

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 Economy and Place Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Peter McIntyre
Executive Director Economy and Place

Reference No.: 25/00444/FUL Full Application

Proposal: **Conversion of social club to 16no. apartments; including construction of second floor extension, provision of new windows and render to external walls (as amended)**

Location: Ivy Leaf Club & Inst Ltd, 38A Suffolk Street, Hendon, Sunderland, SR2 8JZ

Ward: Hendon

Applicant: Mr Harvinder Singh

Date Valid: 5 March 2025

Target Date: 4 June 2025

PROPOSAL:

The application seeks full planning permission for:

Conversion of social club to 16no. apartments; including construction of second floor extension, provision of new windows and render to external walls the Ivy Leaf Club, 38A Suffolk Street, Hendon, Sunderland, SR2 8JZ.

The initial point to draw to attention would be that a dormer extension has recently been added to the building (around summer 23). The Agent has submitted two versions of the existing plans, one showing the building as previously and the another showing the dormer extension. Given that the dormer window does not appear to benefit from planning permission, the application will be determined on the basis of the pre-existing plans (i.e. the existing plans before the construction of the dormer extension).

The application, as initially submitted, proposed 21 apartments; which did not appear to provide a good standard of amenity for prospective occupiers. These concerns were relayed to the Agent who subsequently submitted amended plans, reducing the number of apartments to 16. The report below will be based upon these amended plans.

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

Cllr Lynda Scanlan

Cllr Michael Mordey

Cllr Stephen Lewis Elms

Network Management

Flood And Coastal Group Engineer

Environmental Health

Northumbria Police

NE Ambulance Service NHS Trust

Land Contamination
Director Of Childrens Services
Planning Implementation
Natural Heritage
Nexus
Northern Powergrid
Northumbrian Water
Northern Gas Networks
NE Ambulance Service NHS Trust
Chief Fire Officer
Land Contamination
Planning Policy

29 Hendon Burn Avenue Sunderland SR2 8LA
30 Athol Road Sunderland SR2 8LQ
32 Hendon Burn Avenue Sunderland SR2 8LA
33 - 34 Suffolk Street Hendon Sunderland SR2 8LT
34 Noble Street Sunderland SR2 8LU
39 Suffolk Street Hendon Sunderland SR2 8JZ
30 Hendon Burn Avenue Sunderland SR2 8LA
35B Suffolk Street Hendon Sunderland SR2 8LT
Ground Floor Rear Flat 35 Suffolk Street Hendon Sunderland SR2 8LT
Ground Floor Front Flat 35 Suffolk Street Hendon Sunderland SR2 8LT
27 Athol Road Sunderland SR2 8LQ
25A Athol Road Sunderland SR2 8LQ
42A Ridley Terrace Sunderland SR2 8ND
Gills Express Premier 38 Suffolk Street Hendon Sunderland SR2 8LT
Als Barber Shop Ground Floor 36A Suffolk Street Hendon Sunderland
First Floor 36 Suffolk Street Hendon Sunderland SR2 8LT
42 Ridley Terrace Sunderland SR2 8ND
Fletchers Fish And Chips 35 Noble Street Sunderland SR2 8LU
Lloyds Wholesale (Fancy Goods) Saint Ignatius Church Hall Suffolk Street Hendon Sunderland
Ivy Leaf Club & Inst Ltd Flat 38A Suffolk Street Hendon Sunderland
1 Ridley Terrace Sunderland SR2 8ND
25 Athol Road Sunderland SR2 8LQ
29 Athol Road Sunderland SR2 8LQ
28 Athol Road Sunderland SR2 8LQ
Basement Flat 26 Athol Road Sunderland SR2 8LQ
31 Hendon Burn Avenue Sunderland SR2 8LA
26 Athol Road Sunderland SR2 8LQ
35 Noble Street Sunderland SR2 8LU

Final Date for Receipt of Representations: **03.12.2025**

REPRESENTATIONS:

Ambulance Trust
No response received.

Conservation Officer
"no comments... there will be negligible impact on the setting and no impact on the significance of the listed terrace of Sunderland Cottages opposite (Ridley Terrace)"

Contaminated Land Officer

"no objection".

Ecology

Recommend an off-site financial contribution towards to mitigate the impact of increased recreational pressure upon the protected coastline.

Education

No response received.

Environmental Health

Recommend conditions / informatives for construction and noise insulation (initial consultation).
No response to re-consultation.

Fire & Rescue Service

"no objections" (initial consultation).

Lead Local Flood Authority

"does not have great significance from a flooding/SUDS perspective" (initial consultation) and
"no further comments to add (re-consultation).

Local Highway Authority

"no objections to the proposal on highway grounds".

Nexus

No comments received.

Natural England

"Further information required - recreational pressure impacts to European Sites (habitats sites)"

Northern Gas Networks

Do not object (initial consultation).

Northern PowerGrid

No objections (initial consultation).

Northumbria Police

"Though some of the security issues have been addressed it is our belief that the new design has created other issues which will need to be addressed before Northumbria Police can consider removing our objection to the development".

Northumbrian Water

No comments received.

POLICIES:

The site is subject to the following Core Strategy Development Plan (CSDP) policies:

- Policy SP1 (Development strategy)
- Policy SP5 (South Sunderland)
- Policy SP8 (Housing supply and delivery)
- Policy HS1 (Quality of life and amenity)

- Policy HS3 (Contaminated land)
- Policy H1 (Housing mix)
- Policy H2 (Affordable housing)
- Policy VC5 (Protecting and delivery of community facilities and services)
- Policy BH1 (Design quality)
- Policy BH7 (Historic environment)
- Policy BH8 (Heritage assets)
- Policy NE2 (Biodiversity and geodiversity)
- Policy NE4 (Greenspace)
- Policy WWE3 (Water management)
- Policy WWE5 (Disposal of foul water)
- Policy ST2 (Local Road Network)
- Policy ST3 (Development and Transport)
- ID1 (delivering infrastructure)

COMMENTS:

Principle of Development

The most recent use of the site has been as a social club, which means that the provisions of policy VC5 (protection and delivery of community facilities and local services) are relevant. The policy says:

"Community facilities and local services will be protected and enhanced by... resisting their loss, unless a replacement facility that meets the needs of the community is provided, or the community facility is no longer required in its current use and it has been demonstrated that it is not suitable for any other community uses...

... The applicant will be required to provide written evidence that they have marketed the facility for at least 24 months and consulted with the Local Voluntary and Community Sector and advertised in the local press"

The application has been accompanied by a Community Use Statement which says that:

"The site has been vacant since 2016 and has been marketed for its current use or an alternative community use. The site has been marketed by Pattinson estate agents and has been offered for sale in its current form. The lack of interest resulted in the site being considered for auction on a number of occasions including during 2016 and 2019.

The sale of the site has been advertised locally, within the press and on various websites. There has been plenty of opportunities for local community groups to come forward and take ownership of the site."

The submitted Community Use Statement does not, however, provide the evidence sought by policy VC5, i.e. evidence of the site being marketed for at least 24 months including consultation with the local voluntary and community sector.

In terms of potential material considerations, there has been a previous grant of planning permission for a change of use to 13 apartments (ref: 20/01026/FUL). The planning permission has now expired, but does show that a change of use to residential has previously been supported within the lifespan of policy VC5. The site has also been added to the Council's published Brownfield Register (December 24) with a net dwellings of 12 to 13.

In terms of the proposed residential use, a summary of the relevant policies can be seen below. SP1 (development strategy), seeks to deliver the "majority of development in the Existing Urban Area... emphasising the need to develop in sustainable locations in close proximity to transport hubs... encouraging higher density development around and in close proximity to transport hubs".

SP5 (South Sunderland), seeks for the area to be a "spatial priority for housing" where the Council will "work to secure the regeneration and renewal at Hendon...".

SP8 (housing supply and delivery) seeks to "exceed the minimum target of 745 net additional dwellings per year" including through "the conversion and change of use of properties.. the development of windfall sites... the development of small sites".

The bringing back into use of an existing building within the built up area of the city in a generally sustainable location can be given consideration as being in accordance with the above policies.

In summary, there are material considerations which outweigh the conflict with policy VC5 (i.e. the previous approval within the lifespan of policy VC5 and the entry of the site onto the Council's Brownfield Land Register). The bringing back into use of an existing building within the built up area of the city in a generally sustainable location would also accord with the relevant policies for residential development (policies SP1, SP5 and SP8). The principal of the proposed development can therefore be supported.

Affordable Housing

The Core Strategy, at policies H1 and H2, says that:

"Residential development should create mixed and sustainable communities... by contributing to meeting affordable housing needs...

...All developments of 10 dwellings or more, or on sites of 0.5ha or more, should provide at least 15% affordable housing".

In terms of material considerations, the National Planning Policy Framework says that (para 65 and footnote 30):

"Provision of affordable housing should not be sought for residential developments... where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount... Equivalent to the existing gross floorspace of the existing buildings".

Given that the floorspace of the existing building would be re-used to provide the proposed apartments, the proposed development does not need to make a contribution towards affordable housing.

Amenity

The proposed use of the building as apartments would be likely to create less potential noise and disturbance than the previous use as a social club.

The existing building has a height of around 5 - 7.5 metres and the proposal involves the construction of a flat roofed extension to create a building with a uniform height of around 7 metres. The proposal would therefore be unlikely to have a material impact upon the daylight for the occupiers of nearby properties.

The privacy impacts of the proposed windows can be seen below.

Side (northwards): around 16 metres from the existing properties opposite. Although less than the 21 metres sought by the Development Management Supplementary Planning Document (DM SPD), the distance can be supported within the context of a built-up urban area.

Front (eastwards): around 17.5 metres from the existing properties opposite. Although less than the 21 metres sought by the DM SPD, the distance can be supported within the context of a built-up urban area.

Side (southwards): around 14.25 metres from the building opposite. Although less than the 21 metres sought by the SPD, the windows would look onto a currently vacant building which has thin vertically proportioned windows; some of which have been boarded up.

Back (westwards): around 5.75 metres from the properties opposite (including main windows at first and second floor level). Although the distance would be less than the 14 metres sought by the DM SPD, the houses opposite do not have any windows on their side elevations and there would be a general improvement to amenity through bringing a currently vacant building back into use.

Officers therefore consider that there are site specific circumstances which warrant a departure from the separation standards found within the DM SPD.

The Core Strategy, at policy BH1 (design quality), says that "development should... meet national spaces standards as a minimum (for residential)", which seek for apartments to have a floorspace of at least 37 square metres. The amended plans include a table which shows the floorspace for each proposed apartment would be greater than the minimum sought by the space standards.

The Core Strategy, at policy BH1, also says that "development should... ensure a good standard of amenity for... future occupiers of land and buildings". The concerns with the outlook for the proposed apartments can be seen below.

- Apartment 1: the second bedroom does not have a window.
- Apartment 2: the window for the first bedroom overlooks the boundary wall / gable end of the bungalow opposite the back lane. The second bedroom does not have a window.
- Apartment 4: the bedroom does not have a window.
- Apartment 5: the bedroom shares a small area of a window with the living room.
- Apartment 6: the bedroom does not have a window.
- Apartment 7: the bedroom does not have a window.
- Apartment 10: the bedroom does not have a window.
- Apartment 11: the bedroom shares a small area of a window with the living room.
- Apartment 12: the bedroom does not have a window.
- Apartment 13: the bedroom does not have a window.
- Apartment 16: the bedroom does not have a window.

The concerns in the points above will need to be given consideration in the planning balance at the end of the report.

The advice from Northumbria Police will be repeated below.

"As in our previous comments with regard to this development

1. From the new proposed plans for the 16 apartments a large number of the bedroom have no show window for natural light and ventilation which is a requirement under the Housing Act 2004 and the Right to light act 1959. Because of this we would question if these Bedrooms can be advertised as such, and if not would these apartments be able to be sold or rented as such. We request that the plans are looked at again to rectify this issue a in the current state.

2. From the Das it states that the refuse will be "Refuse will be collected from each apartment and a refuse store for commercial bins will be created at the rear of the building in an internal protected store area via a keypad door and corridor" the provided plans do not show any refuse point within the building or outside, in comparison to the previous application which had an internal

refuse point. and without a rear exit to the building will the residents of the 2nd floor be expected to carry there rubbish through the building the around to the rear or any other place outside the build to dispose of their refuse?

3. The parking study provided in the application is over 5 years old and there is likely to have been a change in the statistics in this time with regard to the available parking and we believe that a much more up to date study should be undertaken to ascertain the impact the development may have within the area"

Though some of the security issues have been addressed it is our belief that the new design has created other issues which will need to be addressed before Northumbria Police can consider removing our objection to the development.

In terms of point (1), the lack of windows for some of the bedrooms will be given consideration within the planning balance at the end of the report.

In terms of point (2), the amended plans do show a hatched area to the front of the building that says "bin area for LA collection"

In terms of point (3), the Agent has submitted an updated parking survey (June 25).

Design

The building on site appears to have been formed from a series of extensions, such as flat roof additions and dormer windows. The proposed development would involve the construction of an extension to create a more uniform building with a render finish, which would integrate successfully with variety of building within the surrounding area (such as two storey dwelling houses, a terrace of Sunderland cottages and various shopfronts). The proposed development would also involve the replacement of the recently constructed dormer extension. The proposal would therefore accord with policy BH1 (design quality) and there are not any material considerations that indicate a decision should be made otherwise.

Drainage

The Lead Local Flood Authority have advised that:

"The above application does not have great significance from a flooding/SUDS perspective. The site is located within Flood Zone 1, with minimal increase if any in impermeable area... Therefore, if this doesn't change the LLFA would have no further comment on the application".

In the absence of any material considerations to the contrary, the proposal accords with policies WWE3 and WWE5 of the Core Strategy.

Ecology

The submitted application form says that the Biodiversity Net Gain condition should not apply because the "development (conversion) is below de minimus threshold".

The Council's Ecologist has advised that:

"As the site is located with the 7.2 km buffer from the coastal European Sites, in accordance with the Sunderland Recreation Mitigation Strategy, the standard contribution of £557.14 per residential unit will be required as mitigation for increased recreational pressures on those sites."

If Members were minded to approve the application, then a recommendation could be made subject to the completion of a legal agreement for the above off-site financial contribution; in

accordance with policies NE2 (biodiversity and geodiversity), ID1 (delivering infrastructure) and ID2 (planning obligations).

Groundworks

The Council's Contaminated Land Officer has advised that they have "no objection". The proposal would therefore accord with policy HS3 (contaminated land) and there are not any material considerations that indicate a decision should be made otherwise.

Heritage

The terrace to the south east of the site has been listed at Grade II (3-19 Ridley Terrace). The Conservation Officer has advised that "there will be negligible impact on the setting and no impact on the significance of the listed terrace of Sunderland Cottages opposite (Ridley Terrace)". The proposal would therefore accord with policies BH7 (historic environment) and BH8 (heritage assets) and there are not any material considerations that indicate a decision should be made otherwise.

Highways

The proposed development does not include any in curtilage space for parking or turning. The Agent has recently submitted a traffic survey to "establish the current parking within the area around the site for residents...". The survey includes a table, which shows the occupancy of on-street street parking to be around 30%

The most recent comments from Local Highway Authority can be seen below:

"Further to the comments provided on 14th November 2025, it was advised that parking restrictions are in place on the highway adjacent to the proposal which are enforceable between 8am and 6pm. Given the reduction in the number of apartments from 21 to 16 and based on the results of the parking survey, it is considered that there will be sufficient on-street parking available and there will be no significant impact on the highway.

The location is also well served by public transport with bus stops located nearby.

Based on the above the previous concerns are now addressed, and there are no objections to the proposal on highway grounds."

The proposal would therefore accord with policies ST2 and ST3 and there are not any material considerations that indicate a decision should be made otherwise.

Open Space

The provisions of policy NE4 and the Planning Obligations Supplementary Planning Document say that major residential development should either provide on site or make an off-site financial contribution towards allotments, equipped play space and open space. Given that the proposal would provide one and two bedroom apartments, Officers consider that there should be an off-site financial contribution towards open space.

Conclusion

In terms of the principle of the proposed development, there are material considerations which outweigh the conflict with the policy which seeks to protect existing community facilities (VC5) - namely, the entry of the site onto the Council's Brownfield Register and the previous approval within the lifespan of policy VC5). The bringing back into use of an existing building within the built-up area of the city in a generally sustainable location would also accord with the relevant policies for residential development (policies SP1, SP5 and SP8). The principal of the proposed development can therefore be supported.

In terms of the detailed impacts, the proposed development would accord with the relevant policies within the development plan for drainage, ecology (subject to the completion of a legal agreement), groundworks, heritage and highways and there are not any material considerations which indicate a decision should be made otherwise.

The proposed development would not entirely accord with the relevant policies within the development plan for amenity, as some of the main rooms do not have a window. The Police have also objected to the proposed development, drawing to attention the provisions of the Housing Act 2004 and the Right to Light 1959 and whether the proposed bedrooms "can be advertised as such".

In terms of the weight to be given to the comments in the paragraph immediately above, most of the main rooms which do not have windows are bedrooms; rather than the main living space of the proposed apartment. In terms of the comments from the Police, these appear to relate to separate legislation for landlords (Housing Act 2004) and the day light (Right to Light 1959). These concerns can therefore be given minor negative adverse weight in the planning balance.

In terms of the benefits of the proposed development the principle of the proposed development can be supported and the other detailed impacts accord with the relevant policies within the development plan; subject to the recommended conditions and the completion of a legal agreement.

There should also be consideration given, as a material consideration, to the City Plan which says that, as part of a "healthy smart city we will have... a clean and attractive city with people feeling safe in their homes and neighbourhoods". The proposed development would refurbish an existing building in a poor state of repair, which would improve the environment of the local area.

The benefits of the proposed development can therefore be given moderate positive weight in the planning balance.

The moderate benefits of the proposed development therefore outweigh the minor negative impacts, which means that Officers recommend that the application be approved; subject to the completion of a legal agreement and 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

Either:

(1) It is recommended that Members **GRANT** planning permission subject to:

- * the draft conditions shown below.
- * the successful completion of a legal agreement to provide off-site financial contributions to mitigate the increased recreational pressure upon the protected coastline and open space.

OR

(2) If the points within (1) have not been satisfactorily completed by 30 April 2026, then **REFUSE** planning permission for the reason below:

- * There does not exist a mechanism to provide the relevant obligations which make the proposed development acceptable in planning terms - namely the provision of off-site financial contributions

to mitigate the increased recreational pressure upon the protected coastline and open space.

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.

Reason: 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:

- Proposed Floor Plans Proposed Elevations Proposed Site Plan Location Plan (Drg. No. RBD/038SUFFOLK/PLANNING/OO3 Rev. E)
- Proposed Site Plan (Detail) (Drg. No. RBD/038SUFFOLK/PLANNING/004)

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 No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include an identification of all potential environmental impacts arising from any activities (such as any demolition, site clearance, preparation, and construction where they may adversely affect the local environment and nearby occupiers). The CEMP shall further specify the mitigation measures to prevent or minimise these details. The CEMP shall also for any proposed piling works provide a justification of the selected technique, an assessment of noise and vibration, and identification of mitigation measures. The construction phase shall thereafter be undertaken in accordance with the approved CEMP.

Reason: To preserve amenity and highway safety during the construction phase, in accordance with policies HS1, ST2 and ST3 of the Core Strategy.

- 4 No development in relation to any proposed plant shall take place until details been submitted to and approved in writing by the Local Planning Authority. The details shall include scale plan and elevation drawings. The apartments shall thereafter not be occupied until the approved plant has been fully installed. The approved plant shall thereafter be retained for the lifespan of the development hereby approved.

Reason: To ensure a good standard of amenity for future occupiers, in accordance with policies HS1 and HS2 of the Core Strategy.

- 5 The apartments hereby approved shall not be occupied until a noise assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the proposed apartments meet the internal noise standards set out in BS8233:2014 (including details of the doors and windows). The apartments shall thereafter only be occupied once the any approved mitigation has been fully provided. The

approved mitigation shall thereafter be retained for the lifespan of the development hereby approved.

Reason: To ensure a good standard of amenity for future occupiers, in accordance with policies HS1 and HS2 of the Core Strategy.

- 6 The apartments hereby approved shall not be occupied until details of the proposed bin storage has been submitted to and approved in writing by the Local Planning Authority. The approved bin storage area shall thereafter be provided before the occupation of the apartments hereby approved and retained for the lifespan of the development hereby approved.

Reason: To ensure a good standard of amenity for future occupiers, in accordance with policies HS1 and HS2 of the Core Strategy.

- 7 The apartments hereby approved shall not be occupied until the cycle storage area, as shown on the submitted Proposed Site Plan (Detail) (Drg. No. RBD/038SUFFOLK/PLANNING/004), has been fully provided. The approved cycle storage area shall thereafter be retained and kept free of obstruction of the lifespan of the development hereby approved.

Reason: To ensure a good standard of amenity for future occupiers, in accordance with policy HS1 of the Core Strategy.

Reference No.: 25/01007/MAW Minerals- Waste (County Matters)

Proposal: **Erection of single storey detached structure to house a single stage accelerator mass spectrometry system (major application - flood risk assessment included)**

Location: Suez Recycling and Recovery, Catherine Road, New Herrington Industrial Estate, Houghton-le-Spring

Ward: Shiney Row

Applicant: STV

Date Valid: 16 December 2025

Target Date: 20 March 2026

SITE DESCRIPTION AND BACKGROUND:

The site to which the application relates is Suez Recycling and Recovery, situated on Catherine Road within the New Herrington Industrial Estate, Houghton-le-Spring.

The application was originally referred to the Planning and Highways Committee on 21st July 2025 by Cllr David Snowdon, due to a concern relating to the loss of car parking spaces. This has since been addressed by the Applicant and their Planning Agent further into this report.

The application was originally an item for consideration on the agenda for the Planning and Highways Committee meeting held on 20th October 2025, however it was established that the application had to be treated as a 'minerals and waste' application and consideration of the application was deferred to allow for the correct recording and publicity procedures to be followed. The only change to the proposal in this itself is the submission of a Flood Risk Assessment.

PROPOSAL:

Planning permission is sought for the erection of a single storey detached laboratory building to house a single stage accelerator mass spectrometry system.

The single storey detached structure will be positioned approximately 2.4m from the main two storey office building and will be built to follow the existing building line. The proposal will have a width of approximately 15.5m and a depth of approximately 8.5m. It will have a flat roof with an eaves height of approximately 3.7m and a total roof height of approximately 3.8m.

The proposal will have two doors and a window to the principal elevation, and a window to the side elevation (west).

The Planning Agent has also confirmed that there are 52 no. car parking bays, which are marked within the proposed block plan.

The proposed facility will allow for Suez to monitor its carbon emissions, in line with the Emissions Trading Scheme requirements for waste facilities. Suez's biogenic carbon samples are currently sent to the USA for analysis; the facility will instead allow for this analysis to be

carried out in the UK.

The proposed materials will consist of facing brickwork to match the neighbouring Suez building, single ply roof membrane, white UPVC (or aluminium) windows and UPVC (or aluminium) doors.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Cllr Katherine Mason-Gage
Cllr David Snowdon
Cllr Melville Speding
Flood And Coastal Group Engineer
Network Management
Land Contamination
Environmental Health
Network Management

E Etchells And Sons (Timber) Limited 6 Freezemoor Road New Herrington Industrial Estate
Houghton-le-Spring
PT GND AND 1ST FLR Marson House Freezemoor Road New Herrington Industrial Estate
Houghton-le-Spring
Unit 2 Marson House Freezemoor Road New Herrington Industrial Estate Houghton-le-Spring
Herrington Storage Marson House Freezemoor Road New Herrington Industrial Estate
Houghton-le-Spring
Rm 1 1st Floor Marson House Freezemoor Road New Herrington Industrial Estate Houghton-le-
Spring
Rm 4 1st Floor Marson House Freezemoor Road New Herrington Industrial Estate Houghton-le-
Spring
Ground Floor Office Marson House Freezemoor Road New Herrington Industrial Estate
Houghton-le-Spring
Car Hand Wash Car Wash Marson House Freezemoor Road New Herrington Industrial Estate
Marson House Freezemoor Road New Herrington Industrial Estate Houghton-le-Spring DH4
7BH
New Herrington Car And Van Sales Freezemoor Road New Herrington Industrial Estate
Houghton-le-Spring DH4 7BH
SITA UK Catherine Road New Herrington Industrial Estate Houghton-le-Spring DH4 7BG
Clearview Windows (NE) Limited 7 Freezemoor Road New Herrington Industrial Estate
Houghton-le-Spring

Final Date for Receipt of Representations: **27.01.2026**

REPRESENTATIONS:

No representations have been received from neighbouring properties or members of the public.

SCC Contaminated Land (30th July 2025) -

The report shows that from the earliest available historical mapping the site was occupied by terraced residential properties. These were demolished by 1974, whereafter the site was utilised as depot/industrial estate. Some made ground is thought to be likely to be present across the site associated with its historical development, however considering the site is to remain completely hard surfaced potential exposure pathways are considered to be limited. Additionally, the sensitivity of the site's end use is to remain the same. Consequently, no further contamination investigation or assessment is considered necessary.

SCC Contaminated Land (29th September 2025) -

No further comments to make in relation to this application.

SCC Contaminated Land (14th January 2026) -

I have no further comments to make additional to my previous comments, dated 30/07/2025, which remain applicable.

SCC Environmental Health (7th August 2025) -

Environmental Health has considered the submitted documentation.

Accelerator Mass Spectroscopy is an enhanced analytical method often used to assess the chemical constituents of small samples. It is not anticipated that this equipment will result in any significant off site environmental impacts. It does however expand the capabilities of the existing facilities on site, though there is no explanation of its purpose or any external ventilation that may be required (note the "sand blaster" in the AMS room and a vacuum muffle furnace in the attached lab). There are however no objections to the proposal.

SCC Environmental Health (5th September 2025) -

Thank you for your recent consultation regarding the above application. It is understood that the applicant seeks consent for Proposal: Erection of single storey detached structure to house a single stage accelerator mass spectrometry system.

The Environmental Health service has no objection to the proposal, subject to the below recommended conditions:

1) Noise:

A 2m close boarded wooden fence shall be erected to the boundary of the application site between the existing metal palisade fencing and the proposed building. Reason; protection of amenity

2) Hours of use:

Use of the proposed building shall be limited to the hours of 0700 to 1800.

Reason; protection of amenity

Environmental Health previously offered comments on this proposal on 7th August 2025. Since this date the service has received a residential noise complaint in relation to early morning activities at the application site. It is noted that the nearest residents to the site are North across the B1286. The proposed structure will be located to the northern boundary of the site and approximately 30metres from nearest residents. Whilst the B1286 is a busy highway with constant traffic contributing to the noise environment during daytime hours, noise generated at the application site during early morning hours has impacted nearby occupiers. Any such additional noise associated with the proposed building during the operation phase may have a similarly detrimental impact.

To fully understand the proposed development and whether it may contribute to excessive noise

emissions, a site visit was undertaken on 22nd August 2025. It was explained that the building is expected to operate typically between the hours of 0800 to 1700. The single storey building will house a laboratory, similar to another laboratory already in operation at the site. During the visit, it was noted that very little external noise (associated with internal equipment within the existing laboratory) was audible. The submitted application references that the proposed building will house a single stage accelerator mass spectrometry, sand blasting equipment and a vacuum muffle furnace. Discussions held around such equipment during the site visit confirmed that such equipment will be small (likely sited on at worktop level) and will only be in intermittent use during daytime working hours.

It was confirmed during the visit that the building will likely have external mechanical plant which will operate on a 24-hour basis. Such plant may impact nearby residential receptors. It noted that a close boarded wooden fence had been installed at the application site between the existing laboratory and the metal palisade fencing at the northern boundary. It was advised that such a close boarded dense wooden 2metre fence should be similarly installed to the boundary of the proposed building here, to help screen any emissions of noise at this point.

SCC Environmental Health (8th January 2026) -

Environmental Health has considered the submitted documentation.

Our comments provided within the response dated 5 September 2025 remain relevant and provide a summary of the position in relation to this proposal. There are no objections to the development.

SCC Future Transport (9th September 2025) -

Please find below supplementary comments which need to be addressed to enable support for the application from the local highway authority.

The main site access is via Freezemoor Road / Catherine Road which experiences a high level of on-street parking. This reduces visibility at the junction and resulting road safety concerns. There appears to be plenty of scope within the site boundary to accommodate alternative parking for staff which would be lost as a consequence of the proposal.

Response to SCC Future Transport's comments from Planning Agent (18th September 2025) - We note the concerns raised regarding on-street parking along Freezemoor Road and Catherine Road, and the associated impact on visibility and highway safety.

It should be noted that all SUEZ staff parking is contained within the site itself. The Suez Herrington site has 41 permanent members of staff employed with 4 working on a part time basis.

The overall SUEZ site currently has 52 marked parking spaces available, compared to a maximum demand of 45 spaces (assuming all travel by car).

The proposed AMS development will generate only one additional staff member, which can be comfortably accommodated within the existing provision. In addition, there is further capacity within the compound area should future any needs arise.

The noted on street parking issue is associated with other units within the industrial estate, no SUEZ staff are required to park on Freezemoor Road, as sufficient on-site parking is available

The proposed AMS building is to be sited on a former refuse wagon parking spaces which currently houses a portacabin and will have no impact on the proposed staff parking allocation.

SCC Future Transport (24th September 2025) -

Please find below a supplemental response to the above application, following concerns raised by the LHA with regards to on-street parking along Freezemoor Road and Catherine Road.

The parking concerns are associated with established business premises operating within New Herrington Industrial Estate.

It is noted that the applicant has submitted additional information regarding parking arrangements for staff at Suez. The information states that all Suez staff parking is contained within the site. The applicant has advised that the site has 41 permanent members of staff employed with 4 working on a part time basis. Only one additional staff member is proposed as a result of the proposal.

The additional information advises that 52 marked parking bays are available for staff parking. This confirms that all existing and new staff member have the opportunity and space available to park on site with no need for overspill parking on Freezemoor Road and Catherine Road.

On this basis, the highway concerns in relation to staff parking are now resolved.

Lead Local Flood Authority (5th January 2026) -

The Flood Risk Assessment provides satisfactory information and conclusions to the proposed development's flood risk. As the proposed development doesn't involve any significant increase in hard standing or road layout, the drainage element should be dealt with through building regulations process. The LLFA have no further comments to add.

COMMENTS:

NATIONAL AND LOCAL PLANNING POLICY GUIDANCE

National planning guidance is provided by the National Planning Policy Framework (NPPF) (as amended December 2024), which requires the planning system to contribute to the achievement of sustainable development. Paragraph 131 of the NPPF sets out that good design is a key aspect of sustainable development, creating better places in which to live and work. Paragraph 135 meanwhile requires that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, and should offer a high standard of amenity for existing and future users and create places that are safe, inclusive and accessible.

As of the 30th January 2020, the Council has adopted a new Core Strategy and Development Plan, which replaces the 1998 Unitary Development Plan (UDP).

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

Policy EG2 within the CSDP (January 2020) sets out a number of areas that have been allocated as Key Employment Areas which have been safeguarded for B1 (Business - excluding B1a), B2 (General Industrial) and B8 (Storage and Distribution) employment uses.

Key Employment Areas (KEAs) are those existing employment areas which are considered essential to the long-term success of Sunderland. These are located in the strongest demand areas and should be protected from non-employment uses which could impact upon their viability

as employment locations. It is Sunderland City Council's intention to protect Key Employment Areas from non-employment uses.

The application site is situated within the New Herrington Key Employment Area (KEA14). Amenity impacts should be considered against CSDP Policy HS1: Quality of Life.

Policy HS1 states that development must ensure that the cumulative impact would not result in unacceptable adverse impacts on the local community.

Policy WWE7 (Waste Facilities) states that all waste processes and operations must be contained, processed and managed within the buildings. It goes on to say that consideration will be given to the potential impacts of waste management proposals from;

- i. harmful materials entering the public highway;
- ii. generation of odours, litter, light, dusts, flies, rodents, birds and other infestation;
- iii. noise, excessive traffic and vibration;
- iv. risk of serious fires through combustion of accumulated wastes;
- v. harm to water quality and resources and flood risk management;
- vi. land instability;
- vii. land use conflict; and
- viii. where necessary, mitigation measures should be identified to ameliorate any negative impacts to an acceptable level.

These will be considered in further detail within this report.

CONSIDERATION

The main issues to consider with regards to the proposed development are as follows:

- Land Use
- Visual Amenity
- Parking / Highway Safety
- Land Contamination
- Environmental Health

The proposed development is designed to provide an ancillary facility to an existing waste recycling centre and so is broadly supported by CSDP policy WWE7. The proposals do not introduce a new land use to the New Herrington Key Employment Area (KEA14) and so do not give rise to any conflicts relative to the land use objectives of CSDP policy EG2. The principle of the development is therefore considered broadly acceptable, however an assessment must be made in respect of all other relevant material considerations arising from the proposals.

In terms of visual amenity, the proposal is to erect 1 no. building to the west of the main Suez building. The new building is subservient to the existing two-storey office block building and will relate acceptably to the existing buildings on the site and wider industrial estate. Whilst it will be visible from the B1286, it will not cause any significant harm to visual amenity given the site context and as some screening will be provided by the narrow tree belt along the perimeter of the estate. The proposed materials will also match those of the main Suez building and be in-keeping with external materials found within the estate.

Given the siting and location of the application site within New Herrington KEA, along with the proposed style of building and materials to be used, it is considered that the proposals are

acceptable in terms of visual amenity. The proposal is therefore in accordance with Policy BH1 of the CSDP and the NPPF.

In terms of local amenity, the building is approximately 30m from the front of Fenton Terrace, with the busy B1286 in between, a distance which is considered to ensure the development will not harm the outlook or privacy of these dwellings. The Council's Environmental Health officer undertook a site visit on the 22nd August 2025 to fully understand the proposed development and ascertain whether it may contribute to excessive noise emissions. The proposals do not raise any significant concerns in relation to this matter, but it was advised that a close-boarded dense wooden 2 metre fence be installed to the boundary of the proposed building to help screen any emissions of noise from plant.

Environmental Health also requested that the hours of use be conditioned accordingly. This, along with a condition requiring the installation of the fence, can be added to the decision notice. Subject to such conditions, the application is considered acceptable in terms of local amenity.

In terms of highways considerations, policy ST3 of the CSDP requires development to provide safe and convenient access for all road users in a way that would not compromise the free flow of traffic on the public highway, pedestrians or any other transport mode. Nor should development exacerbate traffic congestion on the existing highway network or increase risk of accidents or endanger the safety of road users.

Following receipt of an amended plan clarifying the staff parking bays (received 18th September 2025), along with the additional information received from the Planning Agent (as set out above), the Council's Future Transport team has no objection to the proposal. On this basis, the application is considered to be in accordance with policies ST2 and ST3 of the CSDP.

The Council's Principal Contaminated Land Officer has reviewed the application and has confirmed that the details of the submitted report is acceptable, and that no further contamination investigation or assessment is considered necessary. The application is considered to be acceptable in this respect.

The Local Lead Flood Authority (LLFA) have reviewed the application and have confirmed that the details of the submitted Flood Risk Assessment are acceptable and that they have no further comments to make in relation to this application.

The application is considered to be acceptable in this respect.

CONCLUSION

The proposed development is considered acceptable in terms of being ancillary to an existing recycling facility in an established employment area and accord with the objectives of CSDP policies EG2 and WWE7. In addition, and having regard to the comments provided by the Council's Environmental Health and Future Transport teams, the proposals are acceptable in relation to visual and residential amenity, parking and access and accord with the requirements of CSDP policies, BH1, ST2, ST3 and HS1 of the CSDP. The application is therefore recommended for approval 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:-

- 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:

It is recommended that Members **GRANT** planning permission subject to 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

Reason: 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:

- Dwg. No. 2508-101D 'Existing and Proposed Block Plan' (18 September 2025)
- Dwg. No. 2508-002 'Existing Elevations' (18 September 2025)
- Dwg. No. 2508-001A 'Existing Plans' (18 September 2025)
- Dwg. No. 2508-003B 'Existing Site Plan' (18 September 2025)
- Dwg. No. 2508-005B 'Proposed Elevations' (18 September 2025)
- Dwg. No. 2508-004D 'Proposed Plans' (18 September 2025)
- Dwg. No. 2508-006D 'Proposed Site Plans' (18 September 2025)
- Dwg. No. 2508-100B 'Site Location Plan' (18 September 2025)

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 external materials to be used shall be as per those specified within the submitted application form and approved plans, in the interests of visual amenity and to comply with Policy BH1 of the Core Strategy and Development Plan.
- 4 The proposed 2m high close boarded timber fence to shall be installed prior to the approved building becoming operational and maintained in an effective condition for the lifetime of the development, in the interests of residential amenity and to comply with policy BH1 of the CSDP.
- 5 The approved building shall not be operated for the purposes hereby approved outside the hours of 0700 to 1800. Reason: In order to protect the amenities of the area in accordance with policy BH1 and HS1 of the CSDP.

Reference No.: 25/02295/LP3 Local Authority (Reg 3)

Proposal: **Proposed development to comprise of office, welfare and workshop areas, fleet vehicle garages, a gritter vehicle shed and salt barn (8000 tonne capacity) building, external hardstanding areas for additional fleet parking, skip storage and ancillary facilities (including a truck wash bay, refuelling area, EV charging and containerised storage). Staff parking for 50 vehicles.**

Location: Land South of Cygnet Way, Rainton Bridge South, Houghton-le-Spring

Ward: Hetton

Applicant: Sunderland City Council

Date Valid: 14 October 2025

Target Date: 13 January 2026

PROPOSAL:

The site comprises a 2ha parcel of land which lies adjacent to Cygnet Way, within Rainton Bridge Business Park. The nearest residential areas are found approximately 600m to the northeast on the outskirts of Houghton, whilst the site sits approximately 1.75km southeast of Houghton town centre.

The site, whilst sitting within the confines of the business park and allocated for industrial use, is currently naturalised through scrub and pockets of self-seeded trees. The site frontage bounding the estate road is demarked by wooden post and wire fence to a height of approximately 1m.

Full planning permission is sought for the erection of a new Council Depot on the site. The application has been submitted by Sunderland City Council, who are looking to relocate from their existing Depot site at Gravel Walks, Market Place Industrial Estate, Houghton-le-Spring. As set out in Section 1 of the accompanying Design and Access Statement (DAS), the existing Houghton Depot at Gravel Walks is in poor condition and no longer fit for purpose. The DAS goes on to state that...."the existing Depot was built to fulfil the needs of the people and businesses in the Houghton, Hetton and surrounding areas at that time, however, due to the many and varied changes in commercial and domestic circumstances over time, new challenges for Sunderland City Council have risen and a new, up to date facility is now required to meet these demands".

Section 1.3 of the DAS further highlights the specific operational and circumstantial difficulties that the Gravel Walks site suffers from. This includes;

1. The physically restrictive environment within which the Depot sits.
2. The buildings are not energy efficient compared to current building standards and are expensive to run and maintain.
3. The location is close to a very busy road junction which has seen a significant increase in vehicular movement over the decades, and it is becoming increasingly more difficult to enter and exist the site safely.

4. The on-site buildings do not comply with the Equality Act due to the lack of a lift and do not easily lend themselves to being modified to meet the Act and Inclusion Regulations.
5. A significant level of capital investment would be required to upgrade the buildings to meet modern standards, but this would not alter the fact that the site is too small to fulfil the needs of the Depot.

Within the context of the above, the DAS sets out that....."Providing a new facility would allow Sunderland City Council to work more effectively and the proposed new depot would further support the local community by providing a purpose built depot, with offices, welfare facilities, workshops and storage, a garage to house various vehicles such as road sweepers, tractors, grass cutters, trailers and equipment. There will also be an enclosed, covered salt barn and a garage to house the gritter vehicles. Additionally, the new location will provide better and greater access to major roads, enabling them to deploy fleet vehicles more efficiently and effectively within the local communities".

The proposed Depot will therefore be occupied by the Council to provide the following services for the Coalfield Area and its residents;

- Winter Maintenance / Gritters.
- Refuse Collection (domestic/Recycling/Bulky Waste).
- Local Services (Street Cleansing / Grounds Maintenance / Parks).
- Arboricultural services.

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

- Design and Access Statement.
- Flood Risk Assessment and Drainage Strategy.
- Sustainability and Energy Statement.
- Archaeological Desk Based Assessment.
- Arboricultural Appraisal Report and Tree Survey Schedule.
- Noise Impact Assessment.
- External Lighting Plan.
- A Desk Top Study and Phase 2 Site Investigation.
- A Preliminary Ecological Appraisal and Ecological Impact Assessment.
- BNG Metric
- An Interim Travel Plan
- A Transport Assessment

Members should note that the application has been submitted by the City Council, on land owned by the City Council.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

NE Ambulance Service NHS Trust
Tyne And Wear Archaeology Officer
Planning And Highways
Cllr Iain Scott
Cllr James Blackburn
Cllr Ian McKinley
Flood And Coastal Group Engineer
Northern Powergrid
Network Management
Chief Fire Officer
Northern Gas Networks
Land Contamination
Natural England
Natural Heritage
Nexus
Environmental Health
Northumbria Police
Planning Policy
Public Rights Of Way Officer
Northumbrian Water
Hetton Town Council

Hamilton Steel Buildings Ltd F5 Evolve Business Centre Cygnet Way Rainton Bridge South
Constructing Excellence In The North East Ltd G5 Evolve Business Centre Cygnet Way Rainton
Bridge South
Simply Funded S10b Evolve Business Centre Cygnet Way Rainton Bridge South
EDF Part First Floor Alexander House 1 Mandarin Road Rainton Bridge
SaleCycle Suite B Ground Floor Alexander House Mandarin Road Rainton Bridge
Clixfix Limited F8 Evolve Business Centre Cygnet Way Rainton Bridge South
The Sunderland Echo North East Press Part 2nd Floor Alexander House Mandarin Road
Rainton Bridge
SIG Combibloc Part Ground Floor Alexander House 1 Mandarin Road Rainton Bridge
Brenner House 5 Mandarin Road Rainton Bridge Houghton-le-Spring DH4 5RA
Franklin House 2 Mandarin Road Rainton Bridge Houghton-le-Spring DH4 5RA
Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring DH4 5QY
Business Education Publishers Ltd Chase House 4 Mandarin Road Rainton Bridge Houghton-
le-Spring
C P O M Ltd Venter House 3 Mandarin Road Rainton Bridge Houghton-le-Spring
Fixzone (UK) Ltd Venter House 3 Mandarin Road Rainton Bridge Houghton-le-Spring
Key Group Holdings Ltd Venter House 3 Mandarin Road Rainton Bridge Houghton-le-Spring
Appliance Network Ltd Venter House 3 Mandarin Road Rainton Bridge Houghton-le-Spring
Manor Retail Co Venter House 3 Mandarin Road Rainton Bridge Houghton-le-Spring
Oakes Energy Services Mandarin Road Rainton Bridge Houghton-le-Spring DH4 5RA
UK Warranty Ltd Mandarin Road Rainton Bridge Houghton-le-Spring DH4 5RA
Pub Culture Ltd Chase House 4 Mandarin Road Rainton Bridge Houghton-le-Spring
Rainton Management Ltd Chase House 4 Mandarin Road Rainton Bridge Houghton-le-Spring
Sunderland Music Arts And Culture Trust Chase House 4 Mandarin Road Rainton Bridge
Houghton-le-Spring
The Footy Club Ltd Chase House 4 Mandarin Road Rainton Bridge Houghton-le-Spring
The Workcast Corporation Ltd Chase House 4 Mandarin Road Rainton Bridge Houghton-le-
Spring

Mayfly Press Ltd Chase House 4 Mandarin Road Rainton Bridge Houghton-le-Spring
0800 Repair Ltd Venter House 3 Mandarin Road Rainton Bridge Houghton-le-Spring
The Communicator Corporation Part Ground And First Floors Chase House 4 Mandarin Road
Rainton Bridge
Salecycle Limited Part Ground Floor Chase House 4 Mandarin Road Rainton Bridge
N Power Cygnet Way Rainton Bridge South Houghton-le-Spring DH4 5QZ
Foster Care Associates S3 S7 S8 Evolve Business Centre Cygnet Way Rainton Bridge South
Office A PT 2nd Flr Alexander House 1 Mandarin Road Rainton Bridge Houghton-le-Spring
Office B Pt 2nd Flr Alexander House 1 Mandarin Road Rainton Bridge Houghton-le-Spring
Cheese And Pickle Evolve Bistro Evolve Business Centre Cygnet Way Rainton Bridge South
Praxis Facilities Management G2 Evolve Business Centre Cygnet Way Rainton Bridge South
Blackstone Energy Ltd F14 Evolve Business Centre Cygnet Way Rainton Bridge South
Lovell Partnerships Alexander House 1 Mandarin Road Rainton Bridge Houghton-le-Spring
Praxis - Security G3 Evolve Business Centre Cygnet Way Rainton Bridge South
S18A Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring
TruStack G1 A B C Evolve Business Centre Cygnet Way Rainton Bridge South
G9 Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring
Sovereign Wealth G6 G7 Evolve Business Centre Cygnet Way Rainton Bridge South
Monpellier S2 Evolve Business Centre Cygnet Way Rainton Bridge South
Bishop Chadwick Catholic Education Trust F3 Evolve Business Centre Cygnet Way Rainton
Bridge South
S5A Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring
Build Secure S9 Evolve Business Centre Cygnet Way Rainton Bridge South
Solid Solutions S6 Evolve Business Centre Cygnet Way Rainton Bridge South
FRP Advisory F16 F17 Evolve Business Centre Cygnet Way Rainton Bridge South
First Class Residential Ltd S1 Evolve Business Centre Cygnet Way Rainton Bridge South
Renaissance F15 Evolve Business Centre Cygnet Way Rainton Bridge South
Unified Software G27 Evolve Business Centre Cygnet Way Rainton Bridge South
Renaissance F11 Evolve Business Centre Cygnet Way Rainton Bridge South
Manpower/Brook Street S14 Evolve Business Centre Cygnet Way Rainton Bridge South
Barnes Logistics G24 Evolve Business Centre Cygnet Way Rainton Bridge South
Evolve Assessment F2 Evolve Business Centre Cygnet Way Rainton Bridge South
Bishop Chadwick Catholic Education Trust F4 Evolve Business Centre Cygnet Way Rainton
Bridge South
Bishop Chadwick Catholic Education Trust F12 Evolve Business Centre Cygnet Way Rainton
Bridge South
Simply Additions Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-
Spring
Axis Costs Ltd Brenner House 5 Mandarin Road Rainton Bridge Houghton-le-Spring
C S P Services Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-
Spring
The Commercial Investigation Bureau Ltd Evolve Business Centre Cygnet Way Rainton Bridge
South Houghton-le-Spring
Shine Interview Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-
Spring
Positive I T Consultants Ltd Evolve Business Centre Cygnet Way Rainton Bridge South
Houghton-le-Spring
New Results Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-
Spring
Medal Offshore Services Ltd Evolve Business Centre Cygnet Way Rainton Bridge South
Houghton-le-Spring
Mconnected Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring
Lindon Events And Hospitality Ltd Evolve Business Centre Cygnet Way Rainton Bridge South

Houghton-le-Spring

Inflo Group Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Honeypot Media Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Soverign Wealth G23 Evolve Business Centre Cygnet Way Rainton Bridge South

Bloomfield Financial G21C Evolve Business Centre Cygnet Way Rainton Bridge South

Ichthus Financial G11 Evolve Business Centre Cygnet Way Rainton Bridge South

Courage Creative Ltd G19 Evolve Business Centre Cygnet Way Rainton Bridge South

Matrix G22 Evolve Business Centre Cygnet Way Rainton Bridge South

Unified Software Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

T P L Solutions Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Thrive Eco Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Burn Lane Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Bollardscan Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Bloomfield Financial Ltd G20 Evolve Business Centre Cygnet Way Rainton Bridge South

Bishop Chadwick Catholic Education Trust F1 Evolve Business Centre Cygnet Way Rainton Bridge South

Argent Wealth Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

A M M Education For Healthcare Professionals Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Angel Home Care Services Ltd S16 Evolve Business Centre Cygnet Way Rainton Bridge South

F7 Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

F6 Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

The Maritime Testing And Training Alliance Ltd Evolve Business Centre Cygnet Way Rainton Bridge South Houghton-le-Spring

Evolve Data Solutions Evolve PCS S17 Evolve Business Centre Cygnet Way Rainton Bridge South

Legal Evolve Ltd Mandarin Road Rainton Bridge Houghton-le-Spring DH4 5RA

Aspen Wolf (UK) Ltd S13 Evolve Business Centre Cygnet Way Rainton Bridge South

Manpower/Brook Street S12 Evolve Business Centre Cygnet Way Rainton Bridge South

Final Date for Receipt of Representations: **25.11.2025**

REPRESENTATIONS:

Public consultation - the application has been publicised via letters sent to nearby premises, the posting of a site notices adjacent to the land and the publishing of a notice in the local press. No representations have been received as a result of the publicity carried out.

External consultees

Tyne and Wear Fire and Rescue Service - no objections to the proposed development further to adherence with Building Regulations.

Northumbria Police (Designing out crime Officer) - No objections have been offered although the supporting comments have noted that developments such as these do tend to attract crime related incidents, such as theft of fuel or equipment. Within this context and whilst the security measures detailed under Section 8.0 in the Design and Access statement (DAS) have been noted, the comments recommend the following minimum standards or recommendations are

considered.

- It would generally be recommended that fencing meets LPS 1175 Issue 8 Security Rating B10, this type of fencing is designed to withstand a 10-minute attack. The rationale for this standard of fencing, particularly important for remoter or semi-rural sites, and the LPS 1175 rated fencing generally offers a higher level of security.
- In terms of security, the objective of lighting non-residential units after dark is to deter or detect an intruder, we would recommend lighting is designed in conjunction with any CCTV system and that the landscape is designed so as sight lines are not obscured. We recommend external lighting for when the buildings are unoccupied, this should include entrance gates, main entrances and ancillary doors, lighting should be uniformed and should support both formal and informal surveillance.
- As per the DAS, we have noted this is yet to be developed and further engagement will take place. We would recommend CCTV complies with BS EN 62676:2014 (Video surveillance systems for use in security applications) and comply with Data Protection Act (1998).
- The lighting scheme conforms to BS 5489-1:2020.
- External bicycle parking facilities to be designed for secure storage and to Sold Secure - SS104 Silver.
- To ensure all entrances are covered and adequately maintained. Guidance can be found from British Security Industry Association (BSIA) "A specifiers guide to the Security classification of access control systems".

Northern Powergrid - No objections.

Northern Gas Network - No objections.

Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

County Archaeologist - The applicant has submitted an archaeological desk-based assessment for the site (event no: 5627, report no: 2025/9) carried out by Pre-Construct Archaeology in 2025. This desk-based assessment concluded that there was low potential for prehistoric to medieval archaeological remains on the site and while there might be high potential for post-medieval agricultural activity this was of limited significance. The archaeological desk-based assessment demonstrates that the application site has low archaeological potential. This fulfils the requirements of the NPPF for an applicant to describe the significance of any heritage assets affected by the proposed development (para 207). No further archaeological investigation is required.

Northumbrian Water - We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment & Drainage Strategy Report Rev G 15/10/2025". This document reflects our pre-planning enquiry advice identifying connections for surface water at 9802 at restricted rates of 7.5l/s, and foul flows to 9801. A condition has been recommended to cover this.

Hetton Town Council - Hetton Town Council write to formally object to planning application 25/02295/LP3 due to the significant impact the proposed development would have on the local wildlife corridor. Our objection is founded not only on the ecological importance of the site, but also on the statutory duties placed on the Council under national planning and wildlife protection legislation.

The corridor forms an essential habitat and movement route for a range of native species, including Deer, Foxes, Hedgehogs, Swans and Bats. Any disruption to this area could lead to habitat fragmentation, reduced biodiversity and a decline in the ecological health of the surrounding environment.

The site is near the nature reserve at Rainton Meadows, known locally as Joe's Pond. This area supports several protected and locally important species and is a recognised breeding ground for swans. We note from the application that the facility is intended to house several electric vehicles, which will require ongoing charging. While EMFs may have limited impact on humans at regulated levels, research indicates they can present risks to wildlife including:

- Orientation and Migration: Birds, insects and other species may experience disrupted navigation due to interference with natural geomagnetic cues.
- Behavioural Changes: Animals can exhibit avoidance of areas with strong EMF sources, leading to altered movement, foraging, and social patterns.
- Reproduction and Development: Some studies indicate reduced fertility, increased miscarriages and developmental impacts.
- Physiological Stress: Long-term EMF exposure may affect immune function, hormone balance and oxidative stress levels.
- Insect Decline: Growing evidence suggests EMFs may contribute to declining insect populations, affecting navigation, reproduction and communication, particularly in bees.

Under Natural England guidance, the Council must be satisfied that any development likely to affect protected species or their habitats has been thoroughly assessed. We note that the ecological report accompanying your application outlines several requirements and mitigation measures linked to wildlife protection. We therefore ask:

- Will these ecological recommendations be fully implemented?
- How will the impact on local wildlife and habitats be monitored and measured?

The wildlife corridor has already experienced notable disruption due to recent housing development in the area. Protecting such corridors is essential not only for conservation but for maintaining broader ecosystem functions that benefit the community. We therefore urge the Planning Department to consider carefully the environmental consequences of this proposal and to refuse permission unless alternative arrangements can be made that safeguard the corridor and its ecological role.

Additionally, the Committee requests clarity on the following points:

- Why are the existing sites not being upgraded? Has a cost analysis been carried out to compare refurbishment with new development?
- Have alternative sites, including suitable brownfield locations, been fully explored?
- What is the intended future use of the existing sites?
- What is the expected duration of the project, and what level of disruption is anticipated during construction and operation?

We trust that this will be treated with the seriousness it warrants and that the Council's commitment to protecting local wildlife and ecological integrity will be upheld.

Officer response - With regard to the ecological implications arising from the proposed development, these are addressed in detail within Section 5 of the Committee Report.

With regard to the additional queries set out within the four bullet points, officers would advise as

follows;

- The Council's rationale for seeking to relocate the depot to an alternative location has been set out in detail within the DAS which accompanies the application. An overview of the rationale has also been touched on at the start of this report.
- It is understood that the Council has considered alternative locations, however the host site, being vacant and designated for employment/industry was considered to be the most appropriate location.
- A potential future use of the current site has not been referenced within the submission and is not material to the consideration of this application.
- In terms of the proposed duration of the project, officers have been advised that programme of works is estimated to start on site at the end August 2026 with a completion around August 2027. In terms of any disruption during the construction phase, this would be dealt with via a planning condition requiring the submission of a Construction Environmental Management Plan for agreement in writing with the Council, as Local Planning Authority.

Internal consultees

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

Council's Environmental Health team - Note the submission of a noise assessment and offer no objections to the proposal. A condition is recommended in respect of a Construction and Environmental Management Plan.

Council's Ground Contamination Officer - The Ground Contamination Officer has confirmed that contamination is not an impediment to the granting of planning permission. However, as the result of gas monitoring are still awaited, a condition to cover the submission of a site investigation is advised, as is the submission of a detailed remediation scheme, a verification report and conditions to cover any unexpected contamination, the decommissioning of investigation boreholes and a report to deal with the sealing of service duct annulus.

Council's Ecology team - The Council's ecologist has no objection subject to the imposition of recommended conditions. The nature of the comments will be discussed later in the report.

The Local Highway Authority - The Highway Engineers have offered no objection to the proposals, recommending conditions in respect of a Traffic Management Plan and the submission of a full Travel Plan.

COMMENTS:

PLANNING POLICY BACKGROUND

In England there is a hierarchical structure of policy covering national and local planning. At a national level the National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. At a local level, development plans set out planning policy for the area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the statutory development plan

unless material considerations indicate otherwise. All planning applications in Sunderland are assessed against the policies in the Core Strategy and Development Plan 2015-2033 (CSDP) together with saved policies from the City Council's Unitary Development Plan (UDP).

National Planning Policy Framework (NPPF)

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

The NPPF has a presumption in favour of sustainable development. For decision-taking this means approving development that accords with the development plan, or where there are no relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting planning permission unless:

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

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

The Core Strategy Development Plan (CSDP)

The Council's Core Strategy and Development Plan (CSDP) was adopted in January 2020. On 12th December 2024, the Council's Cabinet endorsed the CSDP Review, which concluded that the policies of the CSDP remain an appropriate basis on which to determine planning applications within the city. The CSDP is therefore considered 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 most policies within the Council's Unitary Development Plan (1998). Some UDP policies relating to specific sites and non-strategic matters not addressed by the CSDP have, however, been saved and remain adopted local plan policies. All CSDP and UDP policies referred to below and within this report are considered consistent with the NPPF.

CSDP Policy SP1 - Development Strategy

CSDP Policy SP6 - The Coalfield

CSDP Policy EG1 - Primary Employment areas

CSDP Policy BH1 - Design quality

CSDP Policy BH2 - Sustainable design and construction

CSDP Policy BH9 - Archaeology and recording of heritage assets

CSDP Policy HS1 - Quality of life and amenity
CSDP Policy HS2 - Noise sensitive development
CSDP Policy HS3 - Contaminated land
CSDP Policy NE2 - Biodiversity and geodiversity
CSDP Policy NE3 - Woodland's hedgerows and trees
CSDP Policy WWE2 - Flood risk and coastal management
CSDP Policy WWE3 - Water management
CSDP Policy WWE4 - Water quality
CSDP Policy WWE5 - Disposal of foul water
CSDP Policy ST2 - Local road network
CSDP Policy ST3 - Development and transport

Saved Unitary Development Plan Policies

The following retained or partially retained UDP policies are material to the consideration of this application.

UDP Policy CN23 - Wildlife Corridor

ASSESSMENT

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. Principle of the use and 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 ecology, biodiversity and trees;
6. The impact of the development in respect of flooding and drainage;
7. The impact of the development in respect of ground conditions and land contamination.

1. Principle of the use and land use considerations

The proposed development should adhere with the principles of Policy SP1 'Development strategy' of the CSDP. This Policy seeks to deliver economic growth and meet people's needs - including the creation of 7,200 new jobs, developing at least 95 ha of employment land, and ensuring that sufficient physical, social and environmental infrastructure is delivered to meet identified needs. Policy SP1 goes on to state that the spatial strategy seeks to deliver growth and sustainable patterns of development by supporting the sustainability of existing communities through the growth and regeneration of Sunderland's sub areas including the Coalfields, by delivering the majority of development in the Existing Urban Area, and by emphasising the need to develop in sustainable locations in close proximity to transport hubs.

The proposed development would also be expected to accord with Policy SP6 'The Coalfield' of the adopted CSDP, which states that the Coalfield character and settlements will be protected whilst ensuring its future sustainability. It further states that in order to achieve this, economic development will be focussed on identified Employment Areas.

With reference to the above policies, the development site is considered to be located within a

relatively sustainable location within close proximity to bus stops (there are bus stops along the B1284 and Cygnet Way), and it would be positioned within the Existing Urban Area (As a commercial/industrial park). Further, the proposed development would evidently provide economic development on existing employment land and bring forward new infrastructure to meet a specific identified need (the identified need for the new facilities has been set out at the beginning of this report). It is therefore considered that the proposed development would accord with strategic Policy SP1 and strategic Policy SP6 of the adopted CSDP.

In terms of land use, the development site forms part of a wider site which is allocated under Policy EG1 'Primary employment areas' (ii. Rainton Bridge (South)- PEA13) of the CSDP as a primary employment area (PEA). PEAs are those existing employment areas which are considered essential to the long-term success of Sunderland. They are located in the strongest demand areas and should be protected from non-employment uses which could impact upon their viability as employment locations. This allocation therefore seeks to safeguard primary employment areas for B1 (Business - excluding B1a), B2 (General Industrial) and B8 (Storage and Distribution) uses. Since 1st September 2020, uses falling under Class B1 now fall under Class E(g) 'Commercial, Business and Service' of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Given the nature of the proposed use and the services it will provide, the proposed development is considered to fit within the acceptable safeguarded employment uses as stated under Policy EG1. The proposal will therefore accord with economic growth Policy EG1 of the CSDP and is considered to be acceptable from a land use perspective.

2. Residential/Business Park amenity considerations

Paragraph 135 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 ensure that development respects and enhances the qualities of nearby properties, 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.

As noted within the accompanying DAS, the application site is located a considerable distance away from the nearest residential properties. The application has been supported by a Noise Impact Assessment, with existing background levels measured, and noise emissions from the operation of the site considered. Further to comments received from the Council's Environmental Health Officer (EHO), it has been confirmed that the report has appropriately determined the noise impact of the site in accordance with BS4142 and that the methodology and findings of the report are acceptable.

With regard to the above, the report outlines that existing background measurements were taken from three locations; 1) to the South at residential properties on Ryehill View, 2) to the North-East at the Evolve Business Centre and 3) to the West of the site for potential impact on wildlife.

The report states that depot activities will typically occur from 07:00 to 23:00, but notes that staff may arrive early, and activities may be completed during nighttime hours e.g. during the winter period. The report has considered the noise impact from activities such as salt deliveries, staff, HGV, street cleaning and gritting vehicles departing and returning to the depot. Additionally, noise from external mechanical plant such as air source heat pumps (ASHPs), condensers and refrigeration plant are also considered. The specific models of such plant have been proposed and are stated within the assessment. Sound contours/noise modelling has been provided in respect of these activities based upon worst case scenarios of noise emission.

In respect of nearest residents at Ryehill View, it is assessed that noise from typical operation of the depot will have no impact. During nighttime gritting and in the worst-case scenario, it is calculated that noise levels generated would only be 1dB above background levels at the nearest dwellings. Adverse noise impacts at the nearest commercial premises (Evolve Business Centre) have been assessed as unlikely based on the worst-case noise scenario.

Given the findings of the Noise report, no concerns have been offered by the Council's EHO. The Council, as Local Planning Authority, are therefore satisfied that both the residential implications and the wider amenity impacts on the business park are acceptable and in accordance with the requirements of CSDP Policies BH1 and HS1.

To ensure appropriate on-site working arrangements are assumed during the construction phase, a Construction Environmental Management Plan condition has been recommended by the EHO. On the basis that a positive recommendation is reached, this will be attached to the decision notice.

3. Design and visual amenity implications

Policy BH1 also 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 135 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 136 thereafter makes particular reference to the important contribution trees can make to the character and quality of the urban environment, qualifying in part that existing trees should be retained wherever possible.

The proposed layout of the site has been guided by a number of key principles as set out in Section 4 of the DAS. These are;

- That the proposals will not encroach on the existing mature trees to the East and South of the site and to minimise encroachment upon the tree lined hedgerow along the Northern boundary of the site.
- To ensure that the location of the access and egress would be away from the bus stop and associated pedestrian crossing island.
- That careful consideration be given to the buildings' location, orientation and placement of the external facilities, and that the building should work with the topography of the

site.

A single access is to be formed off Cygnet Way which will allow for optimum visibility splays along the road. This will be a two-way access, secured by vehicle barriers positioned either side of the timber clad central gatehouse.

With regard to design and security, it is noted that the Designing out Crime Officer (Northumbria Police) has offered a number of observations and recommendations. These have been brought to the attention of the applicant and will be attached as an informative on the decision notice subject to a positive recommendation being reached.

The main depot building is proposed to be built towards the Northern end of the main site, aligned, and facing onto, Cygnet Way. The orientation of this building serves to provide a screen to the service vehicle parking area and other operational facilities including fuelling station and truck wash bay which will sit behind. A 50-space staff car park will be located to the front of the main building.

The salt barn and gritter vehicle garage are proposed to be located towards the South and East, making use of the topography of the site. Further to the main depot building, salt barn and gritter garage, the site will also accommodate an external plant room, arboricultural vehicle shelter, a vehicle charging canopy, a raised fuel island and a wash bay area for the service vehicles.

As the site typically slopes down towards the North, this has been incorporated within the central services vehicle parking area of the site and then by a retaining wall around the Northwestern corner of the Depot building to create a relatively level area for the Depot building itself. The land then slopes down across the staff car park with another retaining wall running along its Northern edge, separating it from the adjacent drainage channel linking both drainage basins where it will then be graded to meet the surrounding land.

In terms of scale and massing, the plans set out that the mono pitch main depot will be single storey in respect of the administrative area, rising to two storeys to accommodate the double height garaging.

The salt barn will present as a larger open portal-framed structure which will be viewed against the backdrop of the southern tree belt. The gritter garage will comprise a mono pitch single storey structure which adjoins the salt barn.

In respect of appearance, the building envelope of the depot will have textured cladding panels coloured grey. The blue trims at roof level and blue stock brick plinth courses provide a subtle feature, similar to those at existing Parsons depot building. There will be a standing seam roofing system to the pitched areas, with a number of smoke vents positioned centrally within the roof, powder coated aluminium fascia and soffits. The windows and doors are to be powder coated aluminium, coloured grey. This colour approach will be taken forward throughout the site with the gritter and salt barns treated more functionally in keeping with their purpose.

Officers are satisfied that from a scale, massing, materials and finishes perspective, the development will be in keeping with the commercial nature of the wider Rainton Bridge site.

The hard landscaping on site has been determined by the specific requirements and functions of the depot to accommodate a range of service vehicles. This will include areas of tarmac road and permeable block paved parking bays.

The soft landscaping has been developed to create an attractive landscape providing seasonal

interest whilst maximising the site's biodiversity value as far as possible. This includes ornamental shrub planting, specimen trees and areas of wildflowers proposed around the SuD's drainage basins and interlinking swale. The DAS sets out that this approach "will help to create a welcoming environment for staff entering the site via a proposed paved footpath and from the car park. The footpath takes pedestrians directly to the main entrance into the building". Plant species in this area will be chosen to create seasonal interest throughout the year whilst also providing valuable habitat.

To the West of the main depot building the plans set out a more naturalistic landscape, this will include native hedge planting and wildflowers. The drainage basins will provide attenuation for the site and will be detailed to maximise ecological benefits with native wetland and marginal plants. Along the southern boundary of the site, the existing grass and scrub planting will be enhanced using native shrub species and wildflowers. These measures in addition to offsite enhancements will ensure that the development provides sufficient biodiversity net gain.

The proposed boundary treatment has been selected to ensure that the site is suitably secure whilst not being visually dominant. In this respect, along the frontage of the site, powder coated V-mex mesh fencing finished in green will be utilised to allow the site to appear visually open whilst also providing a secure perimeter.

As has been set out at the beginning of this report, the site is currently naturalised with sporadic pockets of trees located throughout. Given the level tree coverage within and around the site, the application has been accompanied by an Arboricultural Appraisal Report, Impact Assessment and Method Statement. The report qualifies that the majority of the trees within the site are relatively young, self-seeded trees, of no particular arboricultural merit as individuals and present as unmanaged scrub. The larger more established trees are located along the boundaries of the site to the west and south. The report notes that whilst these trees are relatively low quality as individuals, they do combine to provide a screening belt and are viewed as a prominent landscape feature.

The proposals would result in the removal of trees and groups identified as T2, T3, G1, G2, G3 and G5 with G4 and W1, to be partially removed. The individual trees (T2 and T3) and the groups (G1, G2, G3, G4 and G5) are all category C trees, i.e. trees of low quality with short term future potential. The partial removal in respect W1, relates to some category B trees, i.e. trees of moderate quality with medium term future potential. Overall, given that the selective removals substantially relate to the removal of young, low quality self-seeded trees, no objections are offered. The retained groups (G6 and the majority of W1) offer good landscape value, will be retained and protected during the course of the development. A tree protection plan has been submitted and will need to be conditioned accordingly.

In respect of sustainability, the submission sets out that the development has been progressed to meet the aspirations of reducing energy consumption, carbon emissions and environmental impact. The Depot site is to be fully electric with no mains gas provision, whilst the orientation of the building maximises opportunity to utilise renewable energy in the form of solar photovoltaic panels. The choice of fabric of the building will also have a notable impact on the buildings heating systems and forms an important part of the energy saving strategy that is to be implemented. In addition to photovoltaics, Air Source Heat Pump technology will also be incorporated into the building.

Overall, the DAS makes it clear that the layout of the site has been subject to vigorous appraisal and has been informed by a clear understanding of the development brief, site constraints and sound sustainability principles. Officers are satisfied that the development will sit comfortably within the context of the site and would not be of detriment to the character and appearance of

area, in accordance with the requirements of CSDP Policy BH1 and Para's 135 and 136 of the NPPF.

4. The impact of the development on highway and pedestrian safety

Policy ST2 of the Council's 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.

Policy ST3, meanwhile, states that new development should:

- provide safe and convenient access for all road users in a way which would not compromise the free flow of traffic (including pedestrians, cyclists and public transport) or exacerbate traffic congestion or the risk of accidents;
- incorporate appropriate pedestrian and cycle routes within and through the site, linking to the wider network;
- submit an appropriate Transport Assessment/Statement to demonstrate no detrimental impact on the existing highway;
- include an appropriate level of vehicle and cycle parking;
- make appropriate provision for the electric vehicle charging;
- safeguard existing public rights of way;

Nationally, Paragraph 115 states that when considering applications for development it should be ensured that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location, that safe and suitable access to the site can be achieved for all users and that the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code.

Meanwhile, Paragraph 116 is clear in stating that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

In response to consultation the Local Highway Authority has noted that the planning application is supported by an updated Transport Assessment and Interim Travel Plan which includes an assessment of traffic impact and relocation of vehicle trips from the existing depot. The comments note that there have been no significant changes to the proposals that were previously submitted for review (in March 2025), other than some minor changes to the internal layout to assist with operation of the depot and management of Council vehicles including electric vehicle charging infrastructure.

Overall, the scheme is considered to meet the requirements of the CSDP and no objection has been offered to the proposal on highway grounds, with conditions recommended in respect of a Construction Traffic Management Plan and a Full Travel Plan.

On the basis of the above, it is considered that the implications of the proposed development in respect of access, parking, highway and pedestrian safety and sustainable travel initiatives are acceptable. Consequently, the proposals are considered to satisfy the objectives of paragraphs 115, and 116 of the NPPF and policies ST2 and ST3 of the Council's adopted CSDP.

5. Implications of development in respect of ecology and biodiversity

Policy NE2 of the Core Strategy and Development Plan requires development proposals to avoid or minimise adverse ecological effects in accordance with the mitigation hierarchy. The mitigation hierarchy is defined in NPPF paragraph 193(a), which specifies that, where it is not possible to avoid or adequately mitigate harm, compensation is required in respect of that harm.

The NPPF also states that planning permission should be refused where any residual ecological effects amount to significant harm to biodiversity. Policy NE2 does not specify that the hierarchy applies to significant harm only and instead refers to adverse effects in general. Therefore, in a local context the mitigation hierarchy is applicable to all potentially adverse ecological effects.

Designated sites

In terms of Statutory Designated Sites, the Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for the proposed development to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin. On this basis, Natural England was consulted for advice on the nature of the potential impacts and how these might be avoided or mitigated. Natural England's consultation response (received 22nd October 2025) concluded that the proposed development will not result in likely significant effects to statutorily protected nature conservation sites or landscapes.

In respect of local Designations, the site lies directly adjacent to Rainton Meadows Nature Reserve Local Wildlife Site (LWS). It is also within 100m of Joe's Pond Site of Special Scientific Interest (SSSI).

The Council's Ecologist has confirmed that the development proposals will need to ensure there are no direct or indirect adverse effects on the LWS or provide a suitable justification for the proposals set against the value of the LWS, as set out in Part 4 of policy NE2. It would need to be demonstrated that;

- i. there are no reasonable alternatives; and
- ii. the case for development clearly outweighs the need to safeguard the intrinsic value of the site.

Within this context, the proposals should clearly state how adverse effects to the nearby SSSI are to be avoided. If adverse effects are to be expected, then the following policies will apply:

Part 3 of policy NE2 states that "Development that would adversely affect a Site of Special Scientific Interest, either directly or indirectly, will be required to demonstrate that the reasons for the development, including the lack of an alternative solution, clearly outweigh the nature conservation value of the site and the national policy to safeguard the national network of such sites."

The measures to ensure avoidance of significant impacts to these areas is expected to be

provided in the form of a sensitive lighting strategy and a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) and a Biodiversity Risk and Opportunity Assessment with relation to the drainage strategy.

A Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) would need to be conditioned as part of any consent granted and would need to detail measures to avoid significant impacts to protected species and habitats throughout the construction period of the proposals. These measures should provide suitable buffer zones, physical barriers and sensitive working practices to protect existing areas of woodland which are adjacent to the proposed site, including tree root protection areas. It should also include sensitive working practices to avoid harm to small terrestrial mammals including hedgehogs, as well as amphibians and bats.

A sensitive lighting scheme would also be required to avoid significant impacts to light sensitive habitats and species. This would include an assessment of onsite and adjacent habitats sensitive to light spill and provision of a lux contour plan demonstrating that light spill within and outside of the red line boundary would not disturb these areas. The Institution of Lighting Professionals (ILP) Guidance Note GN08/23 and Guidelines for consideration of bats in lighting projects (EUROBATS guidelines nr. 8) (2018) is to be referred to when designing a lighting scheme of this nature. Significant impacts have been recorded from as low as 3.6 lux (Stone et al. 2012) on commuting/foraging bats, therefore lux levels should be lower than this in areas highlighted as suitable for nocturnal species. Lighting temperature, hours of illuminance and direction of lighting shall be taken into consideration with regard to decreasing light spill and therefore any possible significant effects.

The submitted Drainage Layout (Portland Consulting Engineers, March 2025) plan shows a proposed SuDS area to the west of the site adjacent to Rainton Meadows Nature Reserve LWS and a "truck wash bay" is to be installed to the central/western area of the site. The proximity of the site to Joe's Pond SSSI, designated for its lowland wetland and pond interests, necessitates further information to be provided to ensure these designated sites are not impacted by drainage proposals. Fixed national Standard 6 of the National standards for sustainable drainage systems (SuDS) (DEFRA, updated July 2025) requires evidence to show the final SuDS design demonstrates, among other measures, following the mitigation hierarchy (avoid, mitigate, compensate) to investigate if impacts can be avoided in the first instance, that the design strategy meets the requirements of any relevant designated sites, and justification that the ecological network corridors will be resilient and self-sustaining.

Within the context of the above, the Ecologist has confirmed that as the drainage layout has been designed to ensure no discharge to the adjacent SSSI or connected watercourses, it is considered that there will be no likely significant effects to the adjacent designated sites caused by drainage proposals.

Protected species

In reviewing the submission, the Council Ecologist has confirmed that the Preliminary Ecological Appraisal (DWS Ecology, December 2023) site visit was carried out in November of 2023, which was updated during the Ecological Impact Assessment (EclA) (V3) (DWS Ecology, September 2025) in June 2025. It has also been confirmed that where development does not commence for 18 months from June 2025, an updated assessment of the site will be required.

A total of 11 records of Great Crested Newts (GCN) were returned within 2km of site. eDNA analysis of a number of ponds within 500m of the site was undertaken, and no evidence of GCN was found.

The site is deemed to be of local level conservation importance for foraging and commuting bats. However, the site has been designed to maintain a suitable dark corridor along the woodland edge to prevent disrupting any existing bat pathways.

The site was found to have district level importance for breeding birds, as a result of the breeding bird survey effort. Enhanced nesting opportunities have been included within the landscape design, including enhancement of existing woodland, creation of hedgerow and scattered trees. Noise and lighting have been considered to ensure no likely significant effects on birds using the woodland edge to the west and south of the site.

To ensure no significant impacts to nesting birds as a result of the proposals, the clearance and/or demolition works are to be carried out within the bird nesting season, a pre-commencement nesting bird check should be undertaken by a suitably qualified ecologist immediately prior to those works. This will be conditioned.

The site was assessed to be of local level importance to hedgehogs. There is sufficient suitable habitat to support this species. As the site is situated within the wildlife corridor, to ensure that the site can still be linked functionally to the areas of the corridor to the east and west, a series of holes (at least 13 cm by 13 cm in size) should be included at the base of all proposed boundary treatments to ensure hedgehog and other small mammals are able to pass through all new boundary treatments unobstructed. This will be conditioned as part of any consent given.

Ecological Networks

The proposed site is situated within a wildlife corridor. Part 6 of policy NE2 states that "Development that would have a significant adverse impact on the value and integrity of a wildlife corridor will only be permitted where suitable replacement land or other mitigation is provided to retain the value and integrity of the corridor".

The proposals are therefore required to demonstrate that the value and integrity of the wildlife corridor is retained as a result of the proposals, i.e. the post development site should still function as part of an ecological network. Within this context, the Council Ecologist has confirmed that the proposals will not sever the wildlife corridor and will allow connectivity from the LWS to the west across to the east.

Biodiversity Net Gain

Biodiversity net gain is now a mandatory requirement for most development in England, subject to a series of exemptions. Proposals are required to achieve at least a 10 % increase in biodiversity value compared with the baseline condition: the biodiversity gain objective.

All planning permissions, unless exempt, are deemed to be granted subject the condition that the biodiversity gain objective is met: the biodiversity gain condition. These proposals are subject to the biodiversity gain condition, which is a pre-commencement condition requiring that a Biodiversity Gain Plan is submitted and approved by the LPA. LPA's are not required to replicate the biodiversity gain condition on a decision notice but informative text will be imposed on the decision notice to make applicants aware of the requirements around BNG.

The Council's Ecologist is satisfied that the baseline calculation submitted in support of the application is an accurate valuation of the habitats present on site at the time of the application. They have also confirmed that they are satisfied that there has been no degradation of onsite habitats as defined in paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990.

There are medium or higher distinctiveness habitats present on site pre-intervention which must be considered within the first part of the Biodiversity Gain Hierarchy. These include individual trees, other neutral grassland, mixed scrub, and other woodland, broadleaved.

The mitigation hierarchy outlines that in relation to onsite habitats which have a medium, high and very high distinctiveness (a score of four or more according to the statutory biodiversity metric), the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects is to be prioritised.

Proposed impacts to medium or higher distinctiveness habitats include loss of all areas of other neutral grassland, loss of all mixed scrub, loss of 0.54ha of Other Woodland; broadleaved, loss of 0.22km of ditches and loss of all individual trees.

The site is proposed to be almost completely cleared to facilitate creation of the depot. Avoidance of impacts to medium or higher distinctiveness habitats has been demonstrated through retention of 0.105ha of other woodland; broadleaved. The removal of the remaining habitats on site is considered to be unavoidable to enable the development.

Mitigation for impacts to medium or higher distinctiveness habitats has been demonstrated through creation of 0.5659ha of other neutral grassland, the creation of a sustainable urban drainage system (SuDS), 46m of ditch and 166m of culvert, the creation of 0.078ha of other woodland; broadleaved and 0.0448ha of urban trees on site. The creation of a total of 0.205km of native hedgerow with trees and 0.106km of native hedgerow is also proposed. This is considered to be appropriate within the constraints of the development. The remaining offsetting of impacts to these habitats is to be achieved through offsite habitat creation and/or purchase of units from a habitat bank.

The post development habitats will comprise of majority developed land. The proposed post development habitats include significant onsite enhancement, through creation of medium distinctiveness habitats on site including other neutral grassland, urban tree, other woodland broadleaved, in addition to medium distinctiveness hedgerow and watercourse habitats.

As the post-development habitats described within the Biodiversity Net Gain Assessment include onsite habitat enhancement that is significant in the context of paragraph 9 of Schedule 7A of the Town and Country Planning Act 1990, the Council Ecologist has confirmed that the onsite landscaping will need to be secured by conditions. These conditions will ensure submission of a Habitat Management and Monitoring Plan (HMMP) (including any updated HMMP), relating to those on-site habitat creation and enhancement works that contribute significantly to the overall biodiversity net gain, including the initial creation and completion of those habitat creation and enhancement works and 30 years maintenance and monitoring from completion. Informative text will be attached to any consent given to define completion for the purposes of monitoring of onsite biodiversity.

The LPA would require a monitoring fee associated with the delivery of the above on-site biodiversity net gain to check the monitoring reports for the HMMP and the payment of that monitoring fee would normally be secured via a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) and paid on completion of the legal agreement and prior to the issue of any planning permission. However, in this instance, as the City Council is both the applicant and landowner/developer of the site, a Section 106 legal agreement cannot be used, because the City Council cannot enter into a S106 legal agreement with itself. As a Section 106 legal agreement cannot be used to secure the required monitoring fee, it is proposed that in the event Members are minded to approve this application, the applicable biodiversity monitoring

fee of £3218.28, shall be paid by way of an internal budget transfer to the Planning Department prior to the issue of any planning permission. This approach is reflected below in the officer recommendation in the Conclusion section of this report.

Overall, the Council's Ecologist considers that the biodiversity gain hierarchy and biodiversity gain objective can be met through a combination of onsite and purchase of offsite habitat units and no objection to the proposals have been raised on grounds of biodiversity net gain.

Enhancement measures

Paragraph 187(d) of the NPPF encourages the incorporation of locally appropriate ecological enhancement measures within planning proposals. These measures can include those that support the establishment of coherent ecological networks and facilitate use of the post-development site by priority or threatened species. In this regard, the provision of three bird and three bat boxes installed onto the proposed structures or onto nearby trees within the site boundary should be incorporated into plans to provide ecological enhancements as part of the proposals. An ecological design strategy providing detail of these enhancements will need to be provided and approved by the Local Planning Authority. This will be secured via an appropriately worded condition.

Overall and subject to the imposition of conditions to cover the ecological mitigation and enhancement measures, the introduction of tree protection measures and the financial mechanism required to cover BNG monitoring, the development is considered to be acceptable and in accordance with the NPPF and Policies NE2 and NE3 of the CSDP and Policy CN23 of the UDP.

6. Implications of development in respect of flooding/drainage

In relation to flooding, paragraph 170 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 181 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 182, 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) which confirms that the site is located entirely in Flood Zone 1. On this basis the risk of flooding from tidal and fluvial sources can be deemed as Low Risk. With regard to surface flooding, the FRA confirms that surface flooding associated with the existing surface water drainage ditch, is present within the northeastern area of the site, along the road corridor of Cygnet Way and to the south of the railway embankment. Site levels in relation to the existing features and the diversion of the existing land drainage ditch will mean that the site's flood risk from this source will be Low Risk.

With regard to the drainage strategy, the preferred hierarchy for surface water disposal sets out that consideration should first be given to discharge to infiltration systems, watercourse, surface water sewer and combined sewer in that priority order.

In terms of infiltration, ground investigations have identified the underlying strata as sandy gravelly clay. As clays are predominately impermeable deposits the infiltration rates are anticipated to be very low and unsuitable for the disposal of surface water.

In terms of discharge to a watercourse, the site-specific nature of this site dictates that this option be avoided due to the sensitivity of the SSSI to the west.

In light of the above, the FRA qualifies that the flows must be discharged to the sewers within Cygnet Way which were originally designed to receive the flows from the development site.

In accordance with NPPF and to comply with Local and National Standards; all surface water flows from the development areas are to be restricted to the greenfield run off rates associated with the area to minimize flood risk on and off site. The flow rates for the site have therefore been restricted to satisfy the following bodies and standards; NWL and Sunderland City Council LLFA.

As referenced above, infiltration has been discounted due ground conditions therefore the volumes over and above those associated with the Greenfield rates must be stored on site. In this respect, an area along the low-lying northern boundary has been identified as a suitable location to site the detention basins and swale. The drainage strategy qualifies that the detention basins have been designed to attenuate as much of the anticipated volumes of surface water associated with storms up to and including the 1 in 100year Return Period (RP) storms. A biodiversity micropool has been specified at the outlet of each of the basins in order to provide a permanent water body on the site.

Further to the above, the scheme will also ensure that all staff parking areas are to be constructed as permeable pavements with connection to the main surface water system. Rainwater harvesting will also be provided in line with National Standards for SuDs. This will be provided on the main building and will provide scope for harvested water to be used in connection with the jet wash when required.

In terms of foul water, the drainage strategy confirms that the existing sewer within Cygnet Way

was designed to serve this development plot therefore a connection to the existing stub into the foul sewer will be utilised.

Northumbria Water (NW) confirmed that they have no objection to the proposal with regard to its impact on their assets and capacity within their network to accommodate and treat the anticipated flows arising from the development. A condition has been requested to ensure that the scheme is progressed in accordance with the submitted drainage strategy report. This will be attached to any consent granted.

The FRA and Drainage Strategy has been considered by the Council's Lead Local Flood Officer, and is deemed to be acceptable subject to the imposition of a verification statement.

Subject to such a condition and that requested by NW, it is considered that the flood risk and sustainable drainage implications of the development are acceptable, in accordance with paragraphs 170, 181 and 182 of the NPPF and policies WWE2, WWE3 and WWE5 of the CSDP.

7. Implications of development in respect of land contamination

Paragraph 196 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation. 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 accompanying site investigation has been reviewed with the Council's Land Contamination Officer. The report details that four soil samples were collected and sent for laboratory analysis for a generic suite of contaminants. No contamination was detected above the relevant assessment criteria for a proposed commercial end use, and so the soils are considered suitable to remain on site. Four ground gas monitoring wells were installed, and at the time of preparing the investigation report, one round of monitoring out of a scheduled four had been completed. The report states that a ground gas risk assessment is to be provided in a separate report upon completion of the monitoring exercise.

The Land Contamination Officer is satisfied with the content of the report, highlighting that the site investigation works carried out to date are acceptable. However, given that the report does not include the completed gas risk assessment, it has been recommended that the Site Characterisation condition is attached to the decision notice. Further conditions in respect of a remediation scheme, verification report, unexpected contamination, the decommissioning of redundant investigation boreholes and the confirmation of the sealing of service duct annulus are also recommended.

Subject to the conditions recommended above, 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

In terms of land use, it is considered that the proposed development will provide sustainably located economic development on identified employment land. The scheme therefore fully accords with the Council's Strategic Policies SP1 and SP6 and economic growth Policy EG1, which seek to deliver economic growth, meet people's needs and to safeguard employment land for appropriate uses.

The report also concludes that the residential implications and the wider amenity impacts on the business park are acceptable and in accordance with the requirements of CSDP Policies BH1 and HS1.

In respect of the design, layout and landscaping, Officers are satisfied that the development will sit comfortably within the context of the site and wider employment estate and would not be of detriment to the character and appearance of area, in accordance with the requirements of CSDP Policy BH1.

The implications of the development relative to highways matters have been considered and are acceptable relative to highway and pedestrian safety. Subject to the conditions recommended throughout this report, the proposals are also considered to be acceptable in respect of ecology, flood risk and sustainable drainage, trees and land contamination.

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 and remaining saved policies of the UDP. It is consequently recommended that Members be minded to Grant Consent for the development under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the completion of an internal transfer of £3218.28 within the City Council to secure the necessary monitoring fee associated with the provision of the on-site biodiversity net gain and the draft conditions set out 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:

It is recommended that Members be **MINDED TO GRANT** planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the completion of an internal budget transfer of £3,218.28 to the Planning Department to secure the necessary monitoring fee associated with the provision of the on-site biodiversity net gain and the draft conditions set out below.

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 The development hereby granted permission shall be carried out in full accordance with the following approved plans:
 - The Location Plan received 07.10.2025 (Plan ref: 0121001-SCC-ZZ-XX-DR-A-1001 REV P02);
 - The proposed Ground Floor Plan - Depot, as amended received 21.11.2025 (Plan ref: 012100-SCC-01-GF-DR-A-2001 REV P09);
 - The proposed Elevations - Depot, as amended received 21.11.2025 (Plan ref: 012100-SCC-01-XX-DR-A-3001 REV P08);

- The proposed Mezzanine Plan - Depot, received 07.10.2025 (Plan ref: 0121001-SCC-01-M1-DR-A-2001- REV P07);
- The proposed Roof Plan - Depot, received 07.10.2025 (Plan ref: 0121001-SCC-01-R1-DR-A-2001 REV P07);
- The proposed Building Sections - Depot received 07.10.2025 (Plan ref: 0121001-SCC-01-XX-DR-A-4001);
- The proposed Ground Floor - Gritter Vehicle Shed and Salt Barn received 07.10.2025 (Plan ref: 0121001-SCC-02-GF-DR-A-2001 REV P07);
- The proposed Roof Plan - Gritter Vehicle Shed and Salt Barn received 07.10.2025 (Plan ref: 0121001-SCC-02-R1-DR-A-2001 REV P06);
- The proposed Elevations - Gritter Vehicle Shed and Salt Barn received 07.10.2025 (Plan ref: 0121001-SCC-02-XX-DR-A-3001 REV P07);
- The proposed Building Sections - Gritter Vehicle Shed and Salt Barn received 07.10.2025 (Plan ref: 0121001-SCC-02-XX-DR-A-4001 REV P04);
- 3D Perspectives - Gritter Vehicle Shed and Salt Barn received 07.10.2025 (Plan ref: 0121001-SCC-02-XX-DR-A-0001 REV P04);
- The proposed Arbo Covered Shelter Details received 07.10.2025 (Plan ref: 0121001-SCC-04-ZZ-DR-A-2001 REV P01);
- The proposed Site Sections received 07.10.2025 (Plan ref: 0121001-SCC-XX-XX-DR-A-4050 REV P02);
- The proposed Site Plan as amended received 09.01.2026 (0121001-SCC-ZZ-XX-DR-A-6001 REV P04);
- The General Layout as amended received 09.01.2026 (SPR-SCC-ZZ-XX-DR-A-6001 REV P03);
- The proposed Planting Plan as amended received 09.01.2026 (Plan ref: 0121001-SCC-ZZ-XX-DR-A-6002 REV P04);
- The proposed Gate House Details received 07.10.2025 (Plan ref: 0121001-SCC-XX-XX-DR-A-6060 REV P03.01);
- The proposed Vehicle Charging Canopy Details received 07.10.2025 (Plan ref: 0121001-SCC-XX-XX-DR-A-6075 REV P02);
- The proposed Waste Transfer Skip Details received 07.10.2025 (Plan ref: 0121001-SCC-XX-XX-DR-A-6080 REV P01);
- The External Plant Room Details received 09.01.2026 (Plan ref: 0121001-SCC-XX-XX-DR-A-6085 REV P02);
- The Substation Details received 09.01.2026 (Plan ref: 0121001-SCC-XX-XX-DR-A-6086) REV P01;
- The Landscape Hardware plan as amended received 09.01.2026 (Plan ref: 0121001-SCC-ZZ-XX-DR-L-7000 REV P03);
- The Landscape Softwork Details received 07.10.2025 (Plan ref: 0121001-SCC-ZZ-XX-DR-L-7001_P01);
- The proposed SuDs Details received 20.10.2025 (Plan ref: 2024002-PCE-XX-XX-DR-C-007 REV P02);
- The proposed Drainage Layout received 20.10.2025 (Plan ref: 2024002-PCE-XX-XX-DR-C-010- REV T02);
- The External Lighting Arrangement Layout received 07.10.2025 (Plan ref: HDRM-WSP-00-ZZ-XX-E-691001).

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

- 3 The external materials to be used in the development hereby approved shall be those specified within the supporting document entitled Houghton Depot - Schedule of External Materials.

Reason: In the interests of visual amenity and to comply with policy BH1 of the Core Strategy Development Plan.

- 4 Prior to commencement of works on site a CEMP shall be submitted for the agreement of the LPA. The Plan shall identify all potential impacts arising from works of site clearance and preparation and from works of construction where they may impact nearby occupiers and the local environment. The Plan shall include but not necessarily be limited to:

- Working hours.
- Identification of sensitive receptors.
- Communication and complaints management proposals to assist neighbouring occupiers including the adjacent school and identification of site contact arrangements.
- Location of site access and compounds.
- Noise and vibration control measures, including consideration of guidance within the Code of Practice for noise control on construction and open sites BS5228:2009 +A1:2014.
- Measures to prevent or minimise the generation of dust from site preparation and construction works.
- Management of all construction traffic, HGVs and deliveries and qualification as to how existing access rights in and around the site will be managed and maintained during the construction process.
- Prohibition of burning of waste and vegetation on site.
- Site floodlighting.
- Protection of the highway from track out of dust and mud.

Thereafter the development shall be constructed in full accordance with the approved CEMP.

Reason: In the interests of amenity and highway safety to accord with policies BH1 and ST3 of the Core Strategy Development Plan.

- 5 The onsite landscaping scheme shall be carried out in full accordance with the details set out within the agreed landscaping plans and planting strategy. Thereafter the landscape works shall be maintained in accordance with the current version of the British Standard 4428 for a period of 5 years commencing on the date of Practical Completion and during this period any trees or plants which die or become diseased shall be replaced in the first available planting season with others of similar size and species and any grass which fails to establish shall be reestablished.

Reason: In the interests of the ecological value of the site and visual amenity and to accord with Policies NE2 and NE9 of the Core Strategy Development Plan.

- 6 The development hereby approved shall be undertaken in complete accordance with the recommendations of the Arboricultural Method Statement contained within Section 10 of the Arboricultural Appraisal Report (MWA arboriculture/dated 29.01.2024/Ref:

DEV231026-1109) and the Tree Protection Plan (Ref: MWA TPP01) dated 29.01.2024.

Reason: To ensure the implications of the development is acceptable relative to trees and to comply with the objectives of policy NE3 of the Core Strategy Development Plan.

- 7 No trees, hedges or shrubs shown as being retained on the approved plans shall be topped, lopped or removed during site works without the prior written approval of the Local Planning Authority. Reason: to ensure no trees are unnecessarily removed from the site and to comply with the objectives of policy NE3 of the Core Strategy Development Plan.
- 8 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a. Risk assessment of potentially damaging construction activities.
 - b. Identification of "biodiversity protection zones".
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction and to avoid harm to hedgehogs, amphibians and bats (may be provided as a set of method statements).
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works.
 - f. Responsible persons and lines of communication.
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect the biodiversity of the site during construction works and to comply with Policy NE2 of Core Strategy Development Plan.

- 9 In the event that development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 18 months, the supporting ecological information shall be updated and a copy of the report submitted to the Local Planning Authority for agreement in writing. The supporting information shall be in line with national guidance, and as such shall comprise an Ecological Impact Assessment proportional to the ecological importance of the site and the scale of the proposals.

Reason: In order to protect the biodiversity of the site and to comply with Policy NE2 of Core Strategy Development Plan.

- 10 There shall be no removal of hedgerows, trees, scrub or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or

that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In order to protect the biodiversity of the site during construction works and to comply with Policy NE2 of Core Strategy Development Plan.

- 11 No development shall take place until an ecological design strategy (EDS) addressing enhancement for protected and priority species has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.

- a. Purpose and conservation objectives for the proposed ecological works.
- b. Location (shown on appropriate scale plans) of specific make and model, or design, of at least three bat boxes, and three bird boxes. Habitat boxes are to be integral to new structures where appropriate.
- c. Details of how the design of boundary treatments will not obstruct the movement of hedgehogs.
- d. Details of maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to protect and enhance the biodiversity of the site and its surroundings and to comply with Policy NE2 of Core Strategy Development Plan.

- 12 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Baseline Assessment (BNG) (V2) (DWS Ecology, January 2026).

Reason: to ensure BNG objectives are met and comply with the requirements of Policy NE2 of the Core Strategy Development Plan and the Environment Act 2021.

- 13 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall be submitted using the Habitat Management and Monitoring Plan Template as published by Natural England and the content of the HMMP shall be consistent with the guidance contained within the Habitat Management and Monitoring Plan Checklist as published by Natural England.

The approved plan must then be implemented in accordance with the approved details.

Reason: to ensure on site habitats achieve biodiversity objectives and to comply with the objectives of Policy NE2 of the Core Strategy Development Plan.

- 14 Notice in writing shall be given to the Local Planning Authority when the:

- a) HMMP has been implemented/commenced; and
- b) habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: to ensure on site habitats achieve biodiversity objectives and to comply with the objectives of Policy NE2 of the Core Strategy Development Plan.

- 15 No occupation of any building shall take place until:
- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 - b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: to ensure on site habitats achieve biodiversity objectives and to comply with the objectives of Policy NE2 of the Core Strategy Development Plan.

- 16 The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: to ensure on site habitats achieve biodiversity objectives and to comply with the objectives of Policy NE2 of the Core Strategy Development Plan.

- 17 Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP. The monitoring reports shall be prepared and submitted using the Monitoring Report Template published by Natural England.

Reason: to ensure on site habitats achieve biodiversity objectives and to comply with the objectives of Policy NE2 of the Core Strategy Development Plan.

- 18 Prior to this development been brought into use, a verification report is to be carried out by a suitably qualified person, and the extent of the SuDS features to be covered in the report must be submitted to and approved by the Local Planning Authority. The verification report(s) shall demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme.

For the avoidance of doubt, this 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.
- Hydrobrake details/delivery note.
- Construction details (component drawings, materials, vegetation).
- Health and Safety file.
- Details of ownership organisation, adoption & maintenance."

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 Development Plan.

- 19 The development shall be implemented in accordance with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment & Drainage Strategy Report Rev G 15/10/2025". The drainage scheme shall ensure that foul flows discharge to

the foul sewer at manhole 9801 and ensure that surface water discharges to the surface water sewer at manhole 9802. The surface water discharge rate shall not exceed the available capacity of 7.5l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the Policies WWE4 and WWE5 of the Core Strategy Development Plan.

- 20 Within 6 months of occupation of the office and welfare facilities hereby approved, a full travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include results of a baseline travel survey and a series of targets, monitoring and review and remedial measures. The development hereby approved shall thereafter be managed in accordance with the approved full travel plan.

Reason: To ensure sustainable transport, in accordance with Policies ST2 and ST3 of the Core Strategy Development Plan.

- 21 Development, other than demolition, 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

iii where unacceptable risks are identified, an appraisal of remedial options, and proposal of the preferred option(s).

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

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 Policy HS3 of the Core Strategy Development Plan.

- 22 Development, other than demolition, 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's "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 Policy HS3 of the Core Strategy Development Plan.

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.

- 23 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 building 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 Policy HS3 of the Core Strategy Development Plan.

- 24 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 the Environment Agency's "Land Contamination: Risk Management" 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 and prior to the occupation of any building, 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 Policy HS3 of the Core Strategy Development Plan.

- 25 No works of construction shall be commenced until a verification report detailing the position of all boreholes installed for the investigation of soils, ground gases, groundwater or geotechnical purposes (including grouting), is submitted to the Local Planning Authority for agreement in writing.

The verification report shall detail how redundant boreholes have been decommissioned and how any borehole that needs to be retained, post-development, for monitoring purposes will be secured, protected and inspected.

Reason: To ensure that redundant boreholes are safe and secure, and they do not cause preferential pathways for contamination and gas movement, in accordance with Policy HS3 of the Core Strategy Development Plan.

- 26 Prior to the occupation of any building, the applicant shall submit to the Local Planning Authority a report demonstrating and evidencing the effective sealing of the internal annulus of all service duct penetrations through gas resistant membranes against potential ground gas ingress. The report is subject to approval in writing by the Local Planning Authority.

Reason: To ensure that the risk from potential ingress and accumulation of ground gas, which may be prejudicial to the health & amenity of the occupants of the respective buildings is minimised in accordance with Policy HS3 of the Core Strategy Development Plan.

Reference No.: 25/02696/LP3 Local Authority (Reg 3)

Proposal: **Erection of new Heritage Visitors Centre and Cafe including toilet facilities and internal and external seating. Creation of external small play area, exhibition space, various interpretation installations and new access road and car park.**

Location: Washington F Pit, Albany Way, Albany, Washington, NE37 1UR

Ward: Washington North
Applicant: Sunderland City Council
Date Valid: 20 November 2025
Target Date: 15 January 2026

SITE:

The site to which the application relates is the F-Pit Museum located within Albany Park. The Park itself was formed from land reclaimed from the former Washington Colliery.

The Engine House and attached steel headgear were the only built structures that were retained. The Engine House has been converted into a museum dedicated to the mining history of the area. The structure is a Scheduled Ancient Monument and a Grade II Listed building.

PROPOSAL:

It is proposed to improve the F Pit Museum's offer, by providing a new heritage visitor centre and café on the site, exhibition space, a play area, new car parking area and landscaping improvements

The applicant confirmed that the current site is only open to the public at certain times throughout the year and is staffed by 2-3 members of staff when open, it is not envisioned that this amount of staff would increase in number significantly following the upgrades to the site and the museum would initially be open to the public 2-3 times per week.

The operating hours for the café would be 9-6 and it is envisioned that the museum itself would not operate outside these hours.

It is anticipated that there would be the equivalent of 2-3 full time members of staff during off peak months and 3-4 during peak months.

It is noted that the impacts on the designated Scheduled Monument fall primarily under the consideration of Historic England who, in addition to their comments on the impacts of the proposals in this application on the setting of the Monument, will consider more specific physical impacts on the Engine House and archaeology of the scheduled area as part of a separate application to them for Scheduled Monument Consent (SMC).

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Mining Remediation Authority
Network Management
Cllr Jill Fletcher
Cllr Michael Walker
Cllr Peter Walker
Planning Implementation
Planning Policy
Environmental Health
Natural Heritage
Historic England
Natural England
Amenities Societies
Planning And Highways
The Ancient Monuments Society
Tyne And Wear Archaeology Officer
The Georgian Group
Land Contamination
Landscape

41 Bridekirk Albany Washington NE37 1UD
60 Swirral Edge Albany Washington NE37 1UP
56 Swirral Edge Albany Washington NE37 1UP
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Final Date for Receipt of Representations: **23.12.2025**

REPRESENTATION:

Public consultation for the application has been carried out in the form of letters to residential neighbours, site notices and a press notice.

1 no. representation was received from the Twentieth Century Society. In their response they set out that they are a National Amenity Society charged with the protection and appreciation of post-1914 heritage, the society have provided no objection to the proposal.

Internal/external consultees

Council's Planning Policy team - The proposal would improve a community facility and thus the principle would be considered acceptable where it can meet, to the decision makers satisfaction, the greenspace requirements outlined in CSDP Policy NE4.

In addition, the heritage, visual, design, highways and biodiversity impacts should be considered.

Council's Conservation Team - It is considered that the proposed development will have a positive impact on the F Pit Museum. It will bring substantial heritage benefits in terms of conserving the significance of the Engine House and enhancing its setting with compatible high-

quality new development that will sustain and improve its Museum use and offer as a key visitor attraction. The development is also a key element of a wider regeneration project for F Pit and Albany Park that will enhance local character and distinctiveness and significantly benefit the local community and visitors. The requisite great weight has been given to the conservation of the designated heritage asset, and the proposals satisfy the requirements of CSDP policies BH7 and BH8 and NPPF paragraphs 210, 212 and 219 to conserve and enhance its significance.

The following conditions are suggested: provision of details of external materials, hard landscaping features, full details of totems, 3D model, interpretation panels, re-positioned section of head frame, external lighting, play area equipment and the archaeological condition recommended by the County Archaeologist.

Council's Environmental Health team - There are no objections to the principle of this development in relation to matters within our remit. Should the Planning Authority be minded to approve this application conditions should be applied to provide detail with regard to noise and odour. In particular external plant detail, including ASHP's, refrigeration compressors, air conditioning units and kitchen extraction equipment, associated with the café, to ensure any potential impacts on the nearest sensitive receptors with regard to noise and odour are mitigated.

Historic England - Historic England supports the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 213 and 215.

Coal Authority - the Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

County Archaeologist - The archaeological investigations carried out so far meet the requirement of the NPPF for an applicant to describe the significance of any heritage assets affected by the proposed development (para 207). The archaeological mitigation proposed is consistent with the NPPF requirement for developers to record and advance understanding of the significance of any heritage assets to be lost (para 218). The Washington F Pit engine house and associated section of headgear is a Scheduled Monument (List Entry 1018224), and the proposals will therefore require Scheduled Monument Consent, which if granted is also likely to include a condition for archaeological monitoring. The Written Scheme of Investigation that will be required for the Scheduled Monument Consent may also be used to implement the conditions suggested below, if this approach is supported by Historic England.

The archaeological monitoring can be secured via conditions relating to an archaeological watching brief.

Council's Land Contamination Officer- No objection subject to conditions relating to a detailed remediation scheme, implementation of approved remediation and verification, reporting of unexpected contamination, decommissioning redundant investigation boreholes and validation and verification of the sealing of service duct annulus.

Council's Future Transport team - the Highway Engineers have offered no objection to the proposals, recommending conditions in respect of secure cycle storage and EV charging points

Council's Ecologist - the Council's ecologist has No objection subject to the imposition of recommended conditions. The nature of the comments will be discussed later in the report.

POLICY BACKGROUND

The National Planning Policy Framework (NPPF) provides the current Government's national planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out 3 overarching objectives which aim to assist in the delivery of sustainable development. These are identified as being;

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.

As of 30th January 2020 the Council adopted a new Core Strategy and Development Plan, which replaces the 1998 Unitary Development Plan (UDP).

The appropriate guidance of the NPPF as detailed above feeds into the following local policies which are considered pertinent to the determination of this application are saved UDP policy L1 and policies VC6, VC5, NE4, VC1, BH1, HS1, BH7, BH8, BH9, M1, M3, WWE3, NE2, NE3 and ST3 of the CSDP.

ASSESSMENT

Given the above the main issues to consider in the determination of this application are as follows:

- Principle of proposed use of building
- Residential amenity
- Visual amenity and heritage considerations
- Archaeology
- Land contamination and coal
- Drainage
- Ecological implications
- Arboricultural Implications
- Highway and pedestrian safety

Principle of proposed development

The Councils Policy Team noted that CSDP Policy VC6 provides general support for the

development of cultural, leisure and tourism proposals. This redevelopment of the museum site would therefore support the aims of Policy VC6.

The proposal would also be considered a community facility and CSDP Policy VC5: Protection and Delivery of Community Facilities and Local Services is also relevant. The policy outlines that community facilities and local services will be protected.

Criterion 2 of the policy sets out support for development of new and extended community facilities. Given that the proposal would help extend the existing community facilities, it is considered the proposal is also in alignment with this policy.

Open Space

It is noted that saved UDP policy L1 allocates the site as open space, as part of Albany Park. The park is also classified within the Council's Greenspace Audit as Parks & Formal Gardens (primary purpose). Therefore, CSDP Policy NE4: Greenspace is considered relevant.

This policy outlines that the Council will (inter alia) protect, conserve and enhance the quality, community value, function and accessibility of greenspace.

It is noted that the site plan shows that part of the proposal would include a new vehicle access and car park to the south of the heritage centre development within a designated green space. This would reduce the quantum of the greenspace currently provided.

In relation to the above, broadly it is considered that the proposal would improve the attractiveness and function of Albany Park by supporting the existing F Pit attraction.

It is, however, recognised that part of the proposal would involve the loss of green space, although it is noted that the section of the Planning Statement entitled 'Open Space Assessment' outlines that the wider parkland is subject to a programme of improvements which, it is contended, would help to compensate for the open space being lost to the proposed development.

It is considered that whilst the development will result in the loss of a small amount of greenspace, the proposal would, overall, enhance the value of Albany Park as it will improve the park's recreation and amenity offer through the development of an improved visitor attraction with better facilities. The proposed development is therefore considered to comply with policy NE4's objectives.

Main Town Centre Use

A core element of the scheme is the proposed café, which is a main town centre use, as defined by the CSDP. CSDP Policy VC1: Main town centre uses and retail hierarchy states under criterion 6 that the development of main town centre uses will be focused within existing designated centres, as set out within the retail hierarchy.

Development outside of existing centres will be expected to follow the sequential assessment approach.

This site is not within a designated centre and so typically the sequential test requirement would apply. However, it is recognised that the nature of the café use would be to perform a key, yet ancillary facility to the redeveloped heritage centre, i.e. it would not operate as a standalone operation, with its opening hours expected to be aligned with that of the heritage centre.

Given this relationship, it is considered that a more flexible approach to the application of policy VC1 and the sequential test requirement can be justified.

Summary

It is considered that the proposed development will provide an improved community facility according with policies VC6 and VC5. The scheme would also be considered protect, conserve and enhance the quality, community value, function and accessibility of greenspace, aligning with the requirements of saved UDP policy L1 and CSDP policy NE4. Finally, the ancillary nature of the café facility would ensure that there would be no conflict with policy VC1.

The principle of the proposal is acceptable, however the acceptability of the proposal in relation to the other issues set out above, will be considered below.

Residential amenity

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

Policy HS1 sets out that development must not result in unacceptable adverse impacts arising from air quality; noise; dust; vibration; odour; emissions; land contamination and instability; illumination, run off to protected waters; or traffic.

The site is approximately 22 metres from the nearest residential neighbours on Ennerdale and there is an intervening road. Given this and the fact that the park would be operational within daylight hours, it is not considered that an increase in visitor numbers, would significantly impact the residential amenity of any neighbouring dwellings, in terms of noise and disturbance.

The Council's Environmental Health Team have provided no objection to the proposal in principle but have requested that conditions be applied to any approval to provide detail with regard to noise and odour. In particular external plant detail, including ASHP's, refrigeration compressors, air conditioning units and kitchen extraction equipment, associated with the café, to ensure any potential impacts on the nearest sensitive receptors with regard to noise and odour are mitigated.

It was also requested that should the application be approved a CEMP be provided to ensure the environmental impact of the construction of the development is adequately managed and mitigated, in the interests of the amenity of nearby residents/occupiers in the vicinity of the site.

The proposal would accord with policies BH1 and HS1 of the CSDP, subject to the conditions set out above.

Visual amenity and heritage considerations

CSDP Policy BH7: Historic Environment 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 by (inter alia):

1. giving great weight to the conservation of heritage assets (designated and non-designated) based on their significance in accordance with national policy;
2. supporting new development which makes a positive contribution to the character and townscape quality of the historic environment;
3. supporting and developing innovative initiatives that identify, maintain, conserve and sustain or return to beneficial usage designated or non-designated heritage assets;
4. capitalising in an appropriate and sensitive manner on the regeneration and tourism potential of heritage assets; and
8. improving access and enjoyment of the historic environment where appropriate, by supporting proposals that retain, create or facilitate public access to heritage assets to increase understanding, appreciation and enjoyment of their significance, special qualities and cultural values.

CSDP Policy BH8: Heritage Assets states 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. More specifically in relation to listed buildings, criterion 2 provides that development affecting a listed building, including alterations and additions should:

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

Following consultation, the Council's Heritage Officer confirmed that Washington F-Pit Museum is a well-known landmark and a significant heritage asset; the surviving colliery Engine house and attached steel headgear is one of only 10 Scheduled Ancient Monuments in the city and a Grade II Listed building. It is a key element of the city's wider heritage offer and an especially significant survival of Washington's industrial mining history.

It was stated that the Museum is currently underused as a visitor attraction and limited in its offer. The Engine House is on Historic England's Heritage at Risk Register due to its significant underuse and condition, albeit it is now in generally good condition following a package of urgent repair works in 2022.

The F Pit Museum is located within Albany Park which was formed from land reclaimed from the former Washington Colliery, the Engine House being the only built structure that was retained and since developed into a museum as an important reminder of the area's mining history. Albany Park defines the current landscape setting of the listed building / SAM and is subject to an improvement scheme as part of a wider regeneration project for the F Pit Museum and Park. Historically the Engine House was closely surrounded by the numerous buildings, structures, railway tracks etc and intensive industrial activity that characterized the function of the extensive colliery site, rather than the open tranquil setting in which it is experienced nowadays.

It is noted that the proposals have been subject to detailed pre-application discussions with the Conservation Team, who firmly support the application. The Conservation Officer sets out that the comprehensive repair and improvement work to the Engine House will ensure the listed building/SAM is conserved into the future.

It is considered that the development of the F Pit Museum's offer, including a new heritage visitor centre and café on the site, exhibition space, play area, car park and landscaping

improvements, will provide a new facility for the local community that will enhance and sustain the Museum as a heritage visitor attraction. Along with associated improvements to Albany Park the proposed development will regenerate the local neighbourhood and attract more visitors to Washington and the wider city.

The Heritage Officer concurs with the conclusion of the Heritage Statement that the proposals will have an overall beneficial impact on the evidential, historic, aesthetic and communal values of the Engine House's significance.

The Heritage Officer also considers that the coherent and well-informed, high-quality design approach to the new building, external landscaping and exhibition installations will introduce sensitive interventions into the immediate surroundings of the Engine House that reinforce and interpret its industrial character and, in part, reintroduce appreciation of the historic character of the wider former colliery site.

The design of the Visitor Centre and Café is inspired by and will provide a contemporary interpretation of the former colliery buildings that surrounded the Engine House. The single storey height of the building and its traditional form and industrial type metal cladding materials with brick plinth and adjacent brick boundary walls will complement the Engine House and allow it to still clearly be viewed as the dominant building and feature in the surrounding landscape.

The external exhibition installations introduce key features such as the time totems and 3 D cross section model that have also been designed to reflect and interpret the site's industrial character and coal mining heritage. The re-positioning of the ex-situ fragment of headframe in its upright orientation broadly below its original position at the top of the head frame, will aid understanding of its role in guiding the lowering and lifting of the cage.

The Heritage Officer acknowledges that the proposed new car park is necessary for the function and accessibility to the new Museum and café offer and notes that it is discreetly located behind a tree belt in the park in that part of the development site furthest away from the Engine House. Given the intervening Visitor Centre / Café building and landscaping, any impact on its setting will be minimal. Overall, the proposed development is considered to enhance the setting and significance of the Listed Building and significantly improve access to and appreciation of its special interest.

The Heritage Officer confirmed that the Impacts on the designated Scheduled Monument fall primarily under the consideration of Historic England who, in addition to their comments on the impacts of the proposals in this application on the setting of the Monument, will consider more specific physical impacts on the Engine House and archaeology of the scheduled area as part of a separate application to them for Scheduled Monument Consent (SMC). It is however noted that the proposed repair, conservation and internal improvement work to the Engine House that will be subject to the SMC application will have a major beneficial impact on its significance.

The excavation works for the new development could potentially impact archaeological remains and cause a low level of harm to significance of the SAM, as noted in Historic England's comments. Their Inspector of Ancient Monuments and the Tyne & Wear Archaeological Officer have however been involved in pre-applications discussions, and this has informed the approach to Archaeology outlined in the Design, Access and Heritage Statement regarding the requirements for an Archaeological Watching Brief (to be a condition on the planning permission) and Written Scheme of Investigation that will be included in the SMC application.

Furthermore, having regard to the wider beneficial impacts on setting and significance of the proposed development, as described above, the Heritage Officer considered that on balance

there will be an overall enhancement of the heritage significance of the Engine House.

It is considered that the proposed development will have a positive impact on the F Pit Museum. It will bring substantial heritage benefits in terms of conserving the significance of the Engine House and enhancing its setting with compatible high-quality new development that will sustain and improve its Museum use and offer as a key visitor attraction. The development is also a key element of a wider regeneration project for F Pit and Albany Park that will enhance local character and distinctiveness and significantly benefit the local community and visitors. The requisite great weight has been given to the conservation of the designated heritage asset, and the proposals satisfy the requirements of CSDP policies BH7 and BH8 and NPPF paragraphs 210, 212 and 219 to conserve and enhance its significance.

The Heritage Officer has suggested conditions be attached to any approval to provide details of external materials, hard landscaping features, full details of totems, 3D model, interpretation panels, re-positioned section of head frame, external lighting, play area equipment and the archaeological condition recommended by the County archaeologist.

Subject to appropriate conditions, it is considered that the visual and heritage impacts of the proposal are acceptable and compliant with the NPPF and policies BH7 and BH8 of the CSDP.

Archaeological implications

Policy BH9 sets out that where substantive changes are to be made to a designated Built Heritage Asset of significance, works must not commence until an archaeological building recording of the asset has been carried out and the results deposited with the Historic Environment Record and Tyne and Wear Archives.

An archaeological desk-based assessment was submitted with the application carried out by H.E.R.I. in 2024 (HER report 2024/67).

The County Archaeologist was consulted and confirmed that the assessment concluded that there is some potential for the survival of non-designated buried remains of structures associated with the colliery within the redevelopment area and that these would be of local significance. The report recommended that archaeological monitoring be undertaken during the redevelopment of the site.

It was noted that the applicant also submitted a report on geophysical surveys carried out by Archaeological Services Durham University in 2024 (HER report 2024/68). These comprised magnetometer, electrical resistance and ground-penetrating radar (GPR) surveys carried out across two areas totalling 0.3ha in size.

The features identified included the former mineshaft below the headgear and possible structures around it, other structural remains, four probable surviving railway tracks, and spreads of building rubble or former colliery waste.

The County Archaeologist stated that the archaeological investigations carried out so far meet the requirement of the NPPF for an applicant to describe the significance of any heritage assets affected by the proposed development (para 207). The archaeological mitigation proposed is consistent with the NPPF requirement for developers to record and advance understanding of the significance of any heritage assets to be lost (para 218).

The Washington F Pit engine house and associated section of headgear is a Scheduled Monument (List Entry 1018224), and the proposals will therefore require Scheduled Monument

Consent, which if granted is also likely to include a condition for archaeological monitoring.

The County Archaeologist advised that conditions relating to an archaeological watching brief and an archaeological watching brief report be attached to any approval.

It was noted that the Written Scheme of Investigation that will be required for the Scheduled Monument Consent could also be used to discharge the suggested conditions, if this approach is supported by Historic England.

Subject to appropriate conditions, the proposal is considered acceptable in respect of archaeological objectives and would accord with policy BH9.

Land contamination and coal mining

Policy HS1 of the CSDP sets out that development must demonstrate that it does not result in unacceptable adverse impacts which cannot be addressed through appropriate mitigation, arising from the following sources:

- i. air quality;
- ii. noise;
- iii. dust;
- iv. vibration;
- v. odour;
- vi. emissions;
- vii. land contamination and instability;
- viii. illumination;
- ix. run-off to protected waters; or
- x. traffic;

Policy M1 Minerals Safeguarding Areas and infrastructure, sets out that planning permission will only be granted for incompatible non-mineral development within a Minerals Safeguarding Area, as defined on the Policies Map (Appendix 4), where it is demonstrated that certain criteria apply.

In this instance it is considered that the minor improvement works to this area of the existing park are compatible with strategic mineral safeguarding objectives.

Policy M3: Land instability and minerals legacy, sets out that development should give consideration to hazards arising from past coal mining, in particular land instability and mine gas. Where a development is located within an area with a mining legacy, an applicant will be required to prepare and submit a Coal Mining Risk Assessment and/or carry out site investigations, as necessary.

The following reports were provided with the application:

Solmek, Phase 1: Desk Study (S240241), March 2024.

Solmek, Phase 2: Site Investigation (S240821), March 2025

Solmek, Ground Gas Risk Assessment (S240821/GAS), 8th July 2025

The Councils Land Contamination Officer noted that the site investigation identified the presence of some metal and polycyclic aromatic hydrocarbon contamination at concentrations marginally above the assessment criteria for a commercial site use.

The Officer recommended the implementation of a clean cover layer is recommended in order

to mitigate the potential exposure of future site users to the identified contamination.

The ground gas monitoring exercise detected elevated levels of carbon dioxide and depleted levels of oxygen, particularly within the coal measures, which is believed may be indicative of the presence of stythes gas. The report therefore recommends ground gas protection measures commensurate with a Characteristic Situation 2 classification.

Given the above, the Land Contamination Officer confirmed that the reports are acceptable. It was recommended that a remediation strategy will need be submitted to detail the above proposed mitigation and protection measures, and this could be secured by condition.

The Coal Authority Officer confirmed that the application site falls within the defined. Development High Risk Area; and therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority notes that the applicant has obtained appropriate and up-to-date coal mining information for the proposed development site, including the undertaking of an intrusive site investigation. This information has been used to inform a Coal Mining Risk Assessment (or equivalent) (March 2025, prepared by Solmek) to accompany the planning application. The report is able to identify that two coal seams were encountered in all three boreholes undertaken from depths of between 25.20mbgl and 25.30mbgl. The shallower seam had a thickness of between 0.50m and 0.60m. The second, slightly deeper seam, was proven from depths of between 26.50mbgl and 26.60mbgl with a thickness of between 0.50m and 0.60m. No voids were identified.

The report author indicates that the seams encountered are unlikely to have been worked and the ratio of solid rock cover to the thickness of encountered coal seams suggests that grout stabilisation works are not required prior to construction of foundations at this site.

With regard to the mine shaft, its location is known and, significantly, has already been treated to an unknown specification. The buildings comprising the main part of the proposal are located outside the conjectured zone of influence of the shaft and, whilst some elements of the proposed play area and above ground developments lie within it, the extent of such is negligible. Moreover, these works will not involve substantial foundations or earthworks.

Additionally, the applicant is clearly aware of the mining feature with the site already operating as a museum and the responsibility for ensuring the site is safe and stable ultimately rests with the developer. However, this does not override any other requirements for permissions, in particular any Permit from the Mining Remediation Authority.

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

Mine gas is mentioned by the Coal Authority as something that needs to be considered by the LPA and local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

It is noted that the Coal Authority, in its role of statutory consultee in the planning process, only

comments on gas issues if data indicates that gas emissions have been recorded on the site. As set out above, following consideration of the Solmek, Ground Gas Risk Assessment (S240821/GAS), 8th July 2025, the Council's Land Contamination Officer has recommended that appropriate ground gas protection measures be conditioned as part of any approval.

It is also set out in the response that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. However, it is noted that no SUDs are proposed as part of the proposal.

Given the above and subject to appropriate conditions, it is considered that the proposal would be acceptable with regard to land contamination and works within the coal mining high risk area, in accordance with polices M1, M3 and HS1 of the CSDP.

Drainage

Policy WWE3 of the CSDP states that development must consider the effect on flood risk, on-site and off-site, commensurate with the scale and impact. Development must also separate, minimise and control surface water run-off by discharging in the following order:

- i. to an infiltration or soak away system;
- ii. to a watercourse (open or closed);
- iii. to a surface water sewer

The Site is located within Flood Zone 1 and is therefore at very low risk of fluvial flooding. It is also at very low risk of surface water flooding.

Given that the application is not a major development the LLFA are not a statutory consultee and have not been consulted on the application.

The proposal would still need to accord with the requirements of policy WWE3 and to this end a drainage plan was submitted with the application setting out that the site will consist of a large permeable area that will have any hardstanding areas directing flows to the permeable surface. It is noted that the parking plan sets out that a filter drain is proposed within the new parking area.

Given the above, the proposal does not give rise to any flood risk or drainage concerns and is considered to accord with the objectives of policy WWE3 of the CSDP.

Ecological implications

Paragraph 187(d) of the NPPF sets out that decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

Policy NE2 'Biodiversity and geodiversity' of the adopted CSDP states that where appropriate development should seek to provide net gains in biodiversity, and should avoid or minimise adverse impacts on biodiversity. It states that development that would have an impact on the integrity of European designated sites that cannot be avoided or adequately mitigated will not

be permitted other than in exceptional circumstances.

As part of the planning application the following supporting information was provided:

Preliminary Ecological Appraisal (Total Ecology, July 2024)
Ecological Impact Assessment (Total Ecology, August 2024)
Biodiversity Metric Report (Total Ecology, September 2025)
Biodiversity Metric Tool (Laura Thompson, Total Ecology, August 2025)
Arboricultural Impact Assessment & Method Statement & Tree Protection Plan (AllAboutTrees Ltd., May 2025)
Landscape Planting Plan (Sunderland City Council, September 2025)

The Council Ecologist confirmed that the site comprises modified grassland with areas of woodland and scrub. No irreplaceable habitats were recorded as present on site at the time of survey.

Protected and priority species

To ensure no significant impacts to nesting birds as a result of the proposals, the clearance and/or demolition works are to be carried out within the bird nesting season, a pre-commencement nesting bird check should be undertaken by a suitably qualified ecologist immediately prior to those works.

A Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) is required to support this application and should detail measures to avoid significant impacts to protected species and habitats throughout the construction period of the proposals. This should include sensitive working practices for small mammals including hedgehogs, amphibians, and for the surrounding areas of wildlife corridor. This can be provided via condition.

Clearance of scrub and woodland should be done under a precautionary working method statement (PWMS) to ensure no adverse effects to hedgehog or other small mammals as a result of the works. This can be included as part of the CEMP: Biodiversity.

Nocturnal bat surveys revealed that the site is being utilised by bats for foraging, but no roosting bats were observed during survey works (Ecological Impact Assessment (Total Ecology, August 2024)). Passes were irregular with bats foraging around the south of the building and very few passes around the north and west. It is highlighted that replacement of bat foraging habitat be prioritised in post development plans to ensure no significant adverse effects on foraging bats.

The provided Tree Protection Plan should be conditioned to ensure compliance with report recommendations.

Ecological network

The proposed site is situated within a wildlife corridor. Part 6 of CSDP policy NE2 states that "Development that would have a significant adverse impact on the value and integrity of a wildlife corridor will only be permitted where suitable replacement land or other mitigation is provided to retain the value and integrity of the corridor".

The proposals will need to demonstrate that the value and integrity of the wildlife corridor is retained as a result of the proposals, i.e. the post development site should still function as part of an ecological network.

As discussed within the Preliminary Ecological Appraisal report (Total Ecology, July 2024), the area of wildlife corridor that covers the site is not connected to other corridor areas and is an area of isolated greenspace.

As this area is isolated and not currently connected to the wider wildlife corridor network, retaining habitats post-development has been prioritised where possible.

Biodiversity Net Gain

Biodiversity net gain (BNG) is now a mandatory requirement for most development in England, subject to a series of exemptions. Proposals are required to achieve at least a 10 % increase in biodiversity value compared with the baseline condition: the biodiversity gain objective.

All planning permissions, unless exempt, are deemed to be granted subject to the condition that the biodiversity gain objective is met: the biodiversity gain condition.

These proposals will be subject to the biodiversity gain condition, which is a pre-commencement condition requiring that a Biodiversity Gain Plan is submitted and approved by the Local Planning Authority.

The Council Ecologist confirmed that the baseline calculation submitted in support of the application is an accurate valuation of the habitats present on site at the time of the application. They also confirmed that there has been no degradation of onsite habitats as defined in paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990.

The Council Ecologist set out that the relevant date is the date referred to in paragraph 5 of Schedule 7A of the Town and Country Planning Act 1990 and used as a basis for defining the baseline biodiversity value for the development to meet the biodiversity gain objective. Unless an earlier date is agreed between the applicant and the Local Planning Authority this will be the date the application was validated. As no earlier date is proposed the relevant date will be 20.11.2025.

There are medium or higher distinctiveness habitats present on site pre-intervention which must be considered within the first part of the Biodiversity Gain Hierarchy. These include mixed scrub and other woodland; broadleaved.

The mitigation hierarchy outlines that in relation to onsite habitats which have a medium, high and very high distinctiveness (a score of four or more according to the statutory biodiversity metric), the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects is to be prioritised.

Proposed impacts to medium or higher distinctiveness habitats include clearance of all mixed scrub and other woodland; broadleaved on site.

Avoidance of impacts to medium or higher distinctiveness habitats has not been demonstrated, as all areas of medium distinctiveness habitat are to be lost through the development. Where adverse effects from development cannot be avoided, the mitigation of those effects must be sufficiently demonstrated.

Mitigation for impacts to medium or higher distinctiveness habitats has been demonstrated through creation ~800m² of other neutral grassland, and planting of 9 small urban trees, which are medium distinctiveness habitats. The design of the development has been sensitive to the wider surrounding woodland outside of the site boundary, and developed areas have been

mostly confined to areas of low distinctiveness habitat where possible (e.g. areas of modified grassland). This is considered appropriate within the constraints of the development. The remaining offsetting of impacts to these habitats is to be achieved through purchase of units from a habitat bank.

Post-development Habitats

Proposed habitats on site include small urban trees in poor and moderate condition, sustainable drainage system (SuDS) in moderate condition, other neutral grassland in poor and moderate condition, ornamental hedgerow in poor condition, and modified grassland in poor condition. The proposed habitats include medium distinctiveness habitats which provide partial mitigation for loss of woodland and scrub.

As the post-development habitats described within the Biodiversity Net Gain Assessment include onsite habitat enhancement that is significant in the context of paragraph 9 of Schedule 7A of the Town and Country Planning Act 1990, the Council Ecologist has confirmed that the onsite landscaping will need to be secured by conditions. These conditions will ensure submission of a Habitat Management and Monitoring Plan (HMMP) (including any updated HMMP), relating to those on-site habitat creation and enhancement works that contribute significantly to the overall biodiversity net gain, including the initial creation and completion of those habitat creation and enhancement works and 30 years maintenance and monitoring from completion. Informative text will be attached to any consent given to define completion for the purposes of monitoring of onsite biodiversity.

The LPA would require a monitoring fee associated with the delivery of the above on-site biodiversity net gain to check the monitoring reports for the HMMP and the payment of that monitoring fee would normally be secured via a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) and paid on completion of the legal agreement and prior to the issue of any planning permission. However, in this instance, as the City Council is both the applicant and landowner/developer of the site, a Section 106 legal agreement cannot be used, because the City Council cannot enter into a S106 legal agreement with itself. As a Section 106 legal agreement cannot be used to secure the required monitoring fee, it is proposed that in the event Members are minded to approve this application, the applicable biodiversity monitoring fee of £3,095.61 shall be paid by way of an internal budget transfer to the Planning Department prior to the issue of any planning permission.

This approach is reflected below in the officer recommendation in the Conclusion section of this report.

The Council Ecologist confirmed that the proposed habitat types and target conditions are considered realistic and achievable given the proposed public access of the site, however the UKHab map for the proposed habitats on site shows a native hedgerow proposed rather than the ornamental hedgerow discussed in the report. It is preferable that the proposed hedgerow is a native hedgerow as this provides enhanced habitat for priority species such as hedgehog and improves overall biodiversity which is appropriate in the wider surrounding park setting.

It was stated that the BNG report should be updated to ensure that the correct hedgerow type is mapped and discussed in the report, ideally this would be a native hedgerow habitat type. Additionally, it was requested that the proposed urban trees be native species rather than non-native, to further enhance the site for biodiversity. It is highlighted in the ecological report that replacement of bat foraging habitat be prioritised in post development plans to ensure no significant adverse effects on foraging bats, and creation of native hedgerow and trees onsite would achieve this.

Following discussion with the applicant it was confirmed that the hedgerow and new trees would be native species and an amended BNG will be provided setting this out.

An updated report has not been submitted to date.

It has been demonstrated that the biodiversity gain hierarchy can be met through a combination of onsite habitat creation and purchase of offsite habitat units. The proposals have been designed sensitively to minimise where possible impacts to medium or higher distinctiveness habitats, namely the woodland surrounding the site. Loss of medium distinctiveness habitats has been proposed through a combination of onsite habitat creation and purchase of offsite units. The Council Ecologist has conformed that this is acceptable in this case.

Ecological Enhancement

The Council's Ecologist advised that, in order to provide enhancements for roosting bats as part of the proposals, a minimum of two bat boxes should be installed on trees on site. Bee bricks are to be incorporated into onsite brick wall structures (for example walls proposed in Brick Wall and Fence Details, SCC, September 2025), with a minimum of 3 bricks installed as part of the proposals to provide enhanced features for invertebrates in line with NPPF guidance.

It was noted that the Preliminary Ecological Appraisal (Total Ecology, July 2024) stated that the recommendations within the report are valid for 18 months in line with current proposals. The report was published in July 2024 which is just under 18 months from the date of this response. Due to the nature of the site being an operational museum within a park setting, which is regularly maintained, the likelihood of substantial changes to the site is considered low. However, to ensure the avoidance of doubt, an updated walkover of the site should be conducted.

In view of this, to ensure no significant adverse effects to ecological receptors, prior to commencement of works, an updated site visit should be conducted to ensure no changes to the site prior to commencement of works. In the event of significant ecological changes occurring on site, updated survey work should be carried out and mitigation measures updated in accordance with any new survey findings.

Overall and subject to the receipt of an updated BNG report and the imposition of conditions to cover the ecological mitigation and enhancement measures, the introduction of tree protection measures and the financial mechanism required to cover BNG monitoring, it is considered that the proposed development would have no unacceptable impacts on ecology, and so it would accord with Policy NE2 of the adopted CSDP, and guidance within the NPPF.

Arboricultural implications

Policy NE3 sets out that development should seek to retain and protect valuable trees, woodlands and hedgerows, any harm caused should be appropriately justified, mitigated and compensated for.

An Arboricultural Impact Assessment and Method Statement and Tree Protection Plan (TPP) (All About Trees, May 2025), have been submitted with the application.

It is noted that it will be necessary to remove some of the existing trees on site to facilitate the proposed development.

It is proposed to remove a group of trees (reference 21B) located to south boundary of the F Pit Museum. The group consists of 1x Norway maple and 9x grey alder. Planted cherry laurel is present as understorey shrubs, alongside self-set elder and Norway maple.

The trees have been assessed as being of moderate quality.

The other trees to be removed are at the northern tip of a mixed species group just over 1.0 acres in size, wrapping around the south-west corner of the park.

This canopy of this group consists of English oak, Scots Pine and wild cherry with frequent beech and ash. Isolated Swedish whitebeam was also found. The understorey contains a range of species including wild cherry, Norway maple, Field maple, hawthorn, common alder, English oak, rose, beech and elder. Additionally, Cotoneaster is dotted throughout the understorey and snowberry is present to the east.

The group as a whole is considered to be of high quality.

The northern tip of this group conflicts with the position of the proposed access/retaining wall and will require removal to facilitate the proposals. The remainder is retainable and will be adequately protected by the position of the protective barrier as indicated by the blue line on the TPP.

It is unfortunate that some trees at the site will be lost, however only a very small number of trees are affected, with the majority of the trees surrounding the site being protected and retained. As is noted within the ecology section of the report 9 no. replacement trees are proposed as part of the on-site BNG requirements.

On balance it is considered that the loss in this instance would be acceptable, providing care was taken during the construction process to ensure the protection of the remaining trees within the vicinity. As such the protection measures outlined within the Arboricultural Impact Assessment and Method Statement and Tree Protection Plan will be conditioned as part of any approval.

It is considered that the loss of the trees is justified given the improvements to the site that are proposed and the mitigation provided by native planting and in particular the additional 9 no. trees that will be provided. As such it is considered that the proposal would accord with policy NE3 of the CSDP, subject to conditions relating to tree protection measures during construction.

Highway and pedestrian safety

Policy ST3 of the CSDP requires development to provide safe and convenient access for all road users in a way that would not compromise the free flow of traffic on the public highway, pedestrians or any other transport mode. Nor should development exacerbate traffic congestion on the existing highway network or increase risk of accidents or endanger the safety of road users.

The Council's Future Transport Officer has considered the proposal and confirmed that the proposed development will generate additional vehicular movements associated with visitors, staff, servicing and occasional events. Based on the submitted information, including details of the scale and nature of the proposed uses, it is noted that trip generation is expected to be spread throughout the day and largely outside peak highway periods.

The Future transport Officer confirmed that the surrounding highway network is capable of accommodating the anticipated increase in traffic and that the proposal would not result in a severe impact on highway safety or network operation in accordance with the National Planning Policy Framework.

The new vehicular access from Albany Way, together with the internal access road, were considered and is acceptable in principle. The Officer confirmed that the access arrangements are capable of safely accommodating vehicles entering and exiting the site, including emergency and service vehicles. It was stated that visibility splays must be maintained and kept free from obstruction at all times.

With regard to parking provision on site it was considered that the submitted plans demonstrate that adequate parking provision is proposed to serve visitors and staff, including disabled parking spaces located close to the building entrance. Provision is also made for servicing and delivery vehicles.

The Officer confirmed that internal circulation routes and pedestrian connections between the car park, visitor centre, play area and interpretation installations are considered acceptable in highway safety terms. It was noted that all parking and servicing activities should be contained within the site boundary.

The proposal includes internal pedestrian routes and links to the wider site. Opportunities to encourage walking and cycling have been considered, and the development is capable of accommodating safe pedestrian movement throughout the site.

The Future transport Officer did request that the development should include measures to encourage sustainable transport initiatives and make suitable provision for electric vehicle charging points.

It was also requested that covered secure cycle storage should be provided to promote sustainable travel options.

However, it is noted that covered cycle storage for 10 bikes, is proposed adjacent to the café and 4no. EV parking points are proposed within the new carpark. The Future Transport Officer confirmed that a condition ensuring that the cycle storage area be available for use when the site opens to the public, would be acceptable.

The Officer also requested that full detail of the charging point installation be provided, once a charge-point operator is appointed.

Finally, the Officer requested that, in order to minimise disruption to the public highway during the construction phase, a Construction Management Plan will be required. This will be conditioned as part of any approval.

Having considered all information submitted Future Transport have provided no objection to the proposed development.

Subject to appropriate conditions, the proposal would not give rise to any adverse effects in relation to pedestrian and highway safety and would comply with CSDP policy ST3

CONCLUSION

In terms of land use, it is considered that the proposed development will provide an improved community facility according with policies VC6 and VC5. The scheme would also be considered to protect, conserve and enhance the quality, community value, function and accessibility of greenspace, aligning with the requirements of saved UDP policy L1 and CSDP policy NE4. Finally the ancillary nature of the café facility would ensure that there would be no conflict with policy VC1.

The report also concludes that the residential implications are acceptable and in accordance with the requirements of CSDP Policies BH1 and HS1.

In respect of the design, layout and landscaping, Officers are satisfied that the development will sit comfortably within the context of the site and would not be of detriment to the character and appearance of area or built heritage structures, in accordance with the requirements of CSDP Policies BH1, BH7 and BH8.

The implications of the development relative to highways matters have been considered and are acceptable relative to highway and pedestrian safety. Subject to the conditions recommended throughout this report, the proposals are also considered to be acceptable in respect of archaeology, ecology, flood risk, drainage, trees, land contamination and coal mining.

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 and remaining saved policies of the UDP. It is consequently recommended that Members be minded to Grant Consent for the development under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the completion of an internal transfer of £3,095.61 within the City Council to secure the necessary monitoring fee associated with the provision of the on-site biodiversity net gain and the draft conditions set out 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:

It is recommended that Members be **MINDED TO GRANT** planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the completion of an internal budget transfer of £3,095.61 to the Planning Department to secure the necessary monitoring fee associated with the provision of the on-site biodiversity net gain and the draft conditions set out below.

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 The development hereby granted permission shall be carried out in full accordance with the following approved plans:
 - Location plan, 1072-MGA-ZZ-XX-DR-A-01000 P05, received 18.11.25
 - Existing site plan ZZ-00-DR-A-01001 Rev P02, received 18.11.25
 - Existing site elevations south and west ZZ-XX-DR-A-01050 Rev P02, received 18.11.25

- Existing site elevations north and east ZZ-XX-DR-A-01051 Rev P02, received 18.11.25
- Car park and access road general arrangement FPM-SCC-HGN-00-DR-CH-00_001-S5-P04, received 18.11.25
- Car park and access road visibility splay and vehicle tracking FPM-SCC-HGN-00-DR-CH-00_002-S5-P03, received 18.11.25
- Proposed site plan ZZ-00-DR-A-01101 Rev P13, received 18.11.25
- Proposed drainage general arrangement JCC25-069-C-DR-100 Rev P1, received 18.11.25
- Proposed site elevations South and West ZZ-XX-DR-A-01150, received 18.11.25
- Proposed site elevations north and east ZZ-XX-DR-A-01151 Rev P02, received 18.11.25
- Proposed elevations (Heritage Centre) 01-XX-DR-A-01153, received 18.11.25
- Proposed GF plan (Heritage Centre) 01-00-DR-A-01104 Rev P09, received 18.11.25
- Proposed roof plan (Heritage Centre) 01-01-DR-A-01105 Rev P06, received 18.11.25
- Proposed Landscaping general arrangement TP-SCC-C-LS000128_100 Rev P04, received 18.11.25
- Proposed landscaping planting plan TP-SCC-C-LS000128_101 Rev P03
- Proposed brick wall and fencing details TP-SCC-C-LS000128_102 Rev P02, received 18.11.25
- Proposed hard and soft landscape detail, TP-SCC-C-LS000128_103 P02, received 18.11.25

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 Prior to the cafe being brought into operational use, the applicant must undertake a noise assessment to determine whether the level of noise from all potential noise sources is likely to give rise to complaints from the nearest noise sensitive receptor. In particular the assessment should include any external plant including ASHP's, refrigeration compressors, air conditioning units and kitchen extraction equipment.

The survey should be undertaken by a suitably qualified and experienced noise control consultant and should be in accordance with current relevant guidance and standards. The results of the assessment shall be submitted to and agreed with the local planning authority including details of any mitigation measures necessary to achieve a satisfactory noise climate at the nearest residential premises. Reference should be made to the appropriate Noise Guidance and standards specifically BS4142:2014 Methods for rating and assessing industrial and commercial sound.

Any approved mitigation measures shall be installed prior to the cafe being brought into operational use and maintained thereafter for the lifetime of the approved use, in the interests of minimising noise from plant at the site.

Reason: To ensure that a satisfactory level of amenity is provided to residents and to accord with policies BH1 and HS1 of the CSDP.

- 4 Prior to the cafe being brought into operational use, the applicant should provide sufficient information to demonstrate that the installation of the new extraction/ exhaust system and the operation of the cafe will not cause a significant adverse impact to nearby residential premises with regard to odour and to also ensure that the equipment is visually acceptable. Information provided should include the following as a minimum:

- Details of design,
- size,
- siting,
- acoustic treatment,
- finish
- odour abatement techniques of the flue extraction system.

The equipment shall be installed in accordance with the agreed details prior to the cafe being brought into operational use and maintained in accordance with the approved detail for the lifetime of the approved use, in the interests of residential and visual amenity.

Reason: To ensure that a satisfactory level of amenity is provided to residents and that the equipment is not visually intrusive, in accordance with policies BH1, BH7, BH8 and HS1 of the CSDP.

- 5 Prior to commencement of work on site a Construction Environmental Management Plan (CEMP) shall be submitted for the approval of the LPA. A CEMP should recognise the sensitive receptors located adjacent to the development site; in this case the existing residential premises.

The CEMP should include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated.

To ensure the environmental impact of the construction of the development is adequately managed and mitigated in the interests of the amenity of nearby occupiers and to comply with policies HS1 and BH1 of the CSDP.

- 6 No groundworks or development shall commence 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 218 of the NPPF, Core Strategy Policies BH8 and BH9 and saved Unitary Development Plan Policies B11, B13 and B14.

- 7 The building(s) shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition 7 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 218 of the NPPF, Core Strategy Policies BH8 and BH9 and saved Unitary Development Plan Policies B11, B13 and B14.

- 8 Development, other than demolition, 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's "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 187e, 187f, 196 and 197.

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.

- 9 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 building 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 187e, 187f, 196 and 197.

- 10 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 the Environment Agency's "Land Contamination: Risk Management" 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 and prior to the occupation of any building, 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 187e, 187f, 196 and 197.

- 11 No construction works shall be commenced until a verification report detailing the position of all boreholes installed for the investigation of soils, ground gases, groundwater or geotechnical purposes (including grouting), is submitted to the Local planning authority.

The verification report shall detail how redundant boreholes have been decommissioned and how any borehole that needs to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that redundant boreholes are safe and secure, and they do not cause preferential pathways for contamination and gas movement and to accord with CSDP policy HS1.

- 12 Prior to the occupation of any building, the applicant shall submit to the Local Planning Authority a report demonstrating and evidencing the effective sealing of the internal annulus of all service duct penetrations through gas resistant membranes against potential ground gas ingress. The report is subject to approval in writing by the Local Planning Authority.

Reason: To ensure that the risk from potential ingress and accumulation of ground gas, which may be prejudicial to the health & amenity of the occupants of the respective buildings, is minimised and to accord with policy HS1 of the CSDP.

- 13 Prior to construction on site and in order to minimise disruption to the public highway during the construction phase, a Construction Traffic Management Plan will be required to be submitted and approved in writing by the LPA. This plan should address construction traffic routing, building material deliveries & storage, site compound layout and any temporary access points, contractor parking, wheel washing facilities and measures to prevent mud and debris on the highway.

Thereafter, the development shall not be carried out other than in accordance with the approved details, to ensure that the proposal is acceptable with regard to highway safety and to accord with policy ST3 of the CSDP.

- 14 The covered cycle storage detailed on the car park and general access road general

arrangement plan, received 18.11.25, shall be installed prior to the site opening to the public and shall be maintained for the lifetime of the development.

To aid with the provision of sustainable forms of transport, and to comply with policy ST3 of the adopted Core Strategy and Development Plan.

- 15 Prior to installation of any EV charging apparatus on site, details shall be submitted for approval by the LPA and will be installed in accordance with the approved details prior to the car park being open to the public.

To aid with the provision of sustainable forms of transport, and to comply with policy ST3 of the adopted Core Strategy and Development Plan.

- 16 The dedicated parking area shown on the car park and general access road general arrangement plan, received 18.11.25, shall be made available for parking in accordance with the submitted plan prior to the approved use commencing and retained for parking for the lifetime of the approved use.

Reason: In the interest of highways safety and to comply with the requirements of policy ST3 of the CSDP.

- 17 Prior to construction works taking place on the heritage visitor centre and cafe, the following details must be submitted and approved in writing by the LPA: full details / samples of all new external materials for the heritage visitor centre and café and boundary treatment including bricks, metal cladding, solar panels windows and doors.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of heritage and visual amenity and to comply with the NPPF and policies BH1, BH7 and BH8 of the CSDP.

- 18 Prior to installation, full details of external exhibition structures including elevation drawings and cross sections of time totems, 3 D model, interpretation panels and the re-positioned section of head frame, must be submitted and approved in writing by the LPA.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of heritage and visual amenity and to comply with the NPPF and policies BH1, BH7 and BH8 of the CSDP.

- 19 Prior to installation, full details of external lighting installations must be submitted and approved in writing by the LPA.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of heritage and visual amenity and to comply with the NPPF and policies BH1, BH7 and BH8 of the CSDP.

- 20 Prior to installation, full details of the play area equipment must be submitted and approved in writing by the LPA.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of heritage and visual amenity and to comply with the NPPF and policies BH1, BH7 and BH8 of the CSDP.

- 21 Prior to the installation of any external hard landscaping materials and features, full details / samples of these must be submitted and approved in writing by the LPA.

Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of heritage and visual amenity and to comply with the NPPF and policies BH1, BH7 and BH8 of the CSDP.

- 22 The development shall not commence until an updated site visit by the development ecologist is conducted to ensure there have been no changes to the ecological value of the site. Following the site visit, a report in the event of significant ecological changes occurring on site, updated survey work should be carried out and mitigation measures updated in accordance with any new survey findings.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of works.

Reason: To mitigate ecological impacts, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 23 No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To mitigate impacts on protected species, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 24 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of "biodiversity protection zones".
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction to small mammals including hedgehogs, amphibians, and for the surrounding areas of woodland within the wildlife corridor (may be provided as a set of method statements).

- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works.
- f. Responsible persons and lines of communication.
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To mitigate impacts on protected species, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 25 No development shall take place until an ecological design strategy (EDS) addressing installation of a minimum of 2x bat boxes and 3x bee bricks has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a. Purpose and nature conservation objectives for the proposed works.
- b. Review of site potential and constraints.
- c. Detailed design(s) and/or working method(s) to achieve stated objectives.
- d. Extent and location/area of proposed works on appropriate scale maps and plans.
- e. Type and source of materials to be used where appropriate
- f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g. Persons responsible for implementing the works.
- h. Details of initial aftercare and long-term maintenance.
- i. Details for monitoring and remedial measures.
- j. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details, and all features shall be retained in that manner thereafter for the lifetime of the development.

Reason: To ensure a satisfactory standard of development, to provide ecological enhancements, to mitigate impacts on protected species, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 26 All ecological measures and/or works shall be carried out in accordance with the details contained Arboricultural Impact Assessment & Method Statement & Tree Protection Plan (AllAboutTrees Ltd., May 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To protect retained trees on site and to comply with Policies NE2 and NE3 of the adopted Core Strategy and Development Plan.

- 27 The Biodiversity Gain Plan shall be prepared in accordance with Biodiversity Metric Report (Total Ecology, September 2025).

Reason: To ensure the biodiversity gain objective is satisfied in a manner that reflects the ecological information submitted with the planning application, and agreed with the LPA, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 28 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall be submitted using the Habitat Management and Monitoring Plan Template as published by Natural England and the content of the HMMP shall be consistent with the guidance contained within the Habitat Management and Monitoring Plan Checklist as published by Natural England.

Reason: To ensure that adequate information is available to enable the development to deliver the agreed significant onsite habitat enhancement (in the context of paragraph 9 of Schedule 7A, Town and Country Planning Act 1990), in accordance with the Biodiversity Gain Plan, for a period of at least 30 years, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 29 Notice in writing shall be given to the Local Planning Authority when the:

- a) HMMP has been implemented/commenced; and
- b) habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To enable the LPA to monitor implementation of the HMMP and to determine the start date for the 30-year monitoring period for significant onsite habitat enhancement, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 30 The development hereby permitted shall not come into first use until:

- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the agreed habitat creation and enhancement works are implemented to the satisfaction of the LPA and ensure the development's onsite contribution to the biodiversity gain objective is delivered, and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

- 31 The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the management and maintenance of the habitat creation and enhancement works for a period of at least 30 years in accordance with paragraph 9 of Schedule 7A of the Town and Country Planning Act 1990 (as amended), and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

32 HMMP monitoring reports shall be submitted to and approved in writing by the Local Planning Authority in accordance with the methodology and frequency specified in the approved HMMP. The monitoring reports shall be prepared and submitted using the Monitoring Report Template published by Natural England.

Reason: To enable the LPA to monitor maintenance of the habitat creation and enhancement works, to ensure the development delivers biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended), and to comply with Policy NE2 of the adopted Core Strategy and Development Plan.

Reference No.: 25/02722/FUL Full Application

Proposal: **Change of use from Class E (Commercial, business and service) to Class F1 (Learning and non-residential institutions)**

Location: 1 Grayling Court, Doxford International, Sunderland, SR3 3XE

Ward: Doxford

Applicant: UK Management College

Date Valid: 20 November 2025

Target Date: 15 January 2026

APPLICATION SITE AND SURROUNDINGS:

The host property is a unit situated within Doxford International, the unit in question comprises a three-storey office block. It is noted that there are 189 no. car parking spaces available on site.

PROPOSAL:

As set out within the planning statement (November 2025), the proposed development is for the change of use of the existing office unit (Use Class E) to create a college (Use Class F1).

The statement goes on to set out that the applicant, UK Management College (UKMC), offer BA (Hons) courses in the likes of Business Management, Digital Marketing Management and Health & Social Care, and have campuses in Manchester, Derby, and Newcastle upon Tyne. The current proposals are intended to increase their capacity and reach in the North-East of England.

The agent confirmed via email on 04.12.25 that there would be a maximum of 175 people on campus including 25 staff and 150 students. No operating hours have been provided.

Internal works are proposed to provide classroom accommodation and other ancillary facilities such as an admissions office, flat/microfiche storage area, campus managers office etc. No external works are proposed.

It was confirmed within an email received on 12.01.26 that the applicant has started operating from the site in a limited way, and so the application is retrospective in nature.

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

Environmental Health
Planning Policy
Network Management
Cllr Heather Fagan
Cllr Allen Curtis
Cllr Paul Gibson

Office Suite 5 Teleport House 4 Grayling Court Doxford International Sunderland
Office Suite 4 Teleport House 4 Grayling Court Doxford International Sunderland
Office Suite 3 Teleport House 4 Grayling Court Doxford International Sunderland
Office Suite 2 Teleport House 4 Grayling Court Doxford International Sunderland
Warrior Brands Ltd Office Suite 1 Teleport House 4 Grayling Court Doxford International
City Of Sunderland College Ground Floor Part A Teleport House 4 Grayling Court Doxford
International
More Than 2 Grayling Court Doxford International Sunderland SR3 3XE
Camelot Ground Floor Part B Teleport House 4 Grayling Court Doxford International
Vacant Property First Floor Teleport House 4 Grayling Court Doxford International
Northern Rock 3 Grayling Court Doxford International Sunderland SR3 3XE

Final Date for Receipt of Representations: **23.12.2025**

REPRESENTATIONS:

Councillor Heather Fagan requested that the application be heard at Committee via email on 24.11.25:

Can I please call this application into planning committee for consideration.

I would also like to add my support for this application. Whilst I appreciate that it may be deviating away from the intended use of office space, the reality is that we have numerous empty buildings on Doxford International that are not being utilised and therefore I think we need to give fair consideration to alternative uses to some of these buildings and this would be a suitable use in my view.

Public consultation for the application has been carried out in the form of letters to neighbouring units, a site notice and a press notice.

1 no. representation has been received from the property management surveyor for the University of Sunderland:

It has been brought to our attention that there is a planning application in at Doxford Park for change of use to education for the UK Management College to occupy.

I wanted to make contact in relation to the planning statement included in their application where they state "we are hoping to work with the University of Sunderland". I thought it was important for your team to be aware that following discussions with UK Management College (UKMC), the University of Sunderland can confirm that it has advised the College that it will not be entering into any collaborative partnership or arrangement with UKMC.

Internal consultees

Planning Policy - The site lies within Primary Employment Area (PEA) - Doxford International (PEA11). CSDP Policy EG1: Primary employment areas safeguard and allocates PEA11 for B1, B2 and B8 employment uses. The proposal would result in the introduction of a non-employment use within an allocated employment area, which is typically safeguarded for B uses.

Exceptional circumstances to justify the loss of primary employment land have not been demonstrated and as such the proposal does not comply with the above policy.

Policies BH1: Design quality, HS1: Quality of Life, ST2: Local Road Network, ST3: Development and Transport and NE2 Biodiversity and geodiversity, must also be considered.

Environmental Health - the Environmental Health Service has considered the submitted documentation and the potential impact from noise and nuisance to the existing environment and to the development itself.

Based on this information there are no concerns from an Environmental Health perspective.

Future Transport - The following information was requested:

- Staff numbers
- Expected pupil numbers
- A plan giving details of car parking

The applicant provided a statement setting out that 189 no. existing spaces within the blue line area, of which 8 no. are accessible and located directly in front of the main entrance.

It was also confirmed that at any one time, there would be a maximum of around 175 people on campus, including approx. 25 staff and 150 students.

It is considered that there is sufficient parking spaces to serve the site, therefore Future Transport have no objections.

Ecology - No comment

COMMENTS:

POLICY BACKGROUND

The National Planning Policy Framework (NPPF) provides the current Government's national planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out 3 overarching objectives which aim to assist in the delivery of sustainable development. These are identified as being;

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.

As of 30th January 2020 the Council adopted a new Core Strategy and Development Plan, which replaces the 1998 Unitary Development Plan (UDP).

The appropriate guidance of the NPPF as detailed above feeds into the following local policies which are considered to be pertinent to the determination of this application EG1, BH1, HS1, ST2, ST3, and NE2.

ASSESSMENT

Given the above the main issues to consider in the determination of this application are as follows:

- Land use allocation and principle of development
- Impact on the existing employment area
- Amenity of wider area
- Impact with regard to ecology

Land use allocation and principle of development

The site lies within Primary Employment Area (PEA) - Doxford International (PEA11). CSDP Policy EG1: Primary employment areas safeguards and allocates PEA11 for B1, B2 and B8 employment uses (i.e. offices/light industry, general industry and storage and distribution). (It should be noted at this point that use class B1 was deleted through an amendment to the Use Classes Order in 2020 and former B1 uses now sit within current use class E).

Policy EG1 states that for development within the Primary Employment Areas that is not within a B Use Class, this will not normally be permitted; unless:

- i. for small ancillary uses where these can be shown to genuinely support, maintain or enhance the business and employment function of the area (shops (A1) including sandwich bars or Cafes (A3) including snack bars);
- ii. the maximum permitted floorspace for individual ancillary units will be 50sqm (gross); and
- iii. the number and distribution of units would result in an over-concentration that might affect the function and appearance of the area.

The policy also states that exceptionally, other uses will be considered on their merits. In all cases new uses must:

- i. be of a type, scale and appearance compatible with the established character and function of the Primary Employment Area;
- ii. not adversely prejudice the day-to-day operation of the Primary Employment Area through

parking, traffic generation or pedestrian movement; and

iii. not result in an unacceptable dilution of the employment function of the Primary Employment Area.

The Planning policy Officer noted that the accompanying Planning Statement seeks to provide justification for the site's release to an educational use.

It is considered that exceptional circumstances, in the context of CSDP Policy EG1, would be those developments which would be of such scale and benefit that it would outweigh the site's protection.

A detailed planning statement has been submitted with the application, which seeks to provide justification as to why this educational use should be allowed within the Primary Employment area.

The Planning Statement is available to be read in full as part of the planning documents available on-line, but the report does provide the following summary as to why the change of use is justified:

- The re-use of a vacant building, which would not undermine: The employment land supply at Doxford International Business Park, given present vacancies and the increasing prevalence of home working following the COVID-19 pandemic or the spatial shift towards employment growth in the city centre;
- The jobs created by the college use;
- The support for non-employment businesses locally due to the increased spending that would result from the presence of students and college staff;
- Increased educational opportunities for the residents of both Sunderland and the wider north east, the detailed case for which is set out at paragraph 3.4; and
- The sustainability benefits of re-using a building that is readily convertible, as opposed on a new-build project or a building that would require significantly more work to make it suitable for a college use.

In regard to the above, the Policy Officer acknowledged that evidence has been provided, however, it is not considered that the proposal is of sufficient scale or merit to meet the 'exceptional' threshold. Indeed, the supporting statement does not indicate the uniqueness of the proposed development or how it differentiates in any substantive way to any other college activity.

It is noted that the appendix to the supporting statement consists of market evidence from Bradley Hall, however, these are focused specifically on the office market within Sunderland. The Policy Officer confirmed they had no comments to make on matters pertaining to the local office market within Doxford International.

However, it was highlighted that Doxford International is not allocated purely for office development. It is allocated for other employment uses specified in CSDP Policy EG1 and this does not appear to be recognised within the supporting statement.

Given the above, it is considered that the applicant's supporting statement does not provide sufficient evidence that the proposal would meet the 'exceptional circumstances' required by CSDP policy EG1. It is considered that the scale and offer of the proposed educational use is not sufficiently exceptional to outweigh the need for the Council to protect and ensure the continued supply of the highest quality and most important employment land in the city (i.e. Primary Employment Areas).

In summary, the proposal would result in the introduction of a non-employment use within an allocated Primary Employment Area, which is safeguarded for B-class employment uses. Exceptional circumstances to justify the loss of primary employment land have not been demonstrated and the proposal would result in the unacceptable dilution of Doxford International's role as a Primary Employment Area by eroding the space available for appropriate uses. As such the principle of the change of use conflicts with criterion iii of Part 4 of policy EG1.

Impact of proposed development on highway and pedestrian safety and the established character and function of the primary employment area

With regard to criterion i of part 4 of CSDP Policy EG1, as set out within the application there are currently no external alterations proposed. It is also the case that in terms of comings and goings, the site would largely operate as it has done in the past.

With regard to criterion ii of part 4 of CSDP Policy EG1, consultation was carried out with the Council's Highway Section to determine if highway safety would be adversely affected by the proposal.

It is noted that polices ST2 and ST3 would also be relevant here.

Policy ST2 'Local road network' of the 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 current highway design standards; they deliver safe and adequate means of access, egress and internal circulation / turning arrangements; they are assessed and determined against current standards for the category of road; and they will not create a severe impact on the safe operation of the highway network.

Policy ST3 of the CSDP requires development to provide safe and convenient access for all road users in a way that would not compromise the free flow of traffic on the public highway, pedestrians or any other transport mode. Nor should development exacerbate traffic congestion on the existing highway network or increase risk of accidents or endanger the safety of road users.

The Council's Future Transport Team requested the following additional detail:

- Staff numbers
- Expected pupil numbers
- A plan giving details of car parking

The agent confirmed that the maximum number of people on site would be 175 consisting of 25 no. staff and 150 no. students. It was also confirmed that the site features 189 car parking spaces, which will remain unchanged.

Given this, the Council's Highway Team provided no objection to the proposal.

Overall, it was considered that the change in use to F1 would not materially change the position, in transport terms, against the office use for the site and in the context of the existing building size and car parking provision.

It was also noted that the planning statement submitted with the application sets out that there are bus stops adjacent to the site offering regular services to Sunderland City Centre, Pennywell and Washington and cycle parking areas are available on site. The site is therefore considered

to offer acceptable sustainable transport links.

Although the proposal does not appear to conflict with criterion i or ii of part 4 of CSDP Policy EG1, it remains the case that there are no exceptional circumstances to justify the approval of the proposed use within this Primary Employment Area.

Amenity of wider area

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

Policy HS1 must also be considered. This policy relates to quality of life and amenity and sets out that development must demonstrate that it does not result in unacceptable adverse impacts which cannot be addressed through appropriate mitigation, arising from the following sources:

- i. air quality;
- ii. noise;
- iii. dust; iv. vibration;
- v. odour;
- vi. emissions;
- vii. land contamination and instability;
- viii. illumination;
- ix. run-off to protected waters;
- or x. traffic;

The site in question is surrounded by business uses and is approx. 90 metres from the nearest residential neighbours, with a main highway between.

Given this, it would not have a negative impact on the amenity of any residential neighbours with regard to noise or disturbance.

As such it is considered to comply with policies BH1 and HS1 of the CSDP.

Impact with regard to ecology

Policy NE2 'Biodiversity and geodiversity' of the adopted CSDP states that where appropriate development should seek to provide net gains in biodiversity, and should avoid or minimise adverse impacts on biodiversity. It states that development that would have an impact on the integrity of European designated sites that cannot be avoided or adequately mitigated will not be permitted other than in exceptional circumstances.

Biodiversity net gain is now a mandatory requirement for most development in England, subject to a series of exemptions. Proposals are required to achieve at least a 10 % increase in biodiversity value compared with the baseline condition: the biodiversity gain objective.

All planning permissions, unless exempt, are deemed to be granted subject the condition that the biodiversity gain objective is met: the biodiversity gain condition.

No external works are proposed, and the proposal would not impact an onsite priority habitat and

would have no impact on onsite habitat with a biodiversity value greater than zero or any onsite linear habitat.

Given this, the de minimis exemption set out within part 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, would be applicable and the biodiversity gain planning condition would not apply.

As such the Council's Ecologist has provided no objection to the proposal, and it is considered to comply with policy NE2 of the CSDP.

CONCLUSION

The proposal would be unlikely to cause harm in relation to highway safety, amenity and ecology. However, the proposed development has been found to be unacceptable in principle given that it involves the introduction of a non-employment use to a Primary Employment Area and the application has not demonstrated compelling exceptional circumstances that warrant allowing a non-employment use at this location. The proposal would result in the loss of prime employment land in the city and is therefore contrary to criterion iii of Part 4 of policy EG1.

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:

It is recommended that Members **REFUSE** planning permission for the reason outlined below.

Reasons:

- 1 The proposal represents an unacceptable use of a unit within a Primary Employment Area, which will result in the unit being unavailable for more appropriate employment uses. It has not been demonstrated that exceptional circumstances exist to justify the use of the unit for the purposes of education within Use Class F of the Town and Country Planning (Use Classes Order) (as amended) and the proposal is therefore contrary to the requirements of policy EG1 of the Council's adopted Core Strategy and Development Plan.

Reference No.: 25/02846/FUL Full Application

Proposal: **Change of use to a proposed Care Quality Commission (CQC) registered residential care provision house for young people aged 16-24 with varying levels of need - (Use Class C2 Residential Institution Use).**

Location: 36 Joan Avenue, Sunderland, SR2 9TA

Ward: Ryhope

Applicant: Terminus Properties Limited

Date Valid: 5 December 2025

Target Date: 30 January 2026

PROPOSAL:

The proposal intends to change the use of the existing dwelling (Class C3) to Change of use to a proposed Care Quality Commission (CQC) registered residential care provision house for young people aged 16-24 with varying levels of need - (Use Class C2 Residential Institution Use) . The aim of the service is to provide a safe, structured, and therapeutic living environment within a small, domestic setting. This property comprises 2 bedrooms, making it a low-occupancy home with minimal impact on the surrounding neighbourhood.

SITE:

The site relates to an existing two bedroomed semi detached property which faces north east. The property is on a corner site and has a narrow garden to the front which widens to the rear.

Member should be aware this planning application has been called to planning committee by Councillor Leonard for determination.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Cllr Lindsey Leonard
Cllr Martyn Herron
Cllr Helen Glancy
Network Management
Environmental Health
Northumbria Police

24 Irene Avenue Sunderland SR2 9SZ
17 Joan Avenue Sunderland SR2 9TA
32 Joan Avenue Sunderland SR2 9TA
30 Joan Avenue Sunderland SR2 9TA
Land To The West Of 24 Irene Avenue Sunderland SR2 9SZ
22 Irene Avenue Sunderland SR2 9SZ
34 Joan Avenue Sunderland SR2 9TA
40 Joan Avenue Sunderland SR2 9TA
38 Joan Avenue Sunderland SR2 9TA

Final Date for Receipt of Representations: **02.01.2026**

REPRESENTATIONS:

PUBLIC PROTECTION AND REGULATORY SERVICES - Objection

Environmental health has considered the submitted documentation and the potential impact from noise and nuisance to the existing environment and to the development itself. This service is unable to support the granting of the application.

The application site is a semi-detached bungalow situated on Joan Avenue. There are existing residential properties to either side (adjoined on one side) with further residential properties opposite. To the rear of the property (Southwest) is Leechmere Industrial Estate.

A proposed floor plan was submitted as part of the application. These plans show the ground floor which consists of one bedroom, an office/bedroom (for use by staff), a lounge a kitchen and a wet room.

The application premises has been subject of complaints from existing residents due to the behaviours of the previously placed clients. Due to such behaviours a Community Protection Warning was served upon the resident in 2023 (under Section 43, Anti-Social Behaviour, Crime and Policing Act 2014). As referenced within their consultee response, similar complaints have continued to be made to Northumbria Police.

The public objections submitted by nearby occupiers' reference that excessive noise and problematic behaviours have remained. This has had a detrimental impact upon the lives of the nearby residents and residential amenity. One objection references that the party wall of the application site offers poor noise attenuation. The occupier of the neighbouring property alleges that their sleep is frequently disturbed by activity within the application property during nighttime hours. Consideration has been given by this Service as to whether planning conditions requiring adjustments to the property to provide additional sound attenuation could make this application acceptable. Unfortunately, such modifications would not lessen the impact of behaviours occurring outside of the property upon existing residents.

Whilst residential care facilities are essential to support the integration of young people into independent living, it does not appear that the sought class use is suitable for this location given the detrimental impact it is having upon residents. A detached or alternative property type would likely allow for behavioural issues to be managed without having a direct impact on adjoined residents.

It is recognised this application can represent an emotive subject and it is a provision which is needed within society, however ultimately the applicant is a business operating a business model which is detrimentally impacting existing nearby residents.

NORTHUMBRIA POLICE - Objection

Northumbria Police generally support the provision of supported care for looked after children and young people and whilst we recognise there is a greater need for this type of accommodation and fully support the creation of sustainable and well managed residential institutions, we also need to balance this with safeguarding these young people and ensuring they are not put at risk and are housed in a safe and secure environment.

Whilst children's homes and residential institutions can create additional demand, it must be emphasised that the overriding concern is the risk to children or young people when they are missing, as evidenced by incidents involving organised exploitation groups across the country. The effective management of these homes is paramount and rigorous safeguarding standards should be maintained.

We have commented on and objected to previous planning applications for 36 Joan Avenue in 2023 (23/01154/FUL) and re-confirmed our objections for the subsequent appeal (23/00019/REF), which was dismissed by the Planning Inspectorate.

As per the application form, the new planning application is for a change of use from "Current use: single, one storey residential dwelling house/bungalow under Use Class C3".

We have noted the new applicant is Terminus Properties Ltd, which was previously known as Forevercare Properties Ltd and changed to Terminus Properties Ltd in September 2024. The previous application in 2023 was submitted by HMO Northeast T/A Forevercare, which is one of the associated companies within the Forever Care portfolio.

As we highlighted in our comments from 2023, we believe 36 Joan Avenue has been operating as supported living accommodation under Class C3 Use, whilst we acknowledge the age range of young people is different to the previous application, Forever Care has been using 36 Joan Avenue to house young people, mainly originating from the Cleveland area for several years. Recent data from the previous 12 months shows 11 recorded incidents at Joan Avenue, 9 of these (82%) were recorded against number 36, which included five for public safety/welfare and four crimes. The two other incidents in the street related to transport and public safety/welfare. However, since the planning appeal was dismissed on 21st November 2023, there have been 24 reported incidents at 36 Joan Avenue, 19 (79%) of these incidents related to missing episodes, the remaining were related to threats of violence.

A recent Good Practice Report by Become Charity¹ and their #GoneTooFar Campaign, stated since 2013, the number of children in care living more than 20 miles from home has increased by two-thirds.

The report further stated that statistics showed that children in care who live far from home are more likely to go missing than children who are close to home.

Northumbria Police, where possible, fully support local children being homed within their local area, however without the full support of local authorities, including Sunderland Children's Services, it tends to result in children or young people from outside of the area, such as Durham or Cleveland being re-homed in properties within the Northumbria Force area, including Sunderland.

This can lead to an increase in the number of missing episodes as the young person will naturally gravitate back to the places, communities or relationships they know or are familiar with.

Whilst we acknowledge we would expect residential institutions to generally create a higher number of calls than that of a standard residential Class C3 Use, the high volume of calls generated by 36 Joan Avenue, is out of context of the quiet residential setting and is having an immediate impact on residential amenity, which in some circumstances raise the fear of crime in the local community.

For planning applications of this nature, we also contact the local Neighbourhood Inspector, they have stated the below:

36 Joan Avenue is already providing supported living accommodation for young people who are primarily from outside the local area, which is creating a high number of missing reports. The street itself is a quiet residential street, which other than 36 Joan Avenue, has very little police attendance. Whilst we have noted the change of operating practice and staff on-site 24 hours per day, due to the nature of care provision to be offered, i.e. autism spectrum condition (ASC) and emotional and behavioural difficulties (EBD), we believe the number of calls for service would increase, together with concerns from residents, who would witness the attendance by Police or report in associated crime and anti-social behaviour incidents.

We feel this planning proposal will potentially cause further issues for the residents of the area and for partner agencies.

To summarise, Northumbria Police have objected to previous planning applications relating to 36 Joan Avenue, our comments clearly demonstrate that operating supported living accommodation in this location is having a detrimental impact on the amenity of Joan Avenue, the residents are fearful of crime and anti-social behaviour risk, we are therefore objecting to the planning application.

FUTURE TRANSPORT - No Objections

There have been 24 objections received from members of the public to the proposal set out as below:-

OTHER REPRESENTATIONS

PREVIOUS USE/APPLICATION

- Around 2022/23 this particular property was in use by a child/youth care agency provider, seemingly by 'the back door', who appeared to not be covered by CQC oversight and had no 'change of use' planning permission in place.
- When they tried to move to CQC oversight a 'change of use planning application' was submitted by them to move from residential use to child/youth care provision, which was later rejected on a number of grounds.
- The previous application for a similar change by Forevercare, was rejected and subsequent appeal upheld, (Sunderland City Council ref 23/01154/FUL, Planning inspectorate ref APP/J24525/3328422). The reasons were numerous and this history of these incidents in this previous application, and objections must be considered with any new planning application or change of a similar nature.
- Objections must be considered with any new planning application or change of a similar nature, as they demonstrate the actual impact of such anti social behaviour, on a small residential elderly community, which also includes children. This includes the previous inclusion of police and fire Brigade attendance. I am at a loss as to how this type of change can be considered after a previous application of a similar change was rejected, all the way up to the secretary of states, planning inspectorate.
- The last time this property was used as a home it was a disaster.

- If it is the same company, unlicensed as well what makes anyone this this time will be any different.
- We agree with the conclusion drawn by the local Neighbourhood Inspector regarding the 2025 application: 'We feel this planning proposal will potentially cause further issues for the residents of the area and for partner agencies.' As stated above, a similar application was made, and refused, in 2023. We respectfully request that the Council gives due regard to the reasons for that refusal and considers whether the circumstances of the site have materially changed. In our view, the underlying facts remain the same.
- In the previous application, there were over 35 individual complaints including from the police themselves, as well as a local council. This shows the huge level of distress and issues this one house has caused for entire area.
- It's quite clear that changing its use from Class 3 to Class 2 will mean substantially more money for the company, Terminus Properties LTD, formerly Forevercare (name change in August 2024) and it's obviously clear that they have little regard for the local residents. I ask the directors of the company, would you be happy if you were living in 34 Joan Avenue.
- I wish to object to the proposed change of use of 36 Joan Avenue, Grangetown submitted by Terminus Properties Ltd, Sunderland previously known as Forever Care Properties Ltd until September 2024 when the company changed its name although they offer the same for profit accommodation provision as before. The company ran the unlicensed provision at 36 Joan Avenue and eventually applied for planning permission for change of use which was declined and further upheld under appeal.
- This property has previously been used for a similar purpose, during which time it gave rise to significant issues for local residents.
- Terminus Ltd is the parent company of Forever care. Their primary role is to increase profits for their shareholders, housing out of area children. This is a repeat of a recent previous application of the same nature that was rejected then rejected again on appeal (23/01154/FUL). It is the same company under a shell company that applied last time and just changed the company name and few words in the application meaning the same as previous. My main concern is how is this allowed to happen and will we expect this to happen on a yearly basis from now on. This has to stop, and something put in place so that it isn't allowed to happen again. Prior to rejection last time they had already put a very disruptive boy in the house that caused problems in the street in which I believe was a victim. As say, this was prior to the application being rejected last in which case as far as I am aware it would have been illegal, but they got away with it. So how, under any transparent guise, would this company be allowed to apply again for something they broke the law with.
- It is also pretty obvious that they have tried this again at an opportune time of the year where the occupants in the area were distracted to sneak in. Also the very difficult procedure people are finding to send objections. I have had several of my neighbours not able to send objections as cannot get into the system to do so.
- Mrs Helen Clancy last time voiced her support of the Street and came round to see the residence, so will be hoping for her continued support and support from her colleagues.
- there is insufficient information regarding the proposed use of the property and how young people will be supported and managed. Due to this lack of detail, the application should therefore be refused or further detailed information provided. the care of the child is the most aspect here and this company do not appear to be experienced or adequately equipped to manage the complex needs of residents. otherwise incidents would not occur. Anti-social behaviour, noise issues and police attendance have already occurred at this address. Further consultation with Northumbria Police and Sunderland ASB Team is essential. These management failures negatively impact residents and do not support young people effectively.
- it would be interesting to see if this company can provide a clear methodology showing how incidents will be prevented and managed in a timely manner, which is currently

lacking.

- The application lacks sufficient detail, demonstrates poor management, harms residential amenity, and conflicts with Sunderland's housing priorities
- This company and its shell company (Forever care) have no consideration for the other residents of Joan avenue and Irene avenue who are mainly middle aged or elderly or the previous planning decision which was rejected and the appeal which was also rejected then ignored and they have carried on using the property as they wish.

AMENITY

- Inappropriate use
- Increased litter
- this small street is a quiet residential area made up of families and a high proportion of elderly people. A previous business set up, seemingly now to be just about mirrored, generated antisocial behaviour that had a detrimental effect on the quality of life of direct neighbours and those in the immediate area.
- We are retired residents in this street , it is a lovely quiet street with many retired people. We have had problems in the past with the above house with unruly people being put in this house. Resulting in the police being called to this house. We want a peaceful retirement without stress and worry .
- Both my wife and I are both retired, as are a number of residents to both Joan and Irene Avenues. The previous (and continued) use of this location as a care establishment caused a number of incidents of anti-social behaviour which have impacted on this small community as a whole.
- There is little to no sound proofing between the properties. When this company ran their previous illegal operation we suffered significant issues of excessive noise, drug taking, fire setting and tiles being ripped from the roof and thrown into the garden. The staff were unable or unwilling to control the behaviour of their charges. My daughter who has disabilities, and I deserve to live without fear and nuisance

NOT IN KEEPING

- it appears that there are already a number of business premises in designated areas near this residential street, and a good number of care facilities nearby, so why should a business/care home need to further intrude into a residential area.
- However this new application with a change of name, Terminus properties, seeks to provide the same type of establishment and include care for persons ranging from 16 to 24 years of age. Whilst I understand the need for such establishments for the care of the vulnerable, this location is not suited for this. 36 Joan Avenue is a semi detached pre war bungalow. It is not designed to be used as a care establishment, walls transmit sound very easily, it's location means any anti social behaviour impacts greatly on all residents.
- applicant name. Now it is "Terminus Properties Ltd." previously it was "HMO Northeast T/A Forevercare".
- Joan Avenue and Irene Avenue is a small, quiet development consisting predominantly of families and elderly residents. We do not believe this location to be appropriate for a C2 residential care provision, mostly due to the proximity to neighbouring family homes.
- This street is a peaceful quiet residential area , of which many of the residents are older and vulnerable. Everyone deserves to have peace in their own home and street.
- And it is completely and utterly inappropriate for this to exist in this area and i can not think of a worse location.
- It is wholly inappropriate for 36 Joan Avenue, a semi detached bungalow to be used for anything other than a residential property and should be returned to such asap. It's a disgrace that adults and children with behavioural problems are being housed in an adjoining property.

- The residents of this very small estate are predominantly elderly retired or young families and totally unsuitable for this type of facility.
- Whilst I recognise that there is a requirement for facilities such as this, a very small estate such as this is not the appropriate location as proved the case
- from the previous resident who's behaviour caused significant impact on many residents and the estate as a whole, the resident carers had no impact on behaviours of the tenant. I am a retired resident who wishes to live in peace without the need for frequent visits from our already over stretched emergency services attending due to unsocial behaviour at best dangerous behaviour on other occasions.
- Joan Avenue, and the connecting Irene Avenue are a quiet cul-de-sac and street, predominantly occupied by elderly residents who value a peaceful and stable living environment. The reintroduction of this type of accommodation would, in my view, be wholly inappropriate for the character of the area and would risk repeating the serious problems previously experienced.
- The application is contradictory, the first section states 1 resident then the conclusion states 2.
- The property should remain a private dwelling, it is not fit for use as a business enterprise.
- Our area is home to a high proportion of elderly residents, many of whom rely on a quiet, low traffic environment for their wellbeing. The proposed facility may bring increased footfall, visitor traffic, and activity levels that could disrupt the calm character of the neighbourhood.
- I am not opposed to young people receiving support; however, this location is unsuitable due to the inability to manage ongoing issues. this is a small residential street properties are close together and any issues can easily impact others. I see no reason why a childrens home facility cannot be found in a more suitable area.
- in addition this is a two-bedroom bungalow, a housing type in short supply in Sunderland. The Council's Housing Strategy 2017-2022 identifies a shortage of bungalows and prioritises their provision to support an ageing population. This proposal would further reduce an already limited housing resource better suited to elderly or mobility-impaired residents.

TRAFFIC

- Poor access
- Traffic generation
- With the cul-de-sac access, and parking, especially on the bend of the main access road, it makes any sort of anti social behaviour a major issue for residents, and even for the council and emergency services for access etc.
- Joan Avenue is a narrow residential street with limited on-street parking, and we have significant concerns regarding the impact of this proposal on highway safety. The Planning Supporting Statement states there will be 8 full-time staff plus occasional visits from external professionals. In our view, vehicles using Joan Avenue as a result of the business use of 36 Joan Avenue increases existing parking problems and congestion on a street not designed to accommodate this level of activity. Of particular concern is the impact on visibility, access for emergency vehicles, and the safety of pedestrians, particularly children and the elderly.
- problems recently with that house in regards to cars parking at peoples houses (though not an offence but not ethical), with a White Transit Van on the corner on my house half in path half on road, sticking out. This was obstructing my driveway, neighbours opposite and diagonal obstructed from their driveways and any large vehicle access (delivery, bin men, etc). This was like this for a few weeks until it was placed back on 34 Joan Ave drive. I was at the point of calling the police thinking it was an abandoned Van, the way it was parked (or not parked just dumped). So is this also going to be a further issue with these

people as well as the possibility/probability of delinquent teenagers causing disruption in what is a quiet peaceful street?

- The property in question is located on a narrow residential street with limited parking and no dedicated drop off area. This raises concerns about congestion, emergency vehicle access, and pedestrian safety - particularly for older residents with mobility issues.

ANTISOCIAL BEHAVIOUR

- Its previous use by a child/youth care provision business led to a number of antisocial behaviour incidents. These were reported to both the police and the councils antisocial behaviour team. Sunderland mediation team were also involved in these problems after the direct neighbours reported antisocial and drug related behaviour from this house.
- The troubled occupant at that time had 24hr care provided by 4 carers, yet there were still these antisocial problems. This new application has people in the same age group as previously cared for, and now expanded up to 24 years of age, all to be housed seemingly with similar medical/psychological issues as the problematic youth from 2022
- antisocial behaviour was reported a number of times by neighbours arising from its previous (possibly without correct permission) use as a child/youth care provision residence, leading to Sunderland council departments and the police being involved to try and rectify matters. We certainly don't want to go back to these issues with this residence, and I believe this should be taken into account in any decision making process. This all happened when there was 24hr care in place by a number of carers.
- I understand that police raised objections in July 2023 on a previous proposed planning change of use of this property going from residential to care home. After that date both the police and fire service were involved at this property, directly relating to its care use. I would therefore assume that the police objections to a change of use would still be relevant, and hope that they have been advised of this new planning matter.
- Its previous use led to a number of antisocial behaviour incidents. These were reported to both the Police and the Council. The Police had 130 service calls noted in their rejection of the last planning application. Sunderland mediation team were also involved in these problems after the adjoining neighbours reported antisocial and drug related behaviour. The youth being cared for at that time had 24/7 care provided by 4 carers, yet there were still these problems. This new application has people in the same age group now expanded up to 24 years of age. So it is quite possible that the previous offender may return!
- Young people seen carrying bags of cans which surely only added to the upset.
- Everyone was sick of the trouble apparently even including the police who were constantly being called out to deal with this.
- We note from responses to the previous consultation in 2023 that residents have experienced significant issues as a result of 36 Joan Avenue being used as a C3 provision including anti-social behaviour, drug usage and threats of violence, which has had a detrimental effect on the residents' quality of life.
- Northumbria Police has objected to both the current and previous consultation relating to the change of use at 36 Joan Avenue. It is clear that in their view this is not an appropriate location for the proposed use of this property. In particular we would ask the Council to consider the recorded incident data reflected in the response and the following statement: '...our comments clearly demonstrate that operating supported living accommodation in this location is having a detrimental impact on the amenity of Joan Avenue, the residents are fearful of crime and anti-social behaviour risk, we are therefore objecting to the planning application.' As a view from a respected body independent of local residents, we feel this should have a strong bearing on the Council's decision.
- I lived next door to 36 Joan Avenue for around 1 year In that time, there was nothing other than trouble. Rampant drug use, anti social behaviour, loud music blasting at all hours The police were sent to this property on a practically weekly basis , due to the behaviour

of the tenants.

- The impact for the family living in number 34 has been devastating. Over the last few years there have umpteen instances of anti social behaviour relating to this property, resulting in police and fire brigade attendances and more importantly, distress and disturbance to the local residents.
- These included persistent anti-social behaviour, the use of offensive and abusive language, harassment of neighbouring residents, and incidents of open drug use. The situation caused considerable distress within the community, and I understand that Northumbria Police supported the closure of the property and the rejection of its continued use for this purpose at that time.
- We have experienced anti social behaviour from the use of this property as a care home. Including loud noise, shouting, swearing, drug use and smell of marijuana.
- Also a white van blocking the road / access to the cul - de - sac, I have also experienced damage to my car with the increased traffic accessing 36 Joan Avenue. This is not the appropriate location for this type of home and it will create distress and worry about anti social behaviour for myself .
- March 2025 I had to complain re noise when staff thought it acceptable to hammer on walls at midnight, the response was they were having a party for the care leaver, as if that made it a reasonable behaviour.
- I am frequently woken at all hours by staff chatting and laughing loudly in the living room which is adjacent to my bedroom. This is merely a place of work and there is no neighbourly consideration as there is with the residents in private dwellings.
- I respectfully suggest that the council consider alternative sites closer to youth oriented amenities, public transport hubs, and specialist support services, which would better meet the needs of the intended residents while minimising disruption to vulnerable elderly neighbours.
- these are very similar to the reasons provide in the previous planning application. this is the same company and there is no evidence that they have changed their practices and management of their properties to make this application a suitable place for a permanent children's home as evidenced by the police consultant response provided. incidents are still occurring from this address. residents should not have to live in fear of noise, antisocial behaviour causing harassment alarm and distress on a regular basis.

NOISE

- Noise from use
- Noise from use as a home previously was terrible

CHARACTER

NON MATERIAL

- This is going to affect the value of our properties in Joan Avenue and Irene Avenue .
- The local GP surgery, community centre, and public transport links are already under strain. An influx of additional residents with potentially complex needs could place further pressure on these limited resources, affecting the quality of service for existing residents.

LPA RESPONSE - Due to the high level of objections, it is evident that the operation would not be dissimilar of that previously refused and dismissed at appeal. The above comments will be taken into consideration under the headings below.

POLICIES:

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

BH1 - Quality Design

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

ST2- Local Road Network

ST3 - Development and Transport

HS1 - Quality of life and amenity

HS2 - Noise Sensitive development

COMMENTS:

1. PRINCIPLE OF DEVELOPMENT

The site is subject to policy EN10 which was retained from the Unitary Development Plan (UDP), which dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain. In this regard, the surrounding land use is predominantly residential and as such, the change of use is generally residential in nature which would be considered to reflect the existing pattern of land use.

The adopted Core Strategy and Development Plan (CSDP) as well as the saved policies contained within the Unitary Development Plan (UDP) focuses predominately on the principle of development of change of use from a single dwelling house to care accommodation within Use Class C2.

The Agent has set out a statement to support the use as below:-

This application seeks approval for a small-scale CQC registered residential care setting for 16-24-year-olds with additional needs. The proposal is low-density, low-traffic, and low-impact, with:

- o Only 2 residents
- o 24/7 professionally trained staff
- o Minimal vehicle movement
- o Domestic daily routines
- o No external alterations
- o Strong management oversight

The nature of the service means the impact on the local area will be significantly less than that of a typical children's home or multi-occupancy dwelling. The proposal is fully compatible with the surrounding residential character and meets a vital need for regulated, safe accommodation.

It is noted that the proposal relates to conversion from a C3 to C2, which would usually be acceptable in principle, however, it is apparent from the details and volume of complaints from neighbours, that the use currently as residential has led to generate a high level of complaints and due to the level of harm that the use appears to be causing in the meantime. It is considered that further occupants would exacerbate the degree of harm to the amenity to a degree that would be extremely harmful to the amenity of the area. It is considered to be uncharacteristic of the suburban family orientated neighbourhood.

CSDP Policy H1: Housing Mix indicates that :-

1. Residential development should create mixed and sustainable communities by:
 - i. contributing to meeting affordable housing needs (Policy H2), market housing demand and specialist housing needs as identified through the council's SHMA or other evidence;
 - ii. providing a mix of house types, tenures and sizes which is appropriate to its location

- iii. achieving an appropriate density for its location which takes into account the character of the area and the level of accessibility; and
 - iv. from 1 April 2021, requiring 10% of dwellings on developments of 10 or more to meet building regulations M4 (2) Category 2 - accessible and adaptable dwellings.
2. Development where appropriate and justified, should also seek to:
- i. provide larger detached dwellings; and
 - ii. ensure there is a choice of suitable accommodation for older people and those with special housing needs including bungalows and Extra Care housing.
3. Development should consider the inclusion of self-build and custom house building plots.

Although the Council aim to deliver a range of different housing types it is considered that the proposed use is not appropriate at this location due to the locality being defined as a family orientated neighbourhood. The extremely high level of complaints received from neighbours demonstrates that the use of the property is not in keeping with the residential surroundings and the failure to provide an acceptable form of control over the residents is also a definitive awareness that the Management of the premises is not under sufficient control to integrate into a residential setting. The choice of dwelling and the surrounding properties are akin to accommodation for older people and as such is considered unacceptable contrary to H1 of the CSDP.

2. VISUAL AND RESIDENTIAL AMENITY

National planning guidance is provided by the National Planning Policy Framework (NPPF) (as amended), which requires the planning system to contribute to the achievement of sustainable development. To this end Paragraphs 130 and 134 set out that good design is a key aspect of sustainable development and require that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and should offer a high standard of amenity for existing and future users. Finally, that planning 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 and the way it functions.

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

It also states that development should be of a scale, massing, layout, appearance and setting which respects and enhances the positive qualities of nearby properties and the locality. Given that there are no significant alterations to the dwelling as part of the proposal there would not be any harm to the visual amenity of the area or the host property.

Policy HS1 of the CSDP sets out that development must not result in unacceptable adverse impacts arising from air quality; noise; dust; vibration; odour; emissions; land contamination and instability; illumination, run off to protected waters; or traffic.

3. PROMOTING SAFE AND HEALTHY COMMUNITIES

Paragraph 96 of the National Planning Policy Framework (NPPF) states that

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 135 of the NPPF relates to achieving well designed places and at Paragraph 135 (f) aims to 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.

Northumbria Police objected to application. The use fails to function well and harms the character and quality of the area and is contrary to Paragraphs 130, 134 and 170 of the NPPF, Policies BH1 and HS1 of the CSDP.

The Agent has stated that the property operates as a single dwelling (Class C3), which operates with a low level of care provision and the ability to operate without higher provision. As a result from the high level of complaints from the community and evidence that the supported living of individuals at this property has been prevalent throughout its operation, it considered that C2 provision, whether it be 24 hour or light touch care provision is not suitable at this location due to the failure to be able to mitigate against any noise and control over the management of the provision.

4. IMPACT OF PROPOSED DEVELOPMENT ON HIGHWAY AND PEDESTRIAN SAFETY

Policies ST2 and ST3 of the CSDP requires development to provide safe and convenient access for all road users in a way that would not compromise the free flow of traffic on the public highway, pedestrians or any other transport mode. Nor should development exacerbate traffic congestion on the existing highway network or increase risk of accidents or endanger the safety of road users.

The Councils Highways Team offered no objection to the development and it is not considered that the development would cause harm to highway or pedestrian safety. However, they have suggested that a cycle store is provided for staff in order to accord with in accordance with the NPPF and policies ST2 and ST3 of the CSDP should planning permission be granted

CONCLUSION

It is considered that the use fails to enhance and function well within its current surroundings and has led to adverse harm to the amenity of the local residents and the locality, contrary to the above national and local policies and is recommended that members refuse the application.

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:

It is recommended that Members **REFUSE** planning permission for the reason set out below :-

Reasons:

- 1 The use fails to enhance and function well within its current surroundings detrimental to the amenity of the local residents and the character of the area, contrary to Policy EN10 of the UDP and Policies BH1 and HS1 of the CSDP.