

## **DEVELOPMENT PLAN**

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

### **Unitary Development Plan - current status**

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

## **STANDARD CONDITIONS**

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

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION**

The background papers material to the reports included on this agenda are:

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the Office of the Chief Executive in the Civic Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

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Deputy Chief Executive

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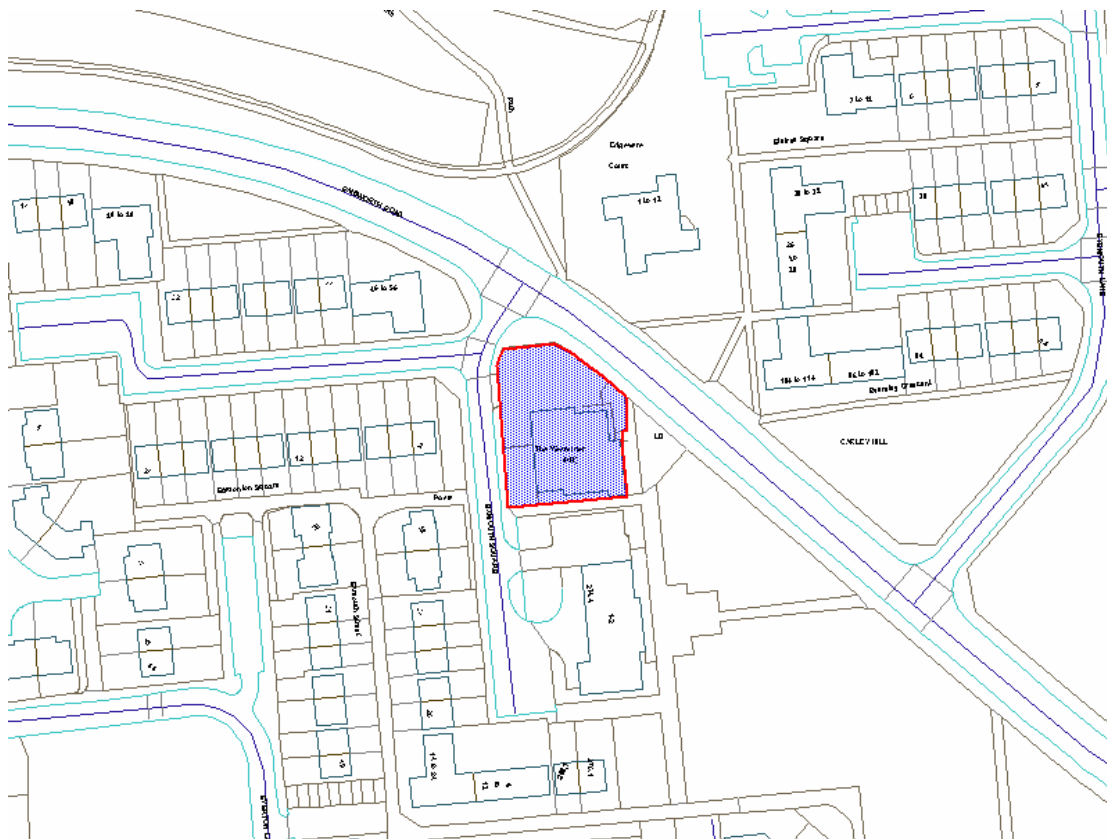
Reference No.: 11/03149/FUL Full Application

**Proposal:** Change of use from public house to 6no. bedsits and maintenance/store area and change of use of garage to beauty spa to include an extension to the rear

**Location:** The Wearsider, Emsworth Road ,Sunderland,SR5 2QG.

**Ward:** Southwick  
**Applicant:** Mr Ernest King  
**Date Valid:** 23 November 2011  
**Target Date:** 18 January 2012

### Location Plan



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### PROPOSAL:

Planning permission is sought for the change of use of a former public house known as The Wearsider into a mixed use comprising 6 no. bed sits, a maintenance/store area and a beauty spa. The proposal includes the erection of an extension to the rear of the existing attached garage. Car parking would be provided within the existing enclosed car park, with access off Exmouth Square.

The building to which the application relates is part single, part two storey and is detached. It occupies a corner position at the junction of Exmouth Square and Emsworth Road in Carley Hill. To the south of the site is a parade of shops, whilst to the west and north is mainly residential development.

It is proposed to alter the ground floor of the building to create 6 no. bed sits. The bed sits would have communal facilities, including a kitchen, lounge and bathroom and two entrances would be provided, one on the south side and one on the east side of the building. Some external alterations are proposed to accommodate the bed sits, including a smaller entrance door and window to the south elevation of the building and additional fenestration and a smaller entrance door to the east elevation.

In the central area of the building two rooms are shown to be utilised as a store and one larger room as maintenance and store room. The applicant's agent has confirmed that these rooms are only to be used in connection with the bed sits and beauty spa and for no other purpose.

The attached garage to the west of the site is proposed to be converted into a beauty spa incorporating two beauty rooms, office and tanning pods. Two entrance points would be available, one existing doorway to the east elevation of the garage, the other a newly created doorway from the rear of the beauty spa, accessed off the car park. A new window would be inserted into the existing south elevation. It is proposed to extend the rear of the garage into the yard area to accommodate the new use. This would involve a 5 metre long x 7.5 metre wide extension that is designed with a flat roof. No indications of proposed external materials are provided, and, should planning permission be forthcoming, this may be addressed by way of a condition.

The upper level of the building is to remain unchanged. This comprises a flat with three bedrooms, a lounge, bathroom and kitchen. Access to this floor is as existing via a doorway along the south elevation of the building and an internal staircase. On the ground floor the flat also has access to one of the stores and to the bedsit area.

Car parking would be provided in the existing car park, which is accessed off a gated entrance and enclosed by 2.1 metre high boundary fencing and walls. At least six car spaces would be made available for the bedsits.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Network Management  
Northumbrian Water  
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **28.12.2011**

## **REPRESENTATIONS:**

Neighbours - no objections have been received as a result of consultation letters and site notices.

Street Scene - comment that the proposal would be a less intensive use than that of a public house. However, it is unclear what the maintenance and store room would be used for and this may have implications for parking within the curtilage of the site.

Environmental Health - comment that conditions may be required to control the means and methods of construction works

The application under consideration was originally a delegated item, given its scale and type. However, a Ward Member subsequently requested that the application be determined at committee. The applicant has been advised of this. However, further consultations advising neighbours of their opportunity to speak at the committee meeting have not been sent on the basis that no objections have been received to the application as a result of the publicity and consultation process.

## **POLICIES:**

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

NA\_9\_Restructuring improvements to existing Council Housing stock  
H\_12\_Maintenance and improvement of Council housing  
H\_13\_Encouragement of continued investment in existing private housing  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
B\_2\_Scale, massing layout and setting of new developments  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
H\_18\_Proposals for provision/ conversion of dwellings for multiple occupation

## **COMMENTS:**

The main issues in this case are land use, impact of the proposal on surrounding occupiers and parking and highway implications.

### **LAND USE**

The site is subject to policy EN10 which requires changes of use to be compatible with the principle use of the area. In this case the predominant use of the locality is residential, although there is a small terrace of shops immediately to the south of the site. The previous use of the site was a public house. The proposed use involves a beauty spa and residential bed sits, which is consistent with the uses in the vicinity. The proposal therefore complies with the land use policy, above.

Policies NA9, H12 and H13 also cover the site. Policy NA9 deals with improvement and environmental works to its housing stock. Policies H12 and H13 relate to the improvement of Council and private housing and are not directly applicable to the subject proposal. The application would not, however,

compromise the aims and objectives of these policies and would help to bring back into use a vacant building, which is desirable in this built up area.

Policy H18 of the UDP relates to proposals for the conversion of non-residential buildings that are vacant or under-used into bed-sitting rooms and other forms of shared accommodation. This states that such applications will normally be approved where they do not conflict with other policies and proposals of the UDP. In all cases such proposals must provide satisfactory provision for parking, servicing and other design aspects. The current proposal meets the above criteria, and parking and design issues are further discussed below.

## RESIDENTIAL AMENITY

Policy B2 seeks to ensure that the scale, massing, layout or setting of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy. The proposal is acceptable in relation to its impact on nearby residential occupiers, the closest of which are located to the west of the site. The proposed use is considered to be a less intensive use of the premises than the former pub in terms of the amount of noise and activity that would have been generated compared to 6 no. bed sits and a beauty salon, which would not be open late into the evening. There are no external changes to the building that would result in overlooking, loss of privacy or outlook to neighbouring occupiers as the majority of new openings are located along the south and east elevations of the building.

## PARKING AND ACCESS

The proposal is likely to generate less traffic than its former use as a public house. There is adequate parking and servicing available in the existing car park to accommodate the proposed uses. However, this assessment is based on the fact that the areas shown as storage and maintenance within the building are to be used as ancillary to the bed sits and the beauty spa. Any other use that involves storage of goods that do not relate to the site itself is likely to require the benefit of planning permission and a further assessment of the parking requirements. The applicant has confirmed that all the rooms shown for storage and maintenance are solely in connection with the other uses on the site. He is aware that it would not be possible under the current proposal to bring storage to the site that is for external purposes. Should planning permission be forthcoming, this aspect of the proposal may be controlled by way of a condition. In light of the above the proposal is considered to comply with policy T14 of the UDP which seeks to ensure that all new development should indicate how parking requirements will be met; make provision for loading and unloading of vehicles, and not cause traffic congestion or highways safety problems on existing roads.

## CONCLUSION

The proposal is considered to comply with all relevant policies of the UDP, as described above and is a mixed use that is appropriate to the land uses in the area. It is of a scale that would not impact on highway safety or parking in the vicinity and the external alterations to the building are of a relatively minor nature that would not impact on the visual amenities of the area. From a residential amenity point of view the use is relatively low key and is likely to be a less intensive use of the building than the former public house.

## **RECOMMENDATION: Approve**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Proposed elevations and floor plans, roof plan and site plan received 21 November 2011 and existing elevations and floor plan and site location plan received 24 November 2011.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.
- 3 No open storage shall take place on the site unless agreed in writing with the Local planning authority, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 4 None of the bedsits shall be occupied until the internal and external alteration works have been completed in accordance with the submitted plans, in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.
- 5 The parking area shown on the submitted plans hereby approved shall be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policy T14 of the UDP.
- 6 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP
- 7 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 8 The areas shown on the submitted drawings hereby approved for storage and storage/maintenance shall be used only in connection with the other

uses on the site, namely 6 no. besits and a beauty spa. No other use shall take place within the areas defined for storage and maintenance and no goods shall be stored within them that do not relate to the uses hereby approved without the prior written consent of the Local Planning Authority. In order to comply with polices B2, T14 and EN10 of the UDP, in the interests of highway safety, residential amenity and the character of the area.