with the obtrusive visual impact of the walkways would result in minor harm to the significance of the

listed buildings. As this degree of harm would still fall within the category of less than substantial harm, the requirements of NPPF paragraph 202 would apply in that the public benefits of the proposal would need to outweigh the minor harm to its significance. NPPF Paragraphs 199 and 200 require that great weight should be given to a designated heritage asset's conservation and that there should be clear and convincing justification for any harm to the asset. The provisions of the above NPPF Paragraphs are generally reflected in CSDP Policies BH7 and BH8. There should therefore be genuine and sufficient public benefits that outweigh the harm to the listed building that will need to be considered as part of the planning balance.

In this regard, the applicant has, as directed by the NPPF, detailed the nature and significance of the assets (Barnes Infants and Junior School) and provided a narrative as to the impact of the proposed works on the asset and the community benefits arising from the new development.

In line with the comments from the Conservation Officer, the applicant acknowledges that the harm arising from the development will be less than substantial, arguing that the impact to the assets have been limited to what is considered necessary to enable the schools to provide accessible educational facilities and sustain the existing use of the listed buildings for educational purposes. The benefits arising from the development include the provision of accessible educational facilities, modern dining facilities and additional outdoor learning spaces which will secure the long-term future of both schools, enable demands for future growth to the area to be satisfied and enable the continuity of function of the heritage assets. The applicant has stressed that the creation of the glazed links between the buildings are integral in providing cohesive movement between the buildings as the former detached building was often underused due to movement restrictions particularly during times of inclement weather.

The supporting Heritage Statement is considered to provide a strong argument for the provision of these new and essential dining and additional educational facilitates, including special learning needs and improved accessible learning spaces to meet current and future demands on the schools. On this basis and on balance, the Local Planning Authority are of the view that the positive public benefits arising from integral links to the schools will outweigh the minor degree of harm to the significance of the listed school buildings in this instance. In this regard, it is considered that the proposals satisfy the requirements of NPPF Paragraphs 199 and 200 and Polices BH7 and BH8 of the NPPF.

In terms of sustainability, paragraph 150 of the NPPF states that new development should be planned for in ways which avoid increased vulnerability to the range of impacts arising from climate change and which can help reduce greenhouse gas emissions, such as through its location, orientation and design. Allied to this, policy BH2 of the CSDP requires sustainable design and construction to be integral to new development and that, where possible, major development should maximise energy efficiency, reduce waste, conserve water, carefully source materials, provide flexibility and adaptability, enhance biodiversity and include buffers to any waste and water treatment works.

The 'Sustainability' section of the submitted Design and Access Statement sets out that the following measures have been incorporated into the design of the new school to maximise its sustainability:

o Maximisation of insulation within the external envelope by increasing thermal mass and aiming for a very high air tightness rating to reduce heat loss;
o The new building will utilise solar panel technology, air source heat pumps and remove gas from the building to move towards greener energy solutions ;

o The building is being designed in accordance with DFE output Output Specification Annexe 2H principle of Lean, Clean and Green. Water efficiency has also been incorporated into the scheme to create cleaner water into the existing drainage systems through the use of a green roof to the upper roof of the central core and raised beds on the lower terrace to capture water run-off and add further filtration into the water run-off.

It is considered that the Design and Access Statement submitted with the application demonstrates that the development has been informed by a sustainable approach to construction practices, building design and the use of materials and internal fixtures and fittings. Given the above, it is considered that the design and visual amenity implications of the development are considered to be acceptable. The proposals therefore accord with the requirements of the NPPF and the Council's adopted CSDP in respect of these matters.

4. Impact of the development on highway and pedestrian safety
Policy ST2 of the Council's adopted CSDP states that to ensure development has no unacceptable adverse impact on the Local Road Network, proposals must ensure that:

o new vehicular access points are kept to a minimum and designed in accordance with adopted standards;
o they deliver safe and adequate means of access, egress and internal circulation;
o where an existing access is to be used, it is improved as necessary;
o they are assessed and determined against current standards for the category of road;
o they have safe and convenient access for sustainable transport modes;
o they will not create a severe impact on the safe operation of the highway network.

Additionally, policy ST3 requires new development to provide safe and convenient access for all road users, in a way which would not compromise the free flow of traffic or exacerbate traffic congestion. It also requires applications to be accompanied by an appropriate Transport Assessment/Transport Statement and Travel Plan to demonstrate that appropriate mitigation measures can be delivered to ensure that there is no detrimental impact to the existing highway.

Paragraph 108 of the NPPF states that in considering applications, local planning authorities should ensure that:
- appropriate opportunities to promote sustainable transport modes can be taken up;
- that safe and suitable access to the site can be achieved for all users; and
- that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree;

As is set out in the submission, the existing ingress and egress point to Wycliffe Road will remain with no changes to the existing car parking provision on site. As previously discussed, the development is not intended to increase pupil or staff capacity rather it seeks to increase and improve facilities for them.

In response to consultation the Council's Highway Engineers have noted the above and acknowledged that servicing and deliveries will remain unaffected by the development. On this basis no objections have been offered on highway grounds.

Consequently, the proposals are considered to satisfy the objectives of paragraph 108 of the NPPF and policies ST2 and ST3 of the Council's adopted CSDP.

5. Implications of development in respect of flooding/drainage
In relation to flooding, paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

To this end, paragraph 163 of the NPPF advises that when determining planning applications, Local Planning Authorities should ensure that where appropriate, applications are supported by a site-specific flood risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
(b) the development is appropriately flood resistant and resilient;
(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
(d) any residual risk can be safely managed;
(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
Paragraph 165, meanwhile, states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
(a) take account of advice from the Lead Local Flood Authority (LLFA);
(b) have appropriate proposed minimum operational standards;
(c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
(d) where possible, provide multifunctional benefits.

Policy WWE2 of the CSDP sets out measures to reduce flood risk and ensure appropriate coastal management, whilst policy WWE3 states that development must consider the effect on flood risk, on-site and off-site, commensurate with its scale and impact. Policy WWE5 deals with ensuring the appropriate disposal of foul water.

The application has been accompanied by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy which confirms that the risk from flooding at the site is low (site is within Flood Zone 1, with very low risk of surface water and groundwater flooding) and sets out an appropriate strategy for ensuring that the development will not increase the risk of flooding within and outside of the application site.

The site is to be drained via a combination of a green roof, 600mm oversized pipes and traditional 100mm dia. piped system. The system will be designed to prevent any flooding in a 1in100 year event + 40% climate change (six-hour storm duration) leaving the site and will be constructed in accordance with current standards. Existing drainage will be utilised as part of the proposed development to relay flows to the existing combined sewer to the rear of Ewesley Road. As the new building is required to drain at greenfield runoff rates or as close as possible peak flows will be reduced coming from the development area.

There are no objections to the development from the Lead Local Flood Authority subject to condition that ensures that the submitted drainage strategy is implemented as planned and is effective is imposed.

Subject to such conditions, it is considered that the flood risk and sustainable drainage implications of the development are acceptable, in accordance with paragraphs 155, 163 and 165 of the NPPF and policies WWE2, WWE3 and WWE5 of the CSDP.

6. Implications of development in respect of land contamination

Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, amongst other measures, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 178 of the NPPF then 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.

Meanwhile, policy HS3 of the CSDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

The application has been accompanied by a Phase 1 Desktop Study and a Phase 2 Contaminated Land Risk Assessment which have been reviewed by the Council's Environmental Health team. There are no objections to the proposals although some further information has been requested by the contamination consultant working on behalf of the Council as set out within the consultee section of this report. It has been confirmed that these matters can be dealt with via conditions.

Subject to the imposition of conditions, it is considered that the risks posed by potential contamination and ground conditions can be adequately addressed to satisfy the objectives of the NPPF and policy HS3 of the CSDP.

Conclusion

For the reasons set out above, it is considered that the proposed development is acceptable in land use terms given that the proposal will be built within the ground of an existing educational establishment and deliver new and improved community facilities.

In terms of impact residential amenity, the proposal will provide a good standard of development which will sit comfortably and appropriately within the context of the established built form of the locality without adversely impacting on neighbouring occupiers.

With regard to visual amenity the height, massing and relatively simple design and palette of materials would ensure that the building would not compete or draw attention away from the architectural qualities and prominence of the Junior and Infant school buildings.

Concern has been raised over the connections of the walkways and the loss of some historic bricks and timberwork within the respective eastern and western gables which would result in minor harm to the significance of the listed buildings. However, in line with the requirements of NPPF Paragraphs 199 and 200 and CSDP Polices BH7 and BH8, it is considered that sufficient justification has been provided to demonstrate that the positive public benefits arising from

integral links to the schools will outweigh the minor degree of harm to the significance of the listed school buildings in this instance.

The implications of the development relative to highways matters have been considered by the Council's Highways team no objections are offered. Subject to the conditions recommended throughout this report, the proposals are also considered to be acceptable in respect of flood risk and sustainable drainage and ground conditions.

The proposals are consequently considered to satisfactorily address all relevant material considerations and additionally, as required by paragraph 94 of the NPPF, great weight should be given to the overriding positive benefits of delivering new and improved educational facilities within the school site.

The proposed development is therefore considered to be acceptable and compliant with the requirements of the relevant policies of the NPPF and the Council's Core Strategy and Development Plan. It is consequently recommended that Members Grant Consent for the development under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions below.

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY
During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act. As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

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 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:

The proposed ground floor plan as amended received 25.08.2021 (Plan ref: 19022-020-P2)
The proposed first floor plan as amended received 25.08.2021 (Plan ref: 19022-021-P2)
The proposed second floor and roof plan as amended received 25.08.2021 (Plan ref: 19022-022-P2)
The context elevations as amended received 25.08.2021 (Plan ref: 19022-030-P2)
The proposed elevations as amended received 25.08.2021 (Plan ref: 19022-35-P2)
The proposed site plan received 16.07.2021 (Plan ref: 0519022/Arch/022 - P1)
The proposed landscaping plan received 16.07.2021 (Plan ref: 001-A)
The existing site and location plan received 16.07.2021 (Plan ref: 0519022/Arch/001-P1)

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.

3 The development hereby approved, shall be carried out in full accordance with materials listed in Section 9 of the application form and the agreed list of external materials as set out within the materials schedule received on 11.11.2021 unless any variation is subsequently agreed in writing by the Local Planning Authority.

For the avoidance of doubt the schedule lists the following materials;

Brick - Ibstock Bexhill Dark
Cladding - Equitone fibre cement facade
Top cube - Equitone natura NO74 with soffits Equitone Linea LT 20

Main entrance - Equitone linea LT20 with Soffits Equitone natura NO74
Rear Elevation - Equitone natura NO74

In the interests of visual amenity and in accordance with Policy BH1, BH7 and BH8 of the adopted Core Strategy Development Plan.

4 The solar panels shall not be installed within the development hereby approved until full specifications of their design, appearance and profile within the roof plane, have first been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy BH1 and BH7 of the Core Strategy and Development Plan.

5 The development hereby approved, shall be carried out in full accordance with the measures and mitigations outlined within the Construction Environmental Management Plan Management Plan (Dated 17th November 2021).

Reason: In order to protect the amenity of the area during the construction phase and to accord with policies BH1, HS1 and ST3 of the Core Strategy Development Plan.

6 Prior to first occupation of the building, a verification report carried out by a suitably qualified person must be submitted to and approved in the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

o As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc) and supported by photos of installation and completion.
o Construction details (component drawings, materials, vegetation).
o Health and Safety file.
o Details of ownership organisation, adoption & maintenance.

The specific details of the timing of the submission of the report and the extent of the SuDS features covered in the report is to be agreed with the LLFA/LPA.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDs and in accordance with Core Strategy Development Plan Policy WWE3.

7 The dining facilities shall not be brought in to use until details of the odour control and extraction system to be installed in the proposed school kitchen have been submitted to and approved in writing by the Local Planning Authority. The system shall then be installed in accordance with the approved details and maintained as such thereafter.

In the interests of ensuring the amenity of the locality is not adversely affected by odour and to comply with the objectives of the NPPF and Policy HS1 of the Core Strategy Development Plan.

8 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
o 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".

Reason: 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 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

9 Where required by the site investigation, 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.

Reason: 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 the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d.

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.

10 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 and prior to the occupation of any dwelling in that phase, 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.

Reason: 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 the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d

11 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.

Reason: 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 the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d

3. South Sunderland

Reference No.: 21/01697/LB3 Listed Building Consent (Reg3)

Proposal: **Proposed new building to include dining and kitchen facilities, a mix of new teaching spaces and small group rooms, external teaching terraces to first and second floor, new link bridges to connect to existing schools and associated external works.**

Location: Barnes Infants/Junior School Mount Road Sunderland SR4 7QF

Ward: Barnes
Applicant: People Directorate
Date Valid: 28 July 2021
Target Date: 22 September 2021

PROPOSAL:
Listed building consent is sought to erect a new building to include dining and kitchen facilities, a mix of new teaching spaces and small group rooms, external teaching terraces to first and second floor, new link bridges to connect to existing schools and associated external works at Barnes Infants and Junior School, Mount Road, Sunderland.

The site in question comprises the location of the recently demolished former dining/kitchen building which sat between the principal eastern and western school buildings within the wider Barnes School site. The site is bounded by Mount Road to the south, Wycliffe Road to the north, Colchester Terrace to the west and the rear lane of Ewesley Road to the east. The school buildings are set back towards the Wycliffe Road boundary, but face southwards across the school yards and car park towards Mount Road. The attractive and impressive Victorian Infant and Junior school buildings were built circa 1900 and are Grade II Listed. The surrounding area is residential comprising predominantly of terraced houses.

The proposed scheme will replace the former detached building which stood between the Infants and Junior buildings prior to being demolished earlier this year following the submission of a prior notification application for its demolition (See ref: 21/01369/DEM). This building previously provided dining and kitchen facilities at ground floor, whilst the first floor was understood to have been rented out to a local boxing club.

The accompanying planning statement sets out that the proposed development will provide a new building to accommodate dining facilities and flexible learning spaces for use by both the Infant and Junior Schools. The dining facilities and small group teaching spaces will be located at ground floor whilst the first floor will also incorporate three larger flexible teaching spaces. The statement continues that the proposal has been designed to maximize the outdoor teaching facilities available to the children attending both schools through a more vertical emphasis due to the limited external site area available to increase the footprint.

In addition to the above, the new building would also include a mix of outdoor areas including at ground floor (between the existing and new building), a first- floor roof terrace overlooking the school yard and a second-floor roof terrace. An accessible lift is to be incorporated into the

scheme to allow accessibility to all floors and roof terraces of the new building. Glazed link bridges are proposed between the host building and the existing main school buildings to the east and west to allow for secure, covered and level access. This approach will also enable further accessibility to the existing infant and junior schools which cannot currently provide special needs education.

The statement advises that the new building has been specifically designed to meet the educational needs of both the infant and junior school cohorts whilst also providing a facility that can be utilised independently for school holiday provision and as a community use where required.

It should be noted that an accompanying application for full planning permission (ref: 21/01696/LP3) is also currently being considered.

Members should also note that the application has been submitted by the City Council's Capital Projects team on behalf of the Council's People Directorate.

TYPE OF PUBLICITY:
Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:
Barnes - Ward Councillor Consultation
Tyne And Wear Archaeology Officer

Final Date for Receipt of Representations: **06.09.2021**

REPRESENTATIONS:
Public consultation - the application has been publicised via letters sent to nearby residential properties, the posting of site notices in the area and the publishing of a press notice in the Sunderland Echo newspaper.

No representations have been received as a result of the publicity carried out.

POLICIES:
In the Core Strategy and Development Plan the site is subject to the following policies: BH8.

COMMENTS:
Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In terms of national policy, the National Planning Policy Framework (NPPF) as revised July 2021, is a material consideration in the determination of planning applications. Paragraph 2 of

the NPPF states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 11 expands upon this and advises that proposed development that accords with an up-to-date Local Plan should be approved.

Thereafter, Section 16 of the NPPF (Conserving and enhancing the historic environment) provides specific guidance on dealing with heritage applications with the below paragraphs considered to be of particular pertinence to this submission.

Paragraph 189 of the NPPF states that heritage assets can range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 194 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 199 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional.

Finally, paragraph 202 qualifies that Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The sentiments of the above NPPF paragraphs are broadly reflective of the Council's CSDP Policies BH7 and BH8. Policy BH7 seeks to ensure that the historic environment is valued, recognised, conserved and enhanced, sensitively managed and enjoyed for its contribution to character, local distinctiveness and sustainable communities, whilst Policy BH8 sets out that 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.

Pursuant to the above, Policy BH8 continues that development affecting a listed building, including alterations and additions should:

o conserve and enhance its significance in regard 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

o be sympathetic and complimentary to its height, massing, alignment, proportions, form, architectural style, building materials, and its setting.

o The demolition of and/or substantial harm to listed buildings will only be considered in exceptional circumstances and with clear and convincing justification.

Assessment of proposal

With reference to the above policy background, it is considered that the main issue relevant to the assessment of the application is the impact of the proposal on the historic character and fabric of the designated heritage asset (the principal Barnes school buildings) which in this case are Grade II listed buildings.

Given the heritage impacts arising from the proposed development, specialist advice has been sought from the Council's Conservation Officer. The consultation response sets out that Barnes Junior and Infant Schools are fine examples of late Victorian / Edwardian School Buildings. The finely crafted and imposing architecture of the buildings featuring terracotta detailing is impressive and collectively they are key landmarks of the local area. The significance of the buildings derives from their historic interest as one of the most complete surviving examples of Victorian / Edwardian School Buildings in Sunderland and their architectural interest as one of the most impressive and well-preserved buildings of their type and period in the City and region.

The kitchen / dining block building which has recently been demolished and sat between the two listed schools was not included in the listing as a curtilage building as it was built after 1948 and was not considered to be of any particular historic or architectural value, indeed it was considered to have had a minor negative / neutral impact on the setting and significance of the listed group. On this basis no objection was offered to its demolition.

The Conservation Officer has qualified that the replacement building will in general terms sit more comfortably between the two listed buildings when compared to the former building, with its height, massing, relatively simple design and palette of materials dictating that it should not compete or draw attention away from the architectural qualities and prominence of the Junior and Infant school buildings. The palette of materials, which includes high-quality texture bricks, render and aluminium cladding are considered to be acceptable and subject to approval, will need to be conditioned to ensure adherence. Further details of the proposed solar panels will be however required to be submitted showing their height and orientation from street level for clarity although the perceived visual impact is considered to be minor and can be dealt with by way of planning condition.

The comments continue that the detailing on the northern elevation to Wycliffe Road will provide a more active frontage to the street, whilst the increased space around the new building will be more usable and help better reveal the side elevations of the listed buildings. In this regard, the Conservation Officer is satisfied that the new building will represent an improvement in design terms on the existing dining block and on balance, with the exception of concerns over the glazed walkways which are discussed below, the redevelopment proposals should have a positive impact on the setting of the listed school buildings. The palette of materials to be used in the development reinforces this position through the application of high-quality texture bricks, render and aluminium cladding which are considered to be acceptable and will need to be conditioned to ensure adherence.

In returning to the glazed walkways which provide east to west connectivity between the new building and the respective gables of the existing school buildings, the applicant has provided a

written statement which sets out the rationale for the new internal linkage whilst also providing analysis of the points of connection and the related internal alterations that will be required to be made to within the school buildings to accommodate the new access points.

The statement sets out that the points of connection to the Junior School were chosen as the windows to be connected to already existed thereby offering a logical solution within minimal impact. The submission further states that the side elevations are largely obscured from primary vantage points. The links will exhibit light touch glass and a metal connection point to the existing brick work and the existing rainwater drainpipe is to be retained and hidden behind a stud wall to keep the links simple and with clean lines and detailing.

Inside the Junior School the statement qualifies that an existing timber staircase and balcony will be required to be modified to accommodate the new link. The staircase is a later addition to the school and thus not an original feature. The staircase serves only one room at mezzanine floor level which again is not part of the original fabric of the building. Level access can be achieved at this point and whilst the cill level will be required to be lowered accommodate the opening the window head detail will remain in situ.

On the opposing side the gable elevation of the infant's school has been historically modified with new openings to facilitate the addition of a conservatory at ground floor. Above the conservatory is a bricked-up window whilst above, the existing window subject to the connection sits. This window is a more recent addition and doesn't match the style or size of the adjacent windows. Again, the links will exhibit light touch glass and a metal connection point and the existing window opening will be retained. The statement notes that as there is a small difference in floor levels at this juncture a ramp has been incorporated into the scheme to provide level access between schools.

Inside the Infant School an existing staff toilet is contained in the part of the corridor where the link joins. This will be removed in its entirety and a secure link door added. The submission sets out that there are no heritage assets of significance within this part of the building so the link has minimal impact on the fabric of the building.

In considering the above the Conservation Officer has raised some concern, primarily relating to the height at which the links attach to both the school buildings, with the comments stating that the height of the connection would appear quite odd and incongruous thereby detracting from the architectural character and qualities of the listed buildings. The comments also note that connections of the walkways, albeit positioned through existing openings to minimise impact, will result in the loss of some historic bricks and timberwork.

In this regard, the Officer has set out that this physical intrusion together with the obtrusive visual impact of the walkways would result in minor harm to the significance of the listed buildings. As this degree of harm would still fall within the category of less than substantial harm, the requirements of NPPF paragraph 202 would apply in that the public benefits of the proposal would need to outweigh the minor harm to its significance. NPPF Paragraphs 199 and 200 require that great weight should be given to a designated heritage asset's conservation and that there should be clear and convincing justification for any harm to the asset. The provisions of the above NPPF Paragraphs are generally reflected in CSDP Policies BH7 and BH8. There should therefore be genuine and sufficient public benefits that outweigh the harm to the listed building that will need to be considered as part of the planning balance.

In this regard, the applicant has, as directed by the NPPF, detailed the nature and significance of the assets (Barnes Infants and Junior School) and provided a narrative as to the impact of

the proposed works on the asset and the community benefits arising from the new development.

In line with the comments from the Conservation Officer, the applicant acknowledges that the harm arising from the development will be less than substantial, arguing that the impact to the assets have been limited to what is considered necessary to enable the schools to provide accessible educational facilities and sustain the existing use of the listed buildings for educational purposes. The benefits arising from the development include the provision of accessible educational facilities, modern dining facilities and additional outdoor learning spaces which will secure the long-term future of both schools, enable demands for future growth to the area to be satisfied and enable the continuity of function of the heritage assets. The applicant has stressed that the creation of the glazed links between the buildings are integral in providing cohesive movement between the buildings as the former detached building was often underused due to movement restrictions particularly during times of inclement weather.

In deliberating on the arguments presented above, the Local Planning Authority is, on balance, satisfied that the supporting Heritage Statement does provide a sufficiently strong argument for the provision of these new essential dining and educational facilitates, including those of special learning needs and improved accessible learning spaces to meet current and future demands on the schools. On this basis, the Local Planning Authority are of the view that there are substantial positive public benefits arising from the provision of the integral links to the schools and that this will outweigh the minor degree of harm to the significance of the listed school buildings in this instance.

In this regard, it is considered that the proposals satisfy the requirements of NPPF Paragraphs 199 and 200 and Polices BH7 and BH8 of the NPPF.

Officers draw members attention to the fact that in accordance with section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990, certain local authority Listed Building applications are required to be referred to the Secretary of State should a local authority be minded to grant consent. However, under the provisions of the Arrangements for Handling Heritage Applications Direction 2021, the current proposal is considered to constitute 'excluded works' on the basis that they do not involve demolition of any principal building, do not involve the demolition of an external wall of the principal building and do not propose to demolish all or a substantial part of the interior of the building. In this respect section 13 of the Act does not apply and the local planning authority may therefore determine the application without notifying the Secretary of State.

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
In light of the analysis and considerations offered above, it is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members GRANT LISTED BUILDING CONSENT for the proposals, subject to the conditions listed below.

Conditions:

1 The works to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the works are carried out within a reasonable period of time.

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

The proposed ground floor plan as amended received 25.08.2021 (Plan ref: 19022-020-P2)
The proposed first floor plan as amended received 25.08.2021 (Plan ref: 19022-021-P2)

The proposed second floor and roof plan as amended received 25.08.2021 (Plan ref: 19022-022-P2)
The context elevations as amended received 25.08.2021 (Plan ref: 19022-030-P2)
The proposed elevations as amended received 25.08.2021 (Plan ref: 19022-35-P2)
The proposed site plan received 16.07.2021 (Plan ref: 0519022/Arch/022 - P1)
The proposed landscaping plan received 16.07.2021 (Plan ref: 001-A)
The existing site and location plan received 16.07.2021 (Plan ref: 0519022/Arch/001-P1)

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.

3 The development hereby approved, shall be carried out in full accordance with materials listed in Section 9 of the application form and the agreed list of external materials as set out within the materials schedule received on 11.11.2021 unless any variation is subsequently agreed in writing by the Local Planning Authority.

For the avoidance of doubt the schedule lists the following materials;

Brick - Ibstock Bexhill Dark
Cladding - Equitone fibre cement facade
Top cube - Equitone natura NO74 with soffits Equitone Linea LT 20
Main entrance - Equitone linea LT20 with Soffits Equitone natura NO74
Rear Elevation - Equitone natura NO74

In the interests of visual amenity and the heritage of the site and in accordance with Policies, BH7 and BH8 of the adopted Core Strategy Development Plan.

4 The solar panels shall not be installed within the development hereby approved until full specifications of their design, appearance and profile within the roof plane, have first been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity the heritage of the site and to comply with policy BH1 and BH7 of the Core Strategy and Development Plan.

4. North Sunderland

Reference No.: 21/02069/PSI Public Service Infrastructure Development

Proposal: **Demolition of existing buildings and full planning permission for the construction of a Class E Office development with ancillary cafe and 46 space car park, with associated landscape and infrastructure proposals.**

Location: Monkwearmouth Hospital Newcastle Road Sunderland

Ward: Fulwell
Applicant: Monkwearmouth Developments Ltd
Date Valid: 31 August 2021
Target Date: 9 November 2021

PROPOSAL:

The proposed development is as follows:

"Demolition of existing buildings and full planning permission for the construction of a Class E Office development with ancillary café and 46 space car park, with associated landscape and infrastructure proposals."

The existing site comprises of a range of inter-connected one, two and three storey red brick buildings, including the main hospital building, which are collectively referred to as Blocks 1 through 8 on site.

The proposed development seeks to demolish the main hospital building (**Blocks 4 & 5**) and **Blocks 1 & 2**, which are described as functionally and economically obsolete and replace these with a new fit-for-purpose clinical office development and replace 46 space car park.

A new external landscape piazza will also be created to the front of the new building, replacing the existing parking area fronting onto Newcastle Road and creating a new 'front door' to the rest of the hospital.

The new clinical office development will comprise 3,765 sq.m, three-storey building to provide a new office / administration hub for the hospital, to include cellular offices, flexible workspace and breakout areas together with an ancillary cafe that will be open to staff and public.

The proposal seeks to introduce the following:

Ground Floor (GF). The main entrance, reception and front of house areas, new open landscaped zone beyond which seeks to provide a reception area with connections to adjacent blocks, access to upper floors and back of house spaces. The GF also seeks to provide showers, lockers, and WCs and a meeting and collaboration zone to the rear of the building, provided with access to the external courtyard.

First Floor & Second Floor. Office functions are proposed on the upper levels. with single

person offices positioned across the rear elevation, flexible office space focused around a triple height external courtyard and lightwell, providing adequate daylight throughout the plan.

In addition to the main building, the proposals include the relocation of 46 space car park and new external entrance piazza.

The application has been subject to pre-application discussions where the scope of the supportive reports was agreed. In addition, community consultation on the proposals was carried out prior to the submission of this application. Details of the feedback received and how the scheme has been updated to incorporate comments where feasible is contained within the accompanying Statement of Community Involvement.
The application has been supported by the following:

- Application Forms and Certificates.
- Design & Access Statement.
- Heritage Statement.
- Transport Statement and Travel Plan.
- Ecological Impact Assessment & Bat Survey.
- Flood Risk Assessment& Drainage Strategy.
- Phase I & Phase 2 Ground Investigation Reports.
- Environmental Noise Impact Assessment.
- Air Quality Assessment.
- Arboricultural Impact Assessment, Method Statement and Tree Protection.
- Energy & Sustainability Statement.
- External Lighting Statement.
- Health Impact Assessment.
- Statement of Community Involvement.
- Environmental Management Plan.
- Demolition Method Statement.

CONTEXT:
The proposal represents the consolidation of existing clinical and administrative service on site, resulting in a potential reduction of staff numbers from 794 to 697 (-97). No new or additional clinical or administrative services are proposed for the hospital site. The existing hospital is approximately 90 years old and has been subject to refurbishment throughout its life.

TYPE OF PUBLICITY:
The application has been publicised by the City Council in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that is by:

-Site Notices (expired 01.10.21) and Press Notice (expired 04.10.21).
-Neighbour Notification Letters. (58 letters expired 25.09.21).

CONSULTEES:
Tyne And Wear Archaeology Officer
Network Management
Fulwell - Ward Councillor Consultation
Environmental Health

Planning Policy
Flood And Coastal Group Engineer
Land Contamination

Final Date for Receipt of Representations: **02.12.2021**

REPRESENTATIONS:
Further to the expiry of the consultation period 14 letters of objection were received from 10 surrounding residential properties, along with an objection from two Local Ward Councillors. In summary the matters raised are summarised below, full details are available on the City Council's Planning Portal.

- National planning policy.
- Local planning policy.
- Loss of historical local interest building.
- Loss of green space.
- Design, layout, appearance and materials.
- Impact upon residential and visual amenity.
- Traffic, car parking, highway safety.
- Disabled access.
- Noise pollution and climate change.
- Nature conservation.

All matters will be covered in the various sections of the main agenda report and covered by relevant national and local planning policies.

County Archaeologist. The provided plans proposed the demolition of the main hospital building and Blocks 1 & 2 (adjacent to Elizabeth Street) followed by the subsequent construction of a new structure and car park that are to be built by-and-large within the footprint of the existing buildings. The proposed works involve the demolition of the oldest part of the hospital complex which is considered to have local significance.

The site has not previously been subject to archaeological investigations. Based on records for the site and the scope of the proposed works, the County Archaeologist does not consider that intrusive archaeological investigation and or archaeological monitoring will be required in this case.

The County Archaeologist has reviewed the heritage statement which has been provided with this application. The heritage statement includes the findings from documentary research in addition to photographs of the original plans of the hospital and a series of recent photographs of the extant exterior and interior of the building.

The photographs show that the hospital is associated with a series of original features including fireplaces, oak fixtures and commemorative plaques. In the heritage statement it is concluded that the hospital at Newcastle Road was constructed between 1930 and 1932 and is typical of early 20th century municipal architecture.

As part of the demolition, it is proposed that the pedimented portico is to be removed and not reinstated. In the heritage statement it is noted that the portico is similar to the one located at the Grade II* listed Monkwearmouth Museum Land of Transport which dates from 1848. The entrance is one of the features of the building which was mentioned to have been highlighted in preliminary public feedback as having a "beautiful entrance" and the building itself was

considered to be “part of our heritage”. The hospital entrance is also associated with commemorative stones and plaques (the latter being inside the building) which highlight the roles of individuals whose actions contributed to the construction of the extant hospital. Notably, Sir John Priestman and Edward VIII, the then Prince of Wales.

It may not be possible to retain and reinstate the portico entrance as part of the new design, it would however be possible to consider retaining the commemorative stones and plaques to incorporate into the design of the new hospital and/or in terms of the stones, within the landscape design. The retention and reuse of the commemorative stones and plaques could provide some continuity between the two buildings and allow some of the local heritage significance associated with the extant hospital to be carried forward into the new design.

Adjacent to the boundary wall, along Newcastle Road, a memorial crest of Joseph Lowes Thompson was recently identified. Joseph Lowes Thompson was the shipbuilder who previously inherited the land and built Ashville House. Will this be retained in situ and be left undisturbed by the proposed works? While the hospital building is not listed it is associated with some local historic and social interest and the County Archaeologist considers that a systematic photographic survey of the hospital should be undertaken if the proposed demolition is approved.

If the historic building recording report is not submitted prior to the determination of this application for review, the required work can be secured by the following condition:

Archaeological Building Recording Condition No demolition/development shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 205 of the NPPF, Core Strategy Policies BH8 and BH9 and saved Unitary Development Plan Policies B11, B13 and B14.

Built Heritage Protection Section: The supporting Heritage Statement which is a thorough document that has in accordance with NPPF paragraph 194 and CSDP Policy BH8 assessed the significance of the heritage asset and the impact of the proposal. It is not clear however if the retention of the stone portico and commemorative stones and plaques have ever been considered as part of the proposals, it wouldn’t appear so from the Heritage Statement and the design approach to the development.

NPPF Paragraph 203 and CSDP Policy BH8 require the impact of a proposal on a non-designated heritage asset to be considered as part of the planning balance, having regard to the scale of any harm or loss and the significance of the heritage asset, including its features, setting and contribution to local character and distinctiveness. This consideration should obviously be included in the Officer’s decision / committee report though it is recognised that non-designated heritage assets have no statutory protection so their conservation only carries limited weight.

Land Contamination: The following documents have been reviewed:

Report Ref. ARC Environmental. Phase 1 Desk Top Study and Coal Mining Risk Assessment. Report. Monkwearmouth Hospital, Sunderland. Ref. 20-261. Dated 8th June 2021.
Report Ref. ARC Environmental. Phase 2 Ground Investigation Report. Monkwearmouth

Hospital, Sunderland. Ref. 20-261. Dated 8th July 2021.

Comments and recommendations. Report Phase 1 Desk Top Study. Ref. 20-261. Dated 8th June 2021. A Desk Study has been prepared by ARC Environmental for the proposed redevelopment of a section of Monkwearmouth Hospital, Sunderland.

The proposed development comprises the demolition of two areas at the Site, which will be replaced by offices, café with car parking and associated landscaping. The report provides a summary of the historical uses of the Site and states it previously comprised of undeveloped land, which by 1897 is occupied by a number of buildings labelled as 'Ashville'. By 1938 a new hospital has been constructed over the main site with the former development shown as demolished. The hospital remains until present day with small changes to layout over time.

A number of historical potentially contaminating site uses are noted surrounding the site which include railway, brick, works, glass works iron and stell works and a laundry.

The geology is stated to comprise Pelaw Clay deposits. The solid geology is anticipated to be the Roker Formation. The report states a thickness of Made Ground is anticipated due to historical development at the Site. The Roker Formation is classified as a Principal Aquifer by the Environment Agency.

The Site is located within a Coal Mining reporting area, however not a Development High Risk Area. A Coal Authority Report has been obtained and confirms there are no probable unrecorded shallow workings or mine entries within 100m. The shallowest recorded seam is the Yard seam at 466m below ground level (bgl) last working in 1931. The report states no further assessment or works are required with regard to coal mining.

The report states that there are no historical or recorded landfill sites within 250m of the Site. The Site is not located in a Radon Affected Area. The potential risk from ground gas considered to be low and no further assessment has been undertaken.

The report states that there are no surface water features within 250m of the Site and that the Site does not lie within a Source Protection Zone.

The report states the Site is located in an area potentially at risk from Unexploded Ordnance (UXO). A Detailed UXO Risk Assessment Report is included in the Desk Study, which concludes that the Site is of Low risk with regard to Unexploded Ordnance.

The report states that no invasive weeds were noted at the Site during the walkover.

Details of a limited ground investigation completed on a site to the south of the current red-line boundary are included in the report, which recorded elevated PAH concentrations in the Made Ground at the Site. No consultations with the relevant departments of Sunderland City Council (SCC) & the Environment Agency have been undertaken in the preparation of the report.

A tabulated preliminary conceptual model together with a graphical model is included, with potential sources, pathway and receptors identified.

The report concludes that a low risk is present with regard to human health, geohazards and a negligible risk with regard to controlled waters.

The report recommends that an intrusive investigation is undertaken both pre demolition and post demolition to further investigate the site soils.

Report Phase 2 Ground Investigation. Ref. 20-261. Dated 8th July 2021. A Phase 2 report has been prepared by ARC Environmental for the Monkwearmouth Hospital Site. The report provides the details of an intrusive investigation undertaken at the Site comprising 5No. trial pits and 4No. window sample probeholes, where access at the Site would allow. No exploratory holes were installed with monitoring wells. The rationale behind the ground investigation and positioning of exploratory holes is defined.

The ground investigation recorded Made Ground to depths of up to 1.40m bgl. Two layers of Made Ground were identified within this depth as Layer A and Layer B. The Made Ground was underlain by Pelaw Clay from depths between 0.2m and 2.2m bgl to the base of the exploratory holes, no solid deposits were recorded during the intrusive works.

Groundwater was not recorded in a sand layer between 1.40m and 2.70m bgl during the drilling works. Soil samples were not subject to soil headspace testing using a Photo Ionisation Detector (PID) to screen for volatile organic compounds (VOCs) during the investigation.

Visual or olfactory evidence of contamination was not recorded. 4No. soil samples were submitted for chemical analysis for a testing suite of metals, PAHs, asbestos, and TPH.

No leachate testing was undertaken.

The number of exploratory holes and the volume of chemical testing is limited and does not conform to an exploratory investigation in accordance with BS101752011+A2:2017, however, it is recognised that this is a pre-demolition ground investigation, with exploratory holes advanced within accessible areas only.

Soil samples were submitted for laboratory analysis and the results of chemical analysis were screened against generic assessment criteria (GAC) for a commercial end-use with a SOM of 1.0%. Results of the screening exercise reported no exceedances.

Asbestos was not detected in the samples analysed.

Ground gas monitoring was not completed at part of the site investigation works. However, the desk study does conclude a low risk and no further assessment deemed necessary. A final graphical and tabulated conceptual model is included in the report.

No chemical exceedances were recorded in the soils selected for chemical testing and the report concludes that the site soils pose a low risk to the identified receptors.

Coal is recorded in the exploratory hole logs, which can pose an ignition source. The implications of coal within the site soils are not included in the report.

Recommendations Phase 1. The City Council’s land contamination consultants are in broad agreement with the findings of the Phase 1 Report and recommend that the following points are incorporated in the ground investigation planning and are included with the subsequent Phase 2 Report submitted for the Site: Council consultants are in agreement with the requirement for an intrusive investigation at the Site. In addition, should the site be proposed to be reprofiled/ increased and / or reduced in level, the chemical testing of the site soils should be suitable to characterise the existing site and the site soils following reprofiling.

Consultation should be undertaken with the Sunderland City Council Departments Environmental Health and Building Control to gain publicly available information regarding the

site. Prior to the ground investigation commencing this information should be reviewed.

Phase 2 The report states that the existing hospital buildings remain at the Site and that the ground investigation was undertaken in accessible areas only. Council consultants are in agreement with the requirement to undertake a post demolition ground investigation within the building footprints and surrounding areas within the site boundary. The additional Phase 2 works should include an assessment of coal recorded in the exploratory hole logs. Planning conditions CL01, CL02, CL03 and CL04 should be included in the Decision Notice.

Network Management: A Transport Statement (TS) has been submitted in support of the application which has been fully reviewed and the following comments are made
.
The proposals will see the demolition and construction of new buildings on the site of the existing units 5 and 6 along with the demolition of building units 1 and 2 for the creation of a new replacement car park area. The TS has stated that the proposed office space being developed on the site will result in an overall reduction in the total gross floor area and an overall reduction in the number of staff working on the hospital site.

At the moment, within all of the Monkwearmouth Hospital site, there are a total of 794 staff. It should be noted that all staff are not on site at any one time as they often work in shifts, are out in the community or at other buildings within the Trust's estate.

The development proposals will result in a rationalisation of staff and their working locations such that 97 existing staff will be relocated to other locations within the Cumbria, Northumberland, Tyne and Wear NHS Foundation Trusts. This will mean that the total number of staff working at Monkwearmouth, including shift workers, will reduce to 697. It is also confirmed that patient numbers using the hospital will remain the same and therefore there will be an overall net reduction in people accessing the hospital site.

The proposed development will be accessed via the existing hospital access from Newcastle Road. As there is likely to be a reduction in vehicular trips to the site due to a reduction in staff numbers the use of the existing hospital access to serve the proposed development is accepted.

The submitted TS states that as part of the development proposals the existing car parking surrounding units 5 and 6 will result in the loss of 46 existing parking spaces. These existing parking spaces are inefficient in their layout and their location conflicts with the main entrance into the hospital requiring pedestrians from Newcastle Road to undertake a convoluted route to access the reception area within the hospital.

The development proposals will result in the demolition of the redundant units 1 and 2 and a new improved car park is to be provided in its place. The new car park has been designed to an optimal layout and provide parking that is easy to negotiate while at the same time taking cognisance of its location relative to the surrounding area and therefore providing landscaping to screen the car park from adjacent properties.

The new car park will provide a total of 46 car parking spaces, a like for like replacement for the spaces lost as part of the development proposals. The new car parking will be provided with a total of 6 accessible parking spaces which will be connected to the main reception area via an at grade high quality footpath which in turn connects to the courtyard area in front of the main reception. This will provide a safe route for pedestrian which avoids any conflict with cars. As the proposals result in no loss of car parking provision and the new car park is more user friendly with good pedestrian connections it is considered that the parking proposals are

acceptable. However, should planning approval be granted a condition should be imposed that requires the new car park to be operational prior to the new office development becoming operational to ensure that sufficient car parking is available within the site for all staff.

A Travel Plan Framework has been submitted within the TS and whilst this is acceptable it is requested that should planning approval be granted a condition be imposed that requires the Travel Plan Framework to be implemented in accordance with the details and programme set out within the document.

It is noted that a Demolition Method Statement (DMS) has been submitted in support of the planning application which having been reviewed is considered acceptable in principle. However, reference is made within the DMS that access for demolition traffic will be via the existing access to the west of the site. It is unclear where this existing access is located and should a temporary access from Newcastle Road be required for demolition traffic this will need to be approved by the Local Highway Authority prior to the commencement of works.

It is assumed that the submitted DMS only refers to the demolition part of the works and not the construction works for the new development and car park. It is requested therefore that should planning approval be granted a condition be imposed that requires the submission of a Construction Management Plan for approval by the local highway prior to the commencement of construction works.

Environmental Health has examined the submitted documentation and considers that the proposed development is acceptable, subject to the inclusion of the following conditions on any consent:

Noise from external fixed mechanical plant:

Prior to the installation of any fixed external mechanical plant, including any equipment serving ventilation and extraction systems and air source heat pumps, a noise assessment shall be submitted for the agreement of the LPA. The assessment shall rate noise levels arising from such plant in accordance with BS4142:2014 at the nearest noise sensitive receivers. Where the rated noise for the plant being assessed exceeds the existing daytime or night-time background levels, recommended mitigation measures must be proposed and implemented to ensure that background noise levels are not exceeded.

Mobile stone crusher: Prior to the operation of a mobile stone crusher or screen on site a copy of the relevant environmental permit shall be submitted to the LPA and Environmental Health. The plant shall be located and operated on site so as to minimise the impact of noise upon sensitive receptors.

Odour control: Prior to the operation of any café or kitchen facility, the applicant must submit for the agreement of the LPA a scheme of extraction and odour abatement. The agreed scheme shall be implemented prior to operation of the facility and shall be maintained in accordance with manufacturer's instructions.

Ecological Review.

Ecological Impact Assessment

The scope of works undertaken is adequate, having regard for the size, nature and location of the site, and the scale of the Proposed Development. The Ecological Impact Assessment (EcIA) comprised the following elements:

Ecological data obtained for a 2km search radius, including the local Biological Records Centre

and the local Bat Group;

Extended Phase 1 Habitat Survey;

Bat survey (results presented under separate cover, assessed below);

Assessment of habitat condition to facilitate the BNG calculation;

Evaluation of importance of ecological features (with reference to CIEEM guidance);

Identification of invasive (Wildlife & Countryside Act Schedule 9) species;

Summary of BNG calculations;

Impact assessment and mitigation strategy.

The scope of works equals or exceeds council recommendations (which were for a PEA), and broadly accords with relevant professional guidance. The use of extended Phase 1 Habitat Survey methodology accords with CIEEM PEA and EcIA guidance, although the UK Habitat Survey (UKHab) is now recommended in order to underpin the condition assessment and BNG calculation. It would have been preferable and clearer to either show UKHab habitats on a separate plan, or to include a table making the transposition of Phase 1 to UKHab areas explicit. However, the site is small with a relatively simple disposition of habitats, and this does not significantly impede interpretation of the data.

The lack of a UKHab map does make it difficult to distinguish between individual trees and 'line of trees' - a category which does not exist in Phase 1. It is debatable whether the 'line of trees' category is in fact appropriate, since all trees on site including perimeter blocks and linear blocks would appear to be captured by the 'urban trees' UK habitat type. The *Biodiversity Metric 3.0 Condition assessment sheets (Excel format)* states:

Urban Trees - Habitat Description

Covers the following topographical formations most commonly found in urban areas:
Individual Trees: Young trees over 75mm in diameter measured at 1.5m from ground level and individual semi-mature and mature trees of significant stature and size that dominant their surroundings whose canopies are not touching but that are in close proximity to other trees.
Perimeter Blocks: Groups or stands of trees within and around boundaries of land, former field boundary trees incorporated into developments, individual trees in gardens whose canopies overlap continuously

Linear Blocks: Lines of trees along streets, highways, railways and canals whose canopies may or may not overlap continuously.

Urban Trees are further defined in the condition assessment spreadsheet as covering '*all trees in artificial urban habitats such as private gardens, private land,* ***institutional land*** *and land used for transport functions..'* (our emphasis).

The baseline condition assessment appears to present a fair valuation of habitat quality, and does not undervalue habitats present. The overall assessment of value taking into account other ecological features is similarly appropriate and fair, although it is unclear why the conclusions of the bat survey were not integrated into the EcIA.

A review of the biodiversity net gain (BNG) calculation, and the integration of mitigation measures and working practices into development proposals is provided below.

Bat survey

This review assesses the Bat Survey report against the most recent guidelines '*Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd Edn.)'. It takes into consideration

limitations on survey methodology caused by Covid 19 and advice from CIEEM on reducing risk to ecologists and members of the public from survey activity.

The report is based around surveys carried out in 2021. Survey effort is adequate with multiple surveyors and surveys being carried out at optimum times and in good weather conditions. Survey effort was also in accordance with the initial risk assessment (single survey for low-risk structures, two surveys for moderate risk structures). Results were clearly presented and although 'no bats' is an unusual occurrence, surveyor coverage was adequate enough to suggest that if bats were present, they would have been seen and recorded.

The inability to safely access the roof space in building section 6 is a weakness as this is a structure that has a roof void; however as the only bats observed over the whole of the survey programme were pipistrelles which are crevice (rather than void) dwelling species, these would not necessarily have been present within the void. The report does recognise the possibility of the building void being of potential value to hibernating pipistrelles and the mitigation proposals address this possibility.

While there are one or two weaknesses in the report (e.g., a single survey (dusk on the 1st July) did not have a licensed bat worker and Appendix D does not link surveyor positions with survey occasions), the report is in accordance with the *Good Practice Guidelines* and the Mitigation and Compensation strategy is appropriate and detailed. We can see no reason for doubting that this is an accurate reflection of the state of bat occupancy of the hospital.

BNG calculation / habitat enhancement proposals

BNG calculation - habitats

A key feature of the proposed development is an increase in the area of soft landscape relative to baseline conditions, as summarised in drawing 238_004. Although small in absolute terms, this is high enough in relative terms to achieve a net gain in area-based biodiversity units in excess of the 10% threshold at 11.57%.

The BNG spreadsheet and Tables 3 and 5 of the EcIA provide more detail of changes in area pre and post-development. These show that the area of modified grassland will reduce from 0.15ha - 0.10ha, but areas of introduced shrub habitat increase from 0.03 - 0.13ha and the area of urban trees (which are calculated under BM3.0 using a standard area equivalent value depending on tree size, separate from overall site area) increases from 0.06 - 0.19ha (0.05ha retained, 0.14ha planted).

The major contributor to the positive BNG metric score is the tree planting, with 34 trees contributing 0.43 units, combined with retention of 4 of the 5 existing mature trees (0.40 units); Introduced Shrub habitat contributes a net gain of 0.19 units. This is sensitive to two assumptions:

Trees will attain 'medium' size within the 'standard time to target condition' used by BM3.0 of 27 years[1]; and

Trees will achieve 'moderate' condition.

Medium size is defined in BM3.0 guidance as having a diameter at breast height (DBH) of 90cm and a stem diameter of 30cm. Drawing POE 238_001 specifies advanced nursery stock, but does not indicate how this relates specifically to tree size categories; using the 'advanced heavy standard' category specified by BS 3936-1 gives a DBH of 16-18cm at planting, requiring a 74cm DBH increment in 27 years to achieve target size, or 2.74cm per annum. This could be regarded as optimistic, particularly in coastal NE England. This is a highly sensitive element of the BNG calculation; use of the 'small' category (30cm DBH) reduces the area equivalent value

for 34 trees from 0.14ha to 0.017ha. This only contributes 0.05 habitat units, resulting in a biodiversity net loss for habitats of -21.41%.

Moderate condition depends on the fulfilment of at least 3 of the 6 condition assessment criteria. Two of these are difficult or impossible to comply with for immature trees: condition 3 (>50% of trees are mature or veteran) and condition 5 (management regime encouraging micro-habitats such as deadwood, cavities, loose bark etc.), meaning 3 of the remaining 4 must be achieved. This is possible, provided the conditions set out in section 6.2 of the EcIA are achieved, but the achievement of >10% net gain is sensitive to this; changing target condition to 'poor' results in a BNG of +8.43% for habitats.

In contrast to some of the neutral to optimistic assumptions built into the BNG calculations for trees, the modified grassland target is a reduction on baseline condition, from 'moderate' to 'poor'. Section 6.2 of the EcIA actually sets out 4 requirements for target condition, including a species diversity target of 6-8 spp./m^2, which would achieve 'moderate' condition. The calculation is sensitive to this in a positive way; changing this criterion would lift BNG to +25.07% for habitats, and would still be >21% with a 'poor' tree condition target; however, the sensitivity of a positive result to attainment of medium tree size remains.

BNG calculations - linear features

The hedgerow BNG calculation gives an apparently high net gain figure of 113.56%. As noted above, this rests on a misclassification of urban trees as a linear feature. It is also debatable whether the proposed evergreen hedge is best considered as a hedge, or as an ornamental shrub bed with individual trees planted. No information is given in the EcIA or landscape plan of intended height or species composition, although presumably it will have to be small enough to allow oversailing by the canopy of the adjoining trees.

It is suggested that little weight is given to the high hedgerow net gain figure, as this is an artefact relating to the very small length of baseline habitat classed as 'line of trees' linear feature. Whilst a non-native evergreen hedge is not without value for wildlife (e.g. for nesting birds), it does not provide a substantive ecological benefit to the site and its inclusion is clearly driven primarily by landscape considerations.

Habitat enhancement proposals and working practice recommendations

The following commitments relating to working practices were made in the EcIA:

Avoidance of site clearance in bird nesting season, unless checked by a suitably qualified ecologist (SQE);

Tree protection measures as detailed in arboricultural report;

Control of *Cotoneaster* currently present on site.

The Bat Report provides a Mitigation and Compensation Strategy, which proposes:

Toolbox talk by a SQE prior to commencement of works;

Restrictions on working on roof voids / removal of roofing during hibernation season;

Cessation of operations with SQE informed if bat is found; and

Measures to protect nesting birds and trees (as detailed in the EcIA).

Habitat enhancement measures set out in the EcIA and Bat Report comprise:

Planting scheme to 'include' native species and those valuable to wildlife (Bat survey additionally: 'ideally of local provenance' and 'subject to an appropriate management regime for the lifetime of the development');

4no. swift boxes and 4no. terrace boxes (for sparrows) to be installed on the buildings;

4no. general purpose bat boxes, to be installed either on trees or integrated into buildings.

These measures are proportionate to the scale of the Proposed Development and its likely ecological effects, and would support the habitat-based BNG measures in achieving a net ecological gain.

Integration of mitigation measures into development proposals

Working practice recommendations

The Project Environmental Plan submitted with the application makes reference to the EcIA, Bat Survey and Arboricultural Assessment / Tree Protection Plan. However, it appears to be essentially an environmental policy document, and makes no specific proposal for the integration of recommendations from these documents into the development proposals.

The Environmental Plan does state *'No vegetation clearance will be carried out during bird nesting season without a survey carried out and ecologist approval*', and lists a number of toolbox talks to be carried out, including nesting birds, bats and working around trees, as well as topics not relevant to the site such as adders, badgers and giant hogweed.

Habitat enhancement proposals

There are no commitments in the documents or plans reviewed to incorporate swift, sparrow or bat boxes into structures or trees.

Drawing POE 238_001 does not specify the species of trees or shrubs to be planted or the proportion of trees which will be native, but includes 'indicative planting' of both native and exotic species.

Requirements to achieve net gain targets

The urban trees net gain moderate condition target is dependent on the inclusion of native species; section 6.2 of the EcIA proposes *'the proposed trees comprise of Native species'* but in fact BM3.0 technical guidance only requires that 70% are native. As noted above, there is no commitment to the proportion of native species in drawing POE 238_001.

The EcIA states that the modified grassland habitat should have 6-8 species/m^2, but drawing POE 238_001 refers to sowing Rigby Taylor seed mix R18. This does not appear to be currently commercially available, but previously published specifications indicate it contained 5 grass species. It is unclear how the diversity target would be achieved unless it is intended to rely on natural colonisation of additional species. The drawing also specifies Rolawn Medallion turf, which is understood to contain two species: ryegrass, and two red fescue cultivars.

The landscape drawing refers to British Standards for establishment of nursery stock in the environment, but there does not appear to be any document setting out longer term maintenance requirements. A commitment to long-term maintenance (30 years or development lifetime) is an important component of net gain. Maintenance measures also impact on the target condition; EcIA section 6.2 notes the requirement for moderate condition trees to retain 75% of their natural canopy, and the need therefore to avoid pruning.

Conclusions and recommendations

The applicant has demonstrated that the site can be regarded as being of low ecological value, with no irreplaceable habitats or protected species present. The proposed landscape design will increase the area of available habitat, with limited loss of existing features, and is capable of providing a net biodiversity gain in accordance with policy NE2.

There is some question about optimistic assumptions built into the net gain calculation, particularly regarding the treatment of tree sizes in new planting, but conversion of what have been erroneously interpreted as baseline linear habitats to an area-based calculation would in all likelihood achieve adequate net gain, and there seems little benefit in revisiting these calculations.

The applicant has not demonstrated to a satisfactory extent that the measures set out in the

EcIA and Bat Report will be integrated into the Proposed Development. The Environmental Plan gives some reassurance with respect to nesting birds and toolbox talks, and the landscape plan is clear about tree loss and tree protection, but a number of other recommendations do not appear to have been carried forward to firm commitments.

Recommendations

The Environmental Plan should be revised to reflect site-specific conditions, and include all of the recommendations of the Bat Survey, in particular for measures to protect bats when undertaking roofing works and working within roof voids.

The number and design of the recommended bird and bat boxes should be confirmed with a plan setting out their locations on buildings and trees.

A Landscape and Environmental Management Plan (LEMP) should be submitted to confirm how the requirements of the EcIA and BNG calculation will be achieved and maintained. This should set out tree, shrub and grass species; establishment maintenance methods; and long-term maintenance requirements.

The above measures could be subject to planning condition(s), with the aim of ensuring compliance of the development with the requirement of new developments to provide net gains in biodiversity in accordance with policy NE2.

Arboriculture

The trees located to the front of the site T15 to T31 are very prominent within the street scene and therefore should certainly be considered a material constraint. The proposal has considered the trees in the design and has provided a robust Tree Protection scheme and Arb Method statement and therefore if conditioned to be implemented, should ensure that they are able to be retained safely.

Lead Local Flood Authority: With regard to 21/02069/PSI and in relation to flood risk and drainage, the additional information and details submitted on 18-11-2021 have been reviewed and the proposals are acceptable.

I would suggest a verification condition is applied which could be worded as follows to ensure that sustainable drainage and source control is constructed as approved.

Prior to the occupation of the new building, a verification report should be carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification reports at the beginning and end of the development shall include:

- *As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc) and supported by photos of installation and completion.*
- *Construction details (component drawings, materials, vegetation).*
- *Health and Safety file.*
- *Details of ownership organisation, adoption & maintenance.*

The specific details of the timing of the submission of the report and the extent of the SuDS features covered in the report is to be agreed with the LLFA/LPA.
To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDS and comply with Core Strategy and the Local Plan.

POLICIES:
In the Core Strategy and Development Plan (2015-2033) adopted 30th January

2021 the site is subject to the following policies;

HS1 – Quality of Life and Amenity.
HS2 – Noise Sensitive Development.
SP7 - Health and Safe Communities.
NE1 – Green and Blue Infrastructure.
NE2 – Biodiversity and Geodiversity.
NE3 – Woodlands/hedgerows and trees.
NE4 – Greenspace.
BH1 – Design Quality.
BH2 – Sustainable Design and Construction.
BH3 – Public Realm.
BH7 – Historic Environment.
BH8 – Heritage Assets.
BH9 – Archaeology and recording of heritage assets.
WWE3 – Water Management.
WWE4 – Water Quality.
WWE5 – Waste Management.
ST2 – Local Road Network.
ST3 - Development and transport network.
VC1 – Main town centre uses and retail hierarchy
VC5 – Protection and delivery of community facilities and local services.

Saved Unitary Development Plan policies;

EN10 – Compatibility of development.
B13 – Sites of local archaeological significance.
B14 – Ancient monuments.

National and Local Planning Policy:
The National Planning Policy Framework (NPPF) was revised on 20 July 2021 and sets out the government's planning policies for England and how these are expected to be applied. The Framework set out the Government's policies for the planning system and maintains that a presumption in favour of sustainable development remains at the heart of the Framework

The Framework makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development which has the following mutually supportive and interdependent objectives:

a) "an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective–to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural

resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

The presumption in favour of sustainable development is set out at paragraph 11. For decision making, proposals that accord with an up-to-date Development Plan should be approved without delay (para. 11c)

The Local Plan is the starting point for the determination of planning applications. It sets a clear strategy for bringing land forward to address objectively assessed needs in line with the presumption in favour of sustainable development. It includes broad locations, land use designations and allocations to deliver this strategy. Sunderland's Local Plan is in three parts.

1. Core Strategy and Development Plan 2015 - 2033 (CSDP).
2. Allocations and Designations Plan (A&D).
3. International Advanced Manufacturing Park (IAMP) and Area Action Plan (AAP) 2017 - 2032.

The above plans have superseded saved policies of the Unitary Development Plan (UDP) 1998 and UDP Alteration No.2 (2007) with the exception of a number of policies that will remain as saved policies until such a time that the A&D plan is adopted.

COMMENTS:

Principle of development.
The current proposal provides two separate elements that need to addressed in establishing the principle of development. The demolition and the proposed construction.

In terms of the demolition of the existing buildings, it is noted that none of the structures are listed or located within a conservation area. Whilst the main building is approximately 90 years in age, non-designated heritage assets have no statutory protection so their conservation only carries limited weight.

With the above in mind, Historic England have been previously approached to assess the current blocks 5 and 6 for listing and the following findings recorded.

Based on the information provided and with reference to the Principles of Selection (November 2018) and Historic England's Listing Selection Guides, this building is not recommended for listing for the following principal reasons:

Degree of Architectural interest:

- dating from after 1850, the hospital falls within a period when only the best examples of hospital buildings nationally are selected for listing;
- it is a late example of a routine pavilion-plan hospital, a form that was erected in large numbers from the mid-C19 onwards; Historic England Reject at Initial Assessment Report 22 July 2021.
- despite the inclusion of an Ionic portico, the former administrative building employs a Neo-Georgian design that is overall utilitarian in design, detailing and materials;
- the best hospital buildings of the inter-war period demonstrate innovation in design and reflect the Modernist principals of the time.

Degree of Historic interest:

- there are no known historic associations with national figures of renown;
- if it became an early Orthopaedic and accident hospital in 1948, this is not apparent in the fabric of the building and would be insufficient to compensate for the overall lack of architectural interest.

CONCLUSION This hospital building lacks the special architectural and historic interest required to qualify for listing in the national context. This assessment is made against the necessarily strict criteria applied to buildings being assessed for addition to the National Heritage List for England. It should not be taken to undermine the building's clear interest in a more local context.

Whilst the existing building may still provide a limited degree of local historic interest, the application has been supported by a Blocks 5 & 6 Façade Retention Feasibility Report. The report explores and highlights the condition of the existing buildings and entrance features and provides the following justification for the demolition of the buildings.

An alternative approach of using the portico elsewhere on the site has been considered but was found to be unviable because:

• The structural condition of the stone and the method of construction are essentially unknown, but it does show signs of significant erosion, all of which means it would be extremely difficult to identify an appropriate method of deconstruction and the feature is unlikely to survive deconstruction intact and be viable for re-use.
• Even If the portico could be demolished intact and rebuilt on site as a feature, the extent of earthworks and foundations require to accommodate the structure as a standalone feature would be immense (given that it currently benefits from a connection to the main building). The additional costs associated with these earthworks and foundations would also be significant and prohibitive.
• Given the lack of information surrounding the condition and construction of the portico, there are significant potential health and safety issues associated with the use of this as a stand-alone feature on a public site at the entrance to a hospital.
• For the same reasons over uncertainty and risk it is highly unlikely that the developer would be able to obtain the necessary warranties from the contractor and professional team to cover these works and their future condition and even if these could be secured, they would be at a cost that would prove prohibitive to the scheme.

In light of the above and following consultations with the County Archaeologist and the City Council's Heritage Protection Officer, it is considered that via conditions to ensure commemorative elements of the building are retained on site and a photographic building record is provided, the principle of demolition is considered to be acceptable.

The site is not subject to any specific land use allocation within the CSDP and nor is it subject to an allocation through the UDP. Additionally, the draft A&D Plan does not propose to allocate the site for a specific land use. Consequently, saved policy EN10 of the UDP remains applicable and this essentially states that new development on sites not allocated for a specific land use should maintain the existing pattern of development found in the locality.

The proposed development is essentially designed to replace and complement the existing facilities at an established hospital site. Consequently, the proposal is not considered to give rise to any land use concerns as it relates to the existing, established use of the site.

As office development is considered a main town centre development as defined by the

(NPPF), CSDP Policy VC1: Main Town Centre Uses and Retail Hierarchy is considered relevant. Criterion 6 indicates that development of main town centre uses will be focused within existing designated centres. Development outside of existing centres will be expected to follow the sequential assessment approach.

In addition to the above, as the proposal relates to the development of office development, CSDP Policy EG5: Offices is relevant. It sets out that development for office development should be prioritised in the following locations:

- the Vaux strategic site allocation (Policy SS1);
- Primary Employment Areas at Doxford International, Hylton Riverside and Rainton Bridge South (PEA11, PEA12 and PEA13); and
- within other designated centres as identified within the retail hierarchy set out in Policy VC1.

It is noted that the proposal would not be located in a prioritised area, as identified above, nor is the proposal supported by a supporting Sequential Assessment as required by Policy VC1. Nevertheless, the supporting planning statement (at paragraph 3.3) indicates that the offices would function as an administrative hub for the hospital. In that regard, the proposal would be considered ancillary to the main function of the hospital. As a result, it is concluded that the office development would be ancillary to the main functions of the hospital and closely linked to the overall use of the site, so that a sequential assessment would not be required.

Green Space
The Greenspace Audit (2020) identifies numerous areas of amenity greenspace within the application site. Where the proposal would result in the loss of greenspace, CSDP Policy NE4: Greenspace would be considered relevant. It is noted that a small greenspace on the side elevation would be lost as part of the proposals. CSDP Policy NE4 is relevant to all greenspace types as defined in CSDP paragraph 10.23. Criterion 4 of Policy NE4, states that development will be refused on greenspaces which would have an adverse effect on its amenity, recreational or nature conservation value unless it can be demonstrated that:

I. the proposal is accompanied by an assessment which identifies it as being surplus to requirements; or
II. a replacement facility which is equivalent in terms of usefulness is provided; or
III. a contribution is made to the Council for new offsite provision.

Where the proposal would result in the loss of greenspace, the applicant should seek to meet one of the three stipulations set out above. It is noted the supporting planning statement referencing the proposed greenspace designations set out in the draft Allocation and Designations Plan (A&D Plan) notes that some greenspace would be lost (paragraph 6.40). However, the planning statement indicates that the proposals would see the creation of 2,642 square metres of greenspace which would result in 225 percent increase according to the Planning Statement. As the proposals would result in a significant increase in the amount of greenspace provided, it is considered that it would meet criterion (ii).

Community Facility The hospital would be considered a community facility as defined by CSDP Policy VC5: Protection and Delivery of Community Facilities and Local Services. It sets out at Criterion 2, that community facilities would be protected and enhanced by the supporting development of new and enhanced community facilities. The proposal would accord to this policy where the proposal would improve the functioning of the wider hospital.

In conclusion, the demolition of the existing buildings has been subject to review, via stakeholders, alternative designs considered, feasibility reports provided and on balance it is considered that the removal of the buildings will provide the most viable solution for the future delivery of the medical services provided on the site.

With reference to the proposed new development, the proposal is considered to comply with all relevant CDSP policies and saved UPD policy.

Design, layout and appearance.
NPPF Chapter 12: Achieving well-designed places stipulates 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, create better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF requires that planning decisions should ensure that developments:

a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit,
e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

CSDP policy BH1 Design Quality provides a 14 point framework that seeks to ensure that development proposals achieve high quality design.

The application has been supported by a Design and Access Statement, covering the use and amount, the site, design responses, proposals, access, scale, appearance and landscaping.

With the above in mind, the proposal has been designed from concept stage, modified through consultation to provide a welcoming entrance to the hospital, with a modern foyer and reception area, along with a public offering on the ground level in the form of a café before transitioning to clinical facilities in the adjacent blocks. First and second floors provide the administrative core of the building.

The design also provides a relocation of the existing parking currently to the front of the building to the northern and eastern perimeter, following the removal of the existing buildings. It is also proposed to introduce a soft landscaped edge comprising trees, shrubs and ground cover between the parking spaces and the boundary of the site. The existing wall and railings along Elizabeth Street and Newcastle Road are to be retained, repaired and renovated if required.

The proposed building is similar in footprint to the existing building, although the ground floor has been designed to act as a continuation of the proposed landscaped piazza and is set back further from Newcastle Road to accommodate the additional landscaping. The rear building line is aligned to the existing building line, which is 34 metres from the front elevations of properties on Zion Terrace.

The relocation of the car parking provides the opportunity to provide an enhanced and accessible landscaped area to the front. In designing the new piazza space, careful consideration has been given to the retention of nearly all of the established trees along the Newcastle Road boundary. However, a total of 5 no. trees, identified on the attached landscape general arrangement drawings for removal following detailed Arboricultural survey and in order the better safeguard the tree canopy and built structures moving forward. Of particular relevance are those trees either side of the existing pedestrian entrance off Newcastle Road (which may become the temporary construction access for the duration of the project) where a root plate bridge will be implemented again in accordance with the above best practice guidance.

In terms of appearance the front elevation expresses a primary and secondary grid concept, proportioned by the adjacent existing buildings and allowing the introduction of large reveals to the windows. The rear of the building, a more typical brick elevation is utilised; full height windows with deep aluminium frames that provide film protection to the lower section of the window to limit visibility to Zion Terrace. Whilst the external materials have yet to be finalised, it is considered that a palette of materials that are complementary with the existing buildings is appropriate.

The height of the main building is three storey, which is consistent with the existing structure. (450mm increase in height) and is designed with a parapet wall that screens the plant on the flat roof area.

In the absence of any other material considerations to the contrary, the proposal would accord with policies of the Core Strategy; subject to the recommended conditions.

Highways.
The application has been supported by a Transport Statement and Travel Plan which reviewed the existing transport networks within the vicinity of the site, assessed the accessibility of the site by sustainable modes of travel, predicted the likely traffic generation associated with the proposed development and determined the resulting impact on the operation and safety of the local highway network.

Of particular note, recent traffic surveys carried out as part of the Transport Statement submitted with this application indicate that there are no significant issues with its operation and indeed traffic flows into and out of the hospital site are relatively low. During morning peak periods there are 127 inbound movements and 12 outbound movements, whilst in the evening peak periods there are 9 inbound and 91 outbound movements to the hospital. These traffic volumes will either remain the same or reduce once the proposed development is complete due to the consolidation of services at the hospital that will lead in a reduction in overall staff numbers of 97 (staff who will be transferred to other locations).

The Design and Access Statement also prescribes how the development provides a road hierarchy, inclusive design, car parking and arrangements for bin storage and collection.

Pedestrian: New public space will be provided to connect pedestrian arrivals between

Newcastle Road and the main entrance, from which point pedestrians can circulate between buildings using the connecting corridors. Dedicated footpaths and areas of hard landscaping are provided to segregate pedestrians from vehicular movements. All elements of the proposal are DDA compliant.

Vehicular Roadways and access points have been evaluated on a site wide basis to ensure vehicular circulation is efficient and adequate for each building.

Vehicular movement is restricted from the piazza zone to provide a pedestrian friendly, fully accessible entrance to the building.

Roadways to the rear of the site have been widened to allow for clear visibility, passing cars and adequate footpaths.

The proposed car park consolidates the parking strategy across the site in removing sporadic bays to the rear of the building. 6 DDA complaint bays will be included within the 46 bays proposed, providing near access to the clinical blocks and our proposed building.

Cyclist: In addition to the covered cycle stores already on site, the development includes 30 cycle bays in line with BCO 2019 standards. These will be positioned within the piazza zone for clear visibility and ease of access.

Refuse and servicing: Refuse collection will be managed on site and stored centrally. The current compactor and refuse area to the rear of blocks five and six will be repositioned away from Elizabeth Street and Zion Terrace, further into the site, between buildings 17 and 21. On site staff will manage this daily to limit the refuse areas within each building.

Service vehicle access to the rear of the new building will be substantially reduced.

Access diagram Emergency vehicle Fire tenders will access the site via Newcastle Road, in line with the existing site strategy. Drop bollards are included within the piazza zone which connects that with the access road in front of buildings seven and eight. In the event of an emergency, the relevant vehicles will gain access to the building perimeter via the shared surface.

General strategy The site is managed by the NHS Estates team and parking has been included across the site to suit each building's requirements. The site is operational 24 hours a day through the building and the car park included within the proposals are broadly limited to regular working hours.

The Local Highway Authority have advised they have no objections subject to the addition of the conditions below:

TRAVEL PLAN It is advised that a planning condition is used to ensure that the Interim Travel Plan is submitted and approved prior to commencement of any works; in addition, the planning condition should be utilised to ensure that monitoring and review of the travel plan objectives are carried out.

CONSTRUCTION METHOD STATEMENT A Construction Method Statement is required. The applicant has confirmed that a statement shall be submitted to and agreed by the Local Planning Authority at the implementation stage, seeking to ensure that construction works do not have a detrimental impact on the surrounding community.

In the absence of any other material considerations to the contrary, the proposal would accord

with policies ST2 and ST3 of the Core Strategy; subject to the recommended conditions.

Climate Change and Sustainability.
Paragraph 152 of the National Planning Policy Framework (NPPF) July 2021 states the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, and support renewable energy and associated infrastructure.

At the local level, Sunderland City Council declared a Climate Emergency in March 2019 and with particular reference to the recent Cop26 recommendations, officers would refer members to the following agreement, and recommend without delay considering the following guidance, that is coupled with the City Council's agenda for a low carbon city.

"Addressing the climate challenge through the planning system can feel complicated and frustrating, so if you are just starting out as a planner or politician and working with limited resources, keep in the back of your mind three rules of thumb on planning decisions:
1. Always seek development options that will result in the biggest carbon reductions.
2 In thinking about the risks that will affect development in future, always apply a reasonable worst-case scenario in relation to climate impacts.
3 Always seek those magic moments in which action on climate mitigation and adaptation also delivers a wide range of benefits for health and wellbeing." (Royal Town Planning Institute).

Notwithstanding, due diligence needs to be given to all the technical information that is provided to illustrate the reduction in carbon footprints of any development that seeks to replace any existing building, and weigh up the cost of the loss of that building against the social, economic and environmental gains it may deliver.

With the above in mind, the application has been supported by a statement that delivers the following figures for the existing building and proposed building.

The following information summarises the **potential** reduction in energy consumption and greenhouse gas emissions associated with the demolition and reprovision of the existing buildings 5&6 on the Monkwearmouth hospital site in Sunderland.

Existing Building Display Energy Certificate Energy Consumption:

Gas consumption: 228kWh/m2.
Electrical Consumption: 75kWh/m2.
Total Gas CO2 emissions: 41.74kgCO2/m2.
Total Electrical CO2 emissions: 15.75kgCO2/m2.
Total CO2 emissions: 57.49kgCO2/m.

Proposed New Building Developed Design Stage BRUKL Calculation Data:

Electrical building services consumption: 70kWh/m2.
Indicative small power electrical consumption: 35kWh/m2.
Total Electrical Consumption: 105kWh/m2.
Total New Building CO2 emissions: 22.05kgCO2/m2.

For the avoidance of doubt the above figures are based on the assumptions of the following, that may only be achieved by ascertaining two key energy targets for the development:
▪ Achieve a reduction in carbon over Part L Building Regulation requirements (2013).
▪ Provide energy for the development from Low Carbon or Renewable Energy Applying Passive & Efficient design measures reduce the energy consumption and carbon emissions of the development, providing a 10% saving in Carbon emissions over Part L Building Regulations requirements (2013).
Incorporating Low or Zero Carbon Technologies (ASHP) provides a 22% saving in Carbon emissions over Part L Building Regulations requirements (2013) and provides 17% of the development's energy from Low or Zero Carbon Sources.

Monkwearmouth Hospital is aiming to achieve a BREEAM target of Excellent. An Excellent rating broadly represents performance equivalent to the top 10% of UK new non-domestic buildings (best practice). The BREEAM Pre-Assessment shows a potential route to achieving BREEAM Excellent for the project, as the scheme moves forward, it is important that robust evidence is provided to support the assumptions made and allow the targeted credits to be achieved

Summary: The figures above indicate a significant energy and CO2 reduction associated with the provision of the new building in lieu of the existing building, due to a combination of significantly increased building fabric thermal efficiency, heat recovery devices, highly efficient plant and lighting, and electrically-driven aerothermal heat pump based heating systems. Given the building is heated using 100% electricity, the increasing proportion of renewable energy to the grid generation fuel mix will lead to increased CO2 reductions over the values stated above during the lifetime of the building.

With all of the assumptions that have been indicated above, it is recommended that a condition is imposed to ensure that the relevant BREEAM assessment is undertaken and considered thereafter.

In conclusion, it is considered subject to meeting BREEAM requirements the proposed development would contribute to meeting national and local targets in relation to reducing Greenhous Gas emissions. It would provide a form of sustainable renewable energy generation which the government supports in principle, as part of the wider solution seeking to address climate change and would complement the City Council low Carbon Agenda.

Amenity considerations.
Residential amenity: When approaching spacing relationships with residential development consideration needs to be given to Section 5.23 of the Council's Development Management SPD (June 2021). This section details the following standards:

1. 21m between main facing windows (living rooms, kitchens and bedroom).
2. 14m between main windows facing side or end elevation (with only secondary or no window).
3. 10.5m between main windows and adjacent developable land.

5m should added onto the horizontal distance for each additional storey.

In light of the above, it is noted that the rear elevation of the proposal is set back a distance of 34metres from Zion Terrace, which is 8metres in excess of guidance. It is also noteworthy in seeking to ensure satisfactory levels of residential amenity are preserved the current proposal seeks to partially obscure the lower parts of the glazing panels of the rear facing windows to minimise overlooking.

The application is accompanied by an Air Quality Assessment, undertaken to consider air quality implications. The assessment addressed potential air quality impacts arising from the demolition and construction phases, and from the operation of the proposed development (notably associated with road traffic).

Further to review by the City Council's Environmental Health Officers, the methodology adopted is accepted as valid and appropriate. The potential generation of dust and particulates arising from construction and demolition has been assessed in accordance with IAQM guidance. Mitigation measures are identified in Table 20 of the report and are included in the Environmental Management Plan (or CEMP).

It is concluded that with those measures in place, along with further standard actions to minimise emissions, then the potential for adverse impacts upon sensitive receptors is significantly reduced. Air quality impacts associated with the subsequent operation of the new development are primarily due to road traffic. The assessment has utilised baseline data (including Council air quality monitoring and traffic information), projected traffic flows, and emission factors including cold starts linked to the use of the car park. An accepted dispersion model has been used – ADMS-Roads. The assessment concludes that there will be no significant impact upon air quality objectives/limits. This is accepted. No conditions are necessary

A Noise assessment has been completed. Baseline nose measurements have been undertaken and noise levels predicted and mapped using a computational noise model CADNA A. Noise levels associated with mechanical plant such as ventilation extraction and air source heat pumps will be assessed at a later stage of development once specific plant and equipment is known. In the interim the consultant has utilised measured data (including background noise levels) to determine recommended rating values as noise limits in accordance with BS4142:2014 – Methods for rating and assessing industrial and commercial sound. This methodology and conclusions are accepted.

Given the context of the development and noise assessment the noise impact of the operation of the car park is not anticipated to be significant. The installation of fixed external mechanical plant and equipment will require further assessment in accordance with BS4142, the rated values (ie allowing for any noticeable characteristics of plant noise) will be required to meet or fall below the existing measured background levels during the day and night when assessed at the sensitive receptors.

A condition is proposed to address noise from mechanical plant and equipment.

Odour: A café and associated kitchen have been identified in the application. No detail is provided at this stage.

A condition is proposed to ensure that sufficient extract ventilation and odour abatement measures are incorporated.

A demolition method statement and logistics phase 1 demolition plan have been submitted. The logistics plan sets out working times, plant silencing and deliveries provision. The method statement addresses (amongst other relevant matters):

- Health and safety considerations.
- Location of sensitive receptors.
- Asbestos removal in accordance with legislative requirements.
- Traffic management.

• Dust control.
• Compliance with BS5228:2009 (noise from construction and demolition open sites) The need to break out the remaining concrete slab is identified as is the requirement to operate a mobile crusher and utilise product on site. The statement and details are acceptable.

Identified as a EMP in the submission. The submitted plan is a mix of policy, management system and practical measures. It includes relevant measures to control activities on site and to liaise with relevant regulators. Mitigation measures are identified in relation to noise and vibration, together with impacts upon air quality and soils. It is noted that as part of the demolition phase a mobile crusher will be brought onto site. Crushers are noisy and therefore the location of the unit, and the times and mode of use must be controlled appropriately. This may include the use of mobile noise barriers. The crusher must have an environmental permit and be operated in full accord with its conditions, including constant provision of water during use. If a screen is included, then it must also be permitted and subject to dust controls. The resultant product stockpile must be managed to prevent the loss of fine particulates to air.

Prior to operation a copy of the environmental permit must be provided to the LPA and Environmental Health. A condition is proposed.

Other than the minor adverse noise impacts during construction that can be mitigated, clarification of potential odour mitigation and EA permits for the stone crusher the proposal would accord with policies SP7(6)(v), HS1 and HS2 of the Core Strategy and there are not any material considerations that indicate otherwise.

Ecology: An Ecological Impact Assessment has been undertaken for the site, including the existing buildings, and has been submitted and reviewed with this application. Overall, the ecological value of the site was found to be low with habitats dominated by hard standing and built development, with limited areas of amenity grassland, scrub / introduced shrubs and flowerbeds, and scattered trees.

The buildings on site, which are proposed for demolition, as part of the development, are considered to have the potential to support roosting bats, although no trees with roost potential are present or will be affected by the proposed works.

Therefore, and further to consultation with the City Council's Ecologist (full commentary contained in the representation section) it is confirmed that the development is considered to have the following impacts upon the ecological interests of the site as such mitigation will be necessary via condition to ensure the following:

• Site clearance works will not commence during the nesting period (March – August inclusive) unless a checking survey by a Suitably Qualified Ecologist (SQE) has completed within the five days prior to commencement, which has shown active nests to be absent. In the event any active nests are identified, the SQE will implement a buffer zone around this feature into which no works will progress until the SQE confirms that the nest is no longer active.
• The planting scheme will include native species and those of known value to wildlife.
• 4no. Swift nest boxes and 4no. terrace boxes suitable for use by species such as House Sparrow will be installed on the buildings to provide enhanced nesting opportunities for these declining species. Boxes will be fitted to the manufacturer's specifications
• Tree protection measures will be implemented throughout the construction works, in line with the advice of a suitably qualified arborist.
• The stands of cotoneaster on site will be controlled and/or removed by a suitably licensed contractor as part of the work.

In addition to the above and following the Ecological Impact Assessment, a Bat Survey was undertaken for the site and comprised a preliminary bat roost assessment of the site in May 2021, followed by a series of activity surveys in July 2021.

Based on the results of the field work completed as part of the Survey the value of the site for bats is negligible to low due to high light levels and the heavily managed / developed nature of the habitats on site which create conditions of minimal value for bats.

No evidence of roosting bats recorded was recorded in the existing buildings on site, with numerous alternative roost sites in the local area. However, there is an identified low residual risk of individual pipistrelles utilizing day roosts within the structure on an intermittent basis, or within the loft void by small numbers of hibernating pipistrelles. As such, and precautionary, the following measures are proposed to minimise the ecological impacts of the proposals, including the risk of bats being adversely affected:

- Works will only commence following a toolbox talk by a Suitably Qualified Ecologist (SQE) to ensure those contractors involved in the demolition works are aware of the potential presence of bats, and what to do in the unlikely event such species are recorded on site.
- Any works which would involve entering any loft voids or removing the roof coverings of the hipped / pitched sections will not commence during the hibernation period (November to March inclusive, unless a SQE confirms that weather conditions are suitable for bats to remain active into November / be consistently warm enough for bats to become active in March) to address the low residual risk of bats being adversely affected in the event hibernating bats are present. If works prior to this time have made the structure unsuitable for hibernation use, works may continue throughout this period without constraint; works on the flat-roofed sections – where conditions are unsuitable for hibernation purposes – can be undertaken during the winter period.
- Vegetation clearance or building demolition works will not commence during the bird nesting period (March – September inclusive) unless a checking survey by a SQE has been completed within the five days prior and which has confirmed that no active nests are present. In the event any active nests are identified at this time, the SQE will implement a buffer zone around this feature into which no works can progress until the SQE confirms that the nest is no longer active.
- If any areas of shiplap, tiles or slates are to be affected / removed during the works, this will only be undertaken following an inspection by and, if required, under the direct supervision of the SQE, to address the low, residual risk of bats being present or adversely affected by the proposals.
- In the unlikely event a bat is found on site during the works, all operations will cease immediately until the SQE has been contacted for advice on how to proceed.
- The planting scheme will include a range of native species, or those of known value to wildlife, which are ideally of local provenance. Newly created and retained habitats will be subject to an appropriate management regime for the lifetime of the development.
- Trees on site which are being retained through the works will be subject to appropriate protection measures throughout the demolition and construction phases, in line with the recommendations of a suitably qualified arborist.
- Four new general purposes bat boxes will be installed on site during the works, either on mature trees towards the site boundaries, or integrated into the new structure.
- In the event no works are undertaken within 12 months of the date of the last survey, a checking survey by a SQE will be required to ensure conditions on site remain the same and the assessment remains appropriate; further surveys will be required in the event there have been any material changes which could affect the way bats utilise the

buildings on site. If no works commence within 24 months of the date of the most recent survey, updating (activity) surveys will be required to provide an assessment and mitigation strategy appropriate to conditions on site at that time.

In accordance with CSDP Policy NE2 the proposed development therefore seeks to avoid and minimise adverse impacts on biodiversity and geodiversity. Further to consultations with the City Council's Ecologist, and as documented in the representations section of this agenda report and in the absence of any other material considerations to the contrary, the proposal accords with policies NE1, NE2, NE3 and NE4 subject to the recommended conditions.

Drainage and Flood Risk.
The proposal has been accompanied by a Flood Risk Assessment and Drainage Strategy. The site is located within Flood Zone 1 having the least likelihood of flooding.

The proposed development is located in a critical drainage area with instances of sewer flooding recorded nearby, however the development will reduce surface water runoff rates discharging to public sewer thereby mitigating the risk of surcharging.

The onsite surface water drainage will be separate from the wastewater drainage and will combine at the final point. Surface water attenuation will be provided in the form of SUDS where possible and in context with the constraints and opportunities of the site. To achieve this, the following features are proposed:
• Soft landscaped areas will be used as runoff collection points in the form of raingardens
• SUDS paving will be used where appropriate, predominantly in form of permeable block paving in pedestrian areas and car parking bays.
• Porous sub-base to paved areas with under (filter) drainage.

Used in combination, the above will provide the necessary attenuation, at source and downstream, to reduce surface water runoff rates from the developed areas (retained buildings are drained as existing) to 5 l/s in accordance with Northumbrian Water Ltd requirements and Policy WWE5.

Features will be designed to cater for the 1 in 100-year flood event plus 40% to allow for the predicted impacts of climate change over the lifetime of the development. Foul water will be discharged into the public sewer. In the occurrence of an event greater in magnitude than this, or an offsite influence, flood flows will be directed away from the proposed and existing buildings. The prevailing levels, and designed levels, will likely direct water to open spaces, such as the car park and access road, where it will be informally stored and allowed to dissipate at restricted rates.

Based on the above, the FRA concludes that the proposed development would not increase the risk of flooding to the Site or surrounding areas, in accordance with the Framework and Policy WWE3. Further to consultations with the Lead Local Flood Authority the design of the drainage strategy and its long term management are considered to be acceptable.

In the absence of any other material considerations to the contrary, the proposal accords with policies WWE2 – WW5; subject to the recommended verification condition.

Ground conditions and hydrogeology.
Section 15 : Conserving and Enhancing the Natural Environment of the NPPF states, in part within paragraph 170, that the planning system should contribute to and enhance the natural

and local environment by:

e) preventing new and existing development form contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans, and
f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 178 is concerned with preventing unacceptable risks from land instability and contamination.

CSDP Policy HS3 Contaminated Land requires development to ensure all works can be undertaken without the escape of contaminants, via addressing potential measures to mitigate and demonstrate suitable remediation can be undertaken.

Following consideration by the City Council's external consultant, details of which are provided within the representations section of the agenda report and in the absence of any other material considerations to the contrary, the proposal is considered to be acceptable and policy compliant subject to the imposition of standard ground remediation conditions.

Conclusion
Consent is sought for the demolition of existing buildings and full planning permission for the construction of a Class E Office development with ancillary café and 46 space car park, with associated landscape and infrastructure proposals.

The demolition of the existing buildings has been subject to considered review, and on planning balance it is concluded that given the feasibility of retaining the existing structure and the viability of the long term operation of the building as a front office for medical provision, the benefits identified below, outweigh any harm resulting from the demolition of the hospital building.

In accordance with NPPF guidance on achieving sustainable development the proposal can be summarised in delivering the following:

Economic Benefits.
• Creation of approximately 80 direct jobs throughout the construction phase.
• Construction benefits expected to support local employment and to generate economic output directly alongside wider multiplier benefits.
• Replacement of operationally and economically obsolete hospital buildings and investment in new fit-for-purpose hospital facilities.
• Consolidate the hospital's role within the local economy as an anchor institution and major employer by providing modern workspace facilities that will encourage staff retention and high calibre new staff.

Social Benefits.
• Providing care that's fit for the future - modern, efficient hospital buildings and facilities incorporating the latest technology that will help to deliver the best outcomes for patients.
• Creating a new, welcoming 'front door' for the hospital that will benefit, staff, patients and visitors to the hospital.
• Supporting the social well-being of communities through the provision of green infrastructure,

including public amenity open space and a community cafe.

Environmental Benefits.

• Making use of a brownfield site within a sustainable location with good transport links, no specific environmental designations and outwith any area of Flood Risk, being within Flood Zone 1.
• Provision of modern, fit for purpose NHS space to replace outdated accommodation.
• Commitment to environmental sustainability through achieving BREEAM Excellent.
• Improved street scene and landscaped public realm within the site.
• Using green travel plans to improve sustainable transport options and air quality while minimising the number of cars on site and carbon emissions.

With the above in mind, the proposal is considered to accord will all Core Strategy and Development Plan policies and as such Members are recommended to approve the application, subject to the draft conditions listed below.

Equality Act 2010 - 149 Public Sector Equality Duty
During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

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

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

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

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

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

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

(a) tackle prejudice, and
(b) promote understanding.

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

RECOMMENDATION: APPROVE, subject to draft conditions listed below:

CONDITIONS:

1.Time – (Compliance).
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. Plans – (Compliance).
Site Location Plan 009390-RYD-10-ZZ-DR-A-0100-S2-P3 Ryder Architecture Existing Site Plan. 009390-RYD-10-ZZ-DR-A-0101-S2-P3 Ryder Architecture Existing Elevations. 009390-RYD-10-ZZ-DR-A-0405-S2-P2 Ryder Architecture Existing Sections. 009390-RYD-10-ZZ-DR-A-0406-S2-P2 Ryder Architecture Existing Ground Floor Plan. 009390-RYD-10-00-DR-A-0401-S2-P3 Ryder Architecture Existing First Floor Plan. 009390-RYD-10-01-DR-A-0402-S2-P2 Ryder Architecture Existing Second Floor Plan. 009390-RYD-10-02-DR-A-0403-S2-P2 Ryder Architecture Existing Context Elevations. 009390-RYD-10-ZZ-DR-A-0411-S2-P1 Ryder Architecture Proposed Site Plan. 009390-RYD-10-ZZ-DR-A-2000-S2-P6 Ryder Architecture Proposed GA Elevations. 009390-RYD-10-ZZ-DR-A-3700-S2-P8 Ryder Architecture Proposed GA Sections. 009390-RYD-10-ZZ-DR-A-3800-S2-P6 Ryder Architecture Block 7 Proposed Development. 009390-RYD-00-ZZ-DR-A-8913-S2-P1 Ryder Architecture Proposed GA - Level 00. 009390-RYD-10-00-DR-A-3000-S2-P10 Ryder Architecture Proposed GA - Level 01. 009390-RYD-10-01-DR-A-3001-S2-P9 Ryder Architecture Proposed GA - Level 02. 009390-RYD-10-02-DR-A-3002-S2-P6 Ryder Architecture Proposed GA - Level R1. 009390-RYD-10-03-DR-A-3003-S2-P6 Ryder Architecture Courtyard Elevations (N, E, S & W). 009390-RYD-10-ZZ-DR-A-3604-S2-P7 Ryder Architecture Proposed Context Elevations GA. 009390-RYD-10-ZZ-DR-A-3701-S2-P2 Ryder Architecture Landscape.
POE-238-001-F Place on Earth Hardworks Plan.
POE-238-002-E Place on Earth Softworks Plan.
POE-238-003-F Place on Earth Greenspace Comparison Plan.
POE-238-004-A Place on Earth Drainage Strategy.
GA 009390-JAK-00-XX-DR-C-1000-P0 Jasper Ker Drainage Schedule and SUDS Details 009390-JAK-00-XX-DR-C-1001-P0 Jasper Kerr Typical Drainage Details. 009390-JAK-00-XX-DR-C-1002-P0 Jasper Kerr Paving Layout. 009390-JAK-00-XX-DR-C-1003-P0 Jasper Kerr Paving Detail. 009390-JAK-00-XX-DR-C-1004-P0 Jasper Kerr Logistics Phase 1 Demolition

Plan – Buildings 5 & 6 N/A Sir Robert McAlpine (Main Contractor).

Reason: 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.

3. Archaeology – Building Recording. (Pre-commencement).
No demolition/development shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

Reason: To provide an archive record of the historic building or structure and to accord with paragraph 205 of the NPPF, Core Strategy Policies BH8 and BH9 and saved Unitary Development Plan Policies B11, B13 and B14.

4. Ground Conditions – Site Investigation (Pre-commencement).
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:

- human health;
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- adjoining land;
- ground waters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments; and
- 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".

Reason: 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 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. Ground conditions – Remediation Scheme (Pre-commencement).
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.

Reason: 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 the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d.

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.

6. Ground conditions – Verification Report (Pre-occupation).
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 and prior to the occupation of any dwelling in that phase, 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.

Reason: 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 the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d.

7. Unexpected contaminants – (Adherence).
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.

Reason: 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 the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d.

8. Demolition/Construction Environmental Management Plan. (CEMP). (pre-commencement).

Prior to the commencement of work on site (with the exception of enabling works), the applicant shall submit to the LPA for agreement a suitable environmental management plan that addresses **all** potential impacts arising from site demolition, clearance, preparation and construction. The plan shall identify appropriate mitigation measures to protect nearby sensitive receptors and the local environment. The plan shall particularly include measures to control and manage emissions of dust, shall include matters relevant to the control of noise and vibration, and shall address the potential impact of site lighting in terms of spill or glare affecting receptors off site. For the avoidance of doubt the plan shall include the following:

- Legal Compliance
- Site Information and Consented Development
- Site and Surrounding Area
- Scheme Description
- Sensitive Receptors
- Control of the Construction Process
- Roles and Responsibilities
- Training and Raising Awareness
- Reporting
- Monitoring, Continual Improvement and Review
- Environmental Complaints and Incidents
- Public Relations and Community Relations
- Construction Management
- Description of Construction Works
- Phasing of Construction Works
- Construction Equipment
- Hours of Working (Hours of Site Operation)
- Construction Traffic Management Plan (Excavation Traffic).
- Storage of Plant and Materials
- Handling of Plant and Materials
- Health and Safety Management
- Security On-Site
- Considerate Constructors
- Phase-specific Construction Method Statements (CMS)
- Environmental Control Measures
- Public Access and Traffic Management
- Waste and Materials Management and Storage

- Noise and Vibration
- Dust & Air Quality
- Contaminated Land Procedures
- Hydrology & Water Quality
- Visual Impacts
- Artificial Lighting
- Emergency Procedures
- Conclusions

The construction phase shall thereafter be undertaken in accordance with the approved CEMP.

Reason: To protect nearby residents and other occupiers, and the local environment, from adverse impacts arising from construction works; in accordance with policies HS1 and HS2 of the Core Strategy and Development Plan (2015-2033).

9. Stone Crusher Location/Siting. (pre-operation).
Prior to the operation of a mobile stone crusher or screen on site a copy of the relevant environmental permit shall be submitted to the LPA and Environmental Health. The plant shall be located and operated on site so as to minimise the impact of noise upon sensitive receptors.

Reason: To protect nearby residents and other occupiers, and the local environment, from adverse impacts arising from construction works; in accordance with policies HS1 and HS2 of the Core Strategy and Development Plan (2015-2033).

10. Mechanical and Electrical Plant. (pre-installation).
Prior to the installation of any fixed external mechanical plant, including any equipment serving ventilation and extraction systems and air source heat pumps, a noise assessment shall be submitted for the agreement of the LPA. The assessment shall rate noise levels arising from such plant in accordance with BS4142:2014 at the nearest noise sensitive receivers. Where the rated noise for the plant being assessed exceeds the existing daytime or night-time background levels, recommended mitigation measures must be proposed and implemented to ensure that background noise levels are not exceeded.

Reasons: In the interest of the amenity of the occupiers of premises and neighbouring premises, in accordance with policies HS1 and HS2 of the Core Strategy and Development Plan (2015-2033).

11. Extraction and Ventilation (pre-opening).
No operation shall commence on any unit where the preparation and serving of food on an operational/commercial basis will be carried out, until details of a scheme for the extraction of cooking fumes and odours and for the prevention of odour penetration through that building has been submitted to and approved in writing by the Local Planning Authority for that unit. Thereafter, these schemes shall be implemented in full accordance with the approved details prior to the development being brought into use and thereafter shall be retained at all times.

Reasons: In the interest of the amenity of the occupiers of premises and neighbouring premises, in accordance with policies HS1 and HS2 of the Core Strategy and Development Plan (2015-2033).

12. Materials (pre-construction).
Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with policy BH1 of the Core Strategy and Development Plan (2015-2033).

13. Drainage Verification (Pre-occupation).
Prior to the occupation of the new building, a verification report should be carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification reports at the beginning and end of the development shall include:

- As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc) and supported by photos of installation and completion.
- Construction details (component drawings, materials, vegetation).
- Health and Safety file.
- Details of ownership organisation, adoption & maintenance.

The specific details of the timing of the submission of the report and the extent of the SuDS features covered in the report is to be agreed with the LLFA/LPA.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDS and comply with policies WWE2 and WWE3 of the Core Strategy and the Local Plan. Prior to the opening of this phase of the RDLR a Landscape Environmental Management Plan (LEMP) covering the management and aftercare of the development after construction shall be submitted to and approved in writing, by the Local Planning Authority and implemented within an agreed timescale to ensure delivery.

Reason: In the interests of visual amenity, nature conservation and mobility and to comply with CSDP policies BH1, NE2 and ST3 and paragraph 58 of the National Planning Policy Framework.

14. Landscape Environmental Management Plan (Pre-occupation).

Prior to occupation a Landscape Environmental Management Plan (LEMP) covering the management and aftercare of the development after construction shall be submitted to and approved in writing, by the Local Planning Authority and implemented within an agreed timescale to ensure delivery.

Reason: In the interests of visual amenity, nature conservation and mobility and to comply with CSDP policies BH1, NE2 and ST3 and paragraph 58 of the National Planning Policy Framework.

15. Arboricultural Impact Assessment (Enabling phase and pre-commencement).

The development until the hereby approved shall be carried out in accordance with all recommendations set out by the submitted report by Elliott Consultancy Ltd, Arboricultural Consultants Ref: ARB/Ae/2606 dated September 2021 and, for the avoidance of doubt, no development shall commence at any phase of development until all tree protection measures

for that phase of development asset out by this Assessment have been fully installed, which shall remain in place development is complete.

Reason: In order to ensure that no damage is caused to trees during construction work and to comply with CSDP policy NE3.

16. Ecological Construction Environmental Management Plan. (Pre-commencement).

No demolition works shall commence on site until an Ecological Construction Environmental Management Plan (E-CEMP) has been submitted to, and approved in writing by the Local Planning Authority, which includes appropriate updates of all the recommendations of the checking Bat Survey and recommendations for the number and design of potential bird and bat boxes has been confirmed with a plan setting out their location on buildings and trees.

Reason: In order to protect the biodiversity present on site and its surroundings during construction and to comply with policies NE1, NE2, NE3 and NE4 of the adopted Core Strategy and Development Plan and paragraphs 174,175,176 and 179 of the National Planning Policy Framework.

17. Travel Plan. (Pre-occupation).

No part of the development hereby permitted shall be occupied until a detailed Travel Plan, has been approved in writing by the local planning authority and implemented. The Travel Plan shall include arrangements for monitoring, review, amendment and effective enforcement. Thereafter, all businesses occupying any part of the development shall be responsible individually and severally for the monitoring, review, amendment and effective enforcement of the approved Travel Plan.

Reason: To minimize traffic generated by the development and to ensure compliance with policy and ST3 of the adopted Core Strategy and Development Plan.

18. Electric Charging Points (Pre-occupation).

Prior to the occupation of the development hereby approved the details and location of the electric charging points shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason: In the interests of sustainability and in accordance with the adopted Core Strategy and Development Plan Policy ST3.

19. Car Parking (Pre-occupation).

The car parking shall be laid out in accordance with the approved plan before the new hospital building is occupied. The area shall then be available for such use at all times and shall be used for no other purpose.

Reason: In the interests of highway safety and to comply with policy ST3 of the adopted Core Strategy and Development Plan.

5. South Sunderland

Reference No.: 21/02252/VA3 Variation of Condition (Reg 3)

Proposal: **Variation of condition 4 (drainage) attached to approved application 19/02149/LP3 -to reword part of condition from prior to the first occupation of the development .. to Prior to the first occupation of any property and the last occupation of any property, the rest of the condition remains unaltered.**

Location: North East Disabilities Resource Centre Cork Street Sunderland SR1 2AN

Ward: Hendon
Applicant: Ms Amanda Gallagher
Date Valid: 22 September 2021
Target Date: 22 December 2021

PROPOSAL:
The proposal is for the variation of condition 4 (drainage) attached to approved application 19/02149/LP3 -to reword part of condition from prior to the first occupation of the development . to Prior to the first occupation of any property and the last occupation of any property, the rest of the condition remains unaltered.

TYPE OF PUBLICITY:
Press Notice Advertised

CONSULTEES:
Network Management
Hendon - Ward Councillor Consultation
Flood And Coastal Group Engineer

Final Date for Receipt of Representations: **20.10.2021**

REPRESENTATIONS:

Public consultation - No representations have been received to the proposed development.

Local Lead Flood Authority - The proposed rewording is considered to be acceptable and will ensure the scheme is delivered and adheres to policy WWE2 of the Core Strategy and Development Plan.

POLICIES:
In the Core Strategy and Development Plan the site is subject to the following policies: WWE2.
COMMENTS:

Key Consideration: Flood Risk and Drainage

Policy WWE2 Flood risk and coastal management states

To reduce flood risk and ensure appropriate coastal management, development:

i. should follow the sequential approach to determining the suitability of land for development, directing new development to areas at the lowest risk of flooding and where necessary applying the exception test, as outlined in national planning policy;
ii will be required to demonstrate, where necessary, through an appropriate Flood Risk Assessment (FRA) that development will not increase flood risk on site or elsewhere, and if possible reduce the risk of flooding;
iii. will be required to include or contribute to flood mitigation, compensation and/or protection measures, where necessary, to manage flood risk associated with or caused by the development;
iv. should comply with the Water Framework Directive by contributing to the Northumbria River Basin Management Plan;
v. will maintain linear coastal flood defences north from Hendon Sea Wall to Seaburn, and managed coastal retreat on the Heritage Coast and north of Seaburn;
vi. which would adversely affect the quantity of surface or groundwater flow or ability to abstract water must demonstrate that no significant adverse impact would occur, or mitigation can be put in place to minimise this impact; and
vii. of additional river flood defences must demonstrate that the proposal represents the most sustainable response to a particular threat.

Existing Condition
Prior to the first occupation of the development, a verification report carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

o As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc) and supported by photos of installation and completion.
o Construction details (component drawings, materials, vegetation).
o Health and Safety file.
o Details of ownership organisation, adoption & maintenance.

To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDS and comply with policy WWE3 of the Core Strategy and Development Plan

Proposed reworded condition
Prior to the first occupation of any property and the last occupation of any property, a verification report carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification reports at the beginning and end of the development shall include:

- *As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths,*

- *diameters, gradients etc) and supported by photos of installation and completion.*
- *Construction details (component drawings, materials, vegetation).*
- *Health and Safety file.*
- *Details of ownership organisation, adoption & maintenance.*

The specific details of the timing of the submission of the report and the extent of the SuDS features covered in the report is to be agreed with the LLFA/LPA.

To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDS and comply with Core Strategy and the Local Plan

The proposed reworded condition is considered acceptable and as such is considered to comply with policy WWE2 of the Council's adopted Core Strategy and Development Plan.

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: Members GRANT CONSENT under Regulation 3 of the Town and Country General Regulations 1992 (as amended).

Conditions:

1 The development to which this permission relates must be begun not later than three years beginning with the date on which the original permission was granted 01.04.2020 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 mitigation measure contained with the Bat Survey Report by Dendra dated the 19th December 2019.

Reason:

To ensure, in accordance with policy NE2 of the Core Strategy and Development Plan.

3 Prior to the first occupation of any property and the last occupation of any property, a verification report carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification reports at the beginning and end of the development shall include:

- As built drawings (in dwg/shapefile format) for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths,
- diameters, gradients etc) and supported by photos of installation and completion.
- Construction details (component drawings, materials, vegetation).
- Health and Safety file.
- Details of ownership organisation, adoption & maintenance.

The specific details of the timing of the submission of the report and the extent of the SuDS features covered in the report is to be agreed with the LLFA/LPA.

To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards for SuDS and comply with Core Strategy and the Local Plan

4 Prior to occupation of the proposed development, a specification shall be provided and agreed with the Local Planning Authority for each plot detailing appropriate noise mitigation measures including facade treatment. Reference should be made to the noise insulation specification in Table 1 and Figure 1 of the Noise Assessment (ref 7987.1A).

Noise Barriers as described in Fig 1 of the Noise Assessment (ref 798701A) shall be installed and maintained for the lifetime of the development. In order to comply with policy HS1 of the Core Strategy and Development Plan and paragraph 180 of the National Planning Policy Framework.

Discharged under reference 21/02216/DIS 08.11.2021

5 No development shall commence until a Phase II: Site Investigation report which ascertains whether the land is contaminated has been submitted to and approved, in writing, by the Local Planning Authority. The Phase II report shall be based upon the findings of the approved Phase I report and any additional comments provided by the Local Planning Authority, shall be completed in accordance with a recognised code of practice for site investigations, such as BS 10175:2001 and shall include:

i) a survey of the extent, scale and nature of contamination
ii) an assessment of the potential risks to:
a. human health
b. property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes
c. adjoining land
d. groundwaters and surface waters
e. ecological systems
f. archaeological sites and ancient monuments
iii) a site-specific risk assessment and an appraisal of remedial options and proposal of the preferred options if a hazard or hazards are identified on the site from any form of contaminant.

Reason: To ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies HS1 and HS3 of the Core Strategy and Development Plan.

Discharged under reference 20/01192/DIS 29.09.2020

6 If any hazards are identified from any form of contaminant by any site investigation which require remediation, as determined by the Local Planning Authority, no development shall commence until a detailed Remediation Strategy and Verification Plan 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 strategy shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the residential use of the land.

Reason:

To ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

receptors, in accordance with policies HS1 and HS3 of the Core Strategy and Development Plan.

7 If any hazards are identified from any form of contaminant by any site investigation which require remediation, as determined by the Local Planning Authority, the use shall not commence until the approved remediation works have been completed in accordance with the approved Remediation Strategy and a verification report that demonstrates the effectiveness of the remediation works and accords with the terms of the approved Verification Plan has been submitted to and approved, in writing, by the Local Planning Authority.

Reason:
To ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised 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 CSDP.

8 If, during development, contamination not previously identified is found to be present at the site, the Local Planning Authority shall be notified and appropriate actions submitted to and agreed in writing by the Local Planning Authority prior to development recommencing on that part of the site. The appropriate actions shall include an amendment to the approved remediation strategy detailing how the unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason:

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 and in accordance with policies HS1 and HS3 of the Core Strategy and Development Plan.

9 No above ground construction shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy BH1 of the Core Strategy and Development Plan.

Discharged Under reference 21/02253/DIS 08.11.2021

10 All planting, seeding or turfing comprised in the approved details of landscaping 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 Core Strategy and Development Plan.

11 No construction work shall take place on a building beyond damp course level until a schedule and / or samples of materials, colours and finishes to be used on all external surfaces of that building (including walls, roofs, doors and windows) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details. Reason: In the interest of visual amenity, in accordance with the NPPF and Policy BH1 of Core Strategy and Development Plan.

Discharged under reference 21/02263/DIS on the 17.12.2020 and Discharged under reference 21/02263/DIS on the 08.11.2021

12 Prior to the commencement of the erection of any permanent means of enclosure, details of the enclosure shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the means of enclose shall be erected in accordance with the approved details prior to the first occupation of the building within the plot to which the means of enclosure relates.
Reason: In the interests of the visual amenities of the locality, in accordance with the NPPF and Policy BH1 of the Core Strategy and Development Plan.

Discharged under reference 21/02265/DIS on the 08.11.2021

13 No development shall commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority, which shall include the following:

I. Traffic management, traffic routes of plant and heavy goods vehicles
II. Parking of vehicles of site operatives and visitors
III. Loading and unloading of plant and materials
IV. Storage of plant and materials used in constructing the development
V. Erection and maintenance of security hoarding
VI. Measures to ensure public highway remains sufficiently clean of dirt
VII. Measures to control the emission of dust, dirt and other airborne pollutants
VIII. Scheme for recycling/ disposing of waste resulting from demolition and construction works
IX. Measures to control noise and vibration
X. Communication plan for liaising with the public
Xi. Demolition Method and Implementation Strategy for the NDRC building

Reason:
In order to protect the amenity of the area and to comply with policies HS1,TS1 andTS2 of the Core Strategy and Development Plan.

Discharged under reference 20/01146/DIS on the 24.08.2020