

**DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE**

AGENDA

**Meeting to be held in Committee Room No. 2 on Tuesday 21st
May, 2013 at 4.45 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Applications made under the Town and Country Planning Acts and Regulations made thereunder Report of the Deputy Chief Executive (copy herewith).	1
4.	Town and Country Planning Act 1990 – Appeals Report of the Deputy Chief Executive (copy herewith).	15

**E. WAUGH,
Head of Law & Governance.**

Civic Centre,
SUNDERLAND.

13th May, 2013

Item 3

Development Control (South Sunderland) Sub-Committee

21 May 2013

REPORT ON APPLICATIONS

REPORT BY THE DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Deputy Chief Executive for determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

LIST OF APPLICATIONS

Applications for the following sites are included in this report.

South & City Centre Area

1. Land at Doxford Park Estate, Mill Hill, Sunderland
2. The Software Centre, Tavistock Place, Sunderland, SR4 6LR

COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or email Development Control dc@sunderland.gov.uk

DEVELOPMENT PLAN

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

Unitary Development Plan - current status

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

STANDARD CONDITIONS

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

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

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

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

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

Janet Johnson
Deputy Chief Executive

Reference No.: 13/00333/SUB Resubmission

Proposal: Extra Care (42 no.) apartments with staff and communal facilities plus (40 no.) apartments and (14 no.) bungalows for older persons together with associated highways and landscaping works and stopping up of highway (Resubmission)

Location: Land At Doxford Park Estate Mill Hill Road Sunderland

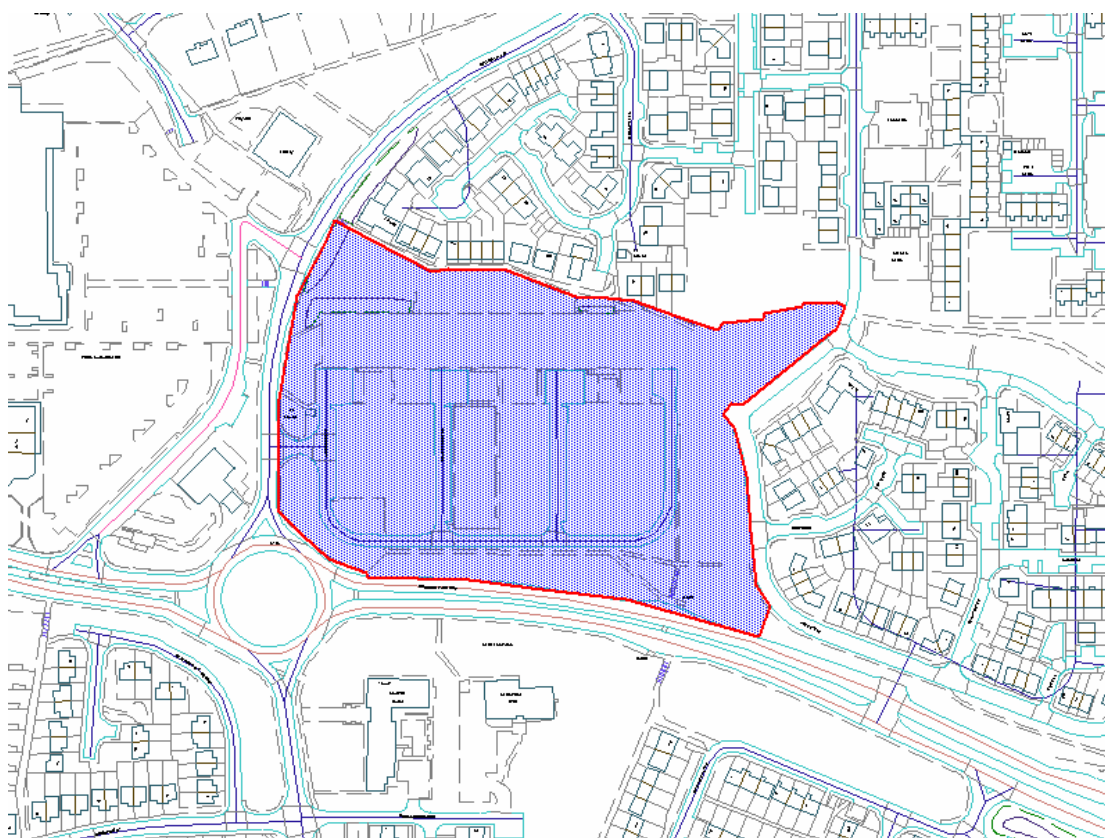
Ward: Doxford

Applicant: Gentoo Homes

Date Valid: 27 February 2013

Target Date: 29 May 2013

Location Plan



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PROPOSAL:

Members may recall that at the 17 July 2012 Development Control Sub Committee meeting a near identical scheme was approved by Members (ref. 12/01283/FUL). The planning application that is now under consideration has been re-submitted as the Applicant, Gentoo, are seeking permission to increase

the number of extra care apartments within the development from the 40 approved via 12/01283/FUL to 42. The additional 2 apartments are being accommodated through the rationalisation of the ground floor of the Extra Care building.

The rationalisation involves altering the ground floor layout so that the assisted bathroom, guest room, residents lounge and games room, which formed part of the development approved via planning application 12/01283/FUL, are to be replaced by the 2 additional apartments. As such this rationalisation of floor space means that there is no extra built development being introduced by the new scheme and as such, externally, remains as previously approved (N.B. this includes the other apartments and bungalows that comprise the remainder of this development proposal).

This planning submission is therefore seeking approval for 42 no. extra care apartments with staff and communal facilities plus 40 no. apartments and 14 no. bungalows for older persons together with associated highways and landscaping works and stopping up of highway. Furthermore, and notwithstanding the rationalisation of the ground floor layout of the Extra Care element, ancillary community facilities are still being provided, including a hair/ beauty salon, Treatment/ GP room, Multi-use area, kitchen and laundry room.

The proposed development forms part of the overall regeneration of the Doxford Park Estate. The Doxford Park Masterplan was adopted as an Interim Supplementary Planning Document in January 2008. The Masterplan provides a framework for the phased renewal of Doxford Park and offers a detailed design guide to ensure a consistent approach across the development.

This Phase 3B site lies to the south east of Doxford Park and is bound by Doxford Park Way to the south and Mill Hill Road to the west. The completed apartments and townhouses forming the earlier Phase 2 of the Masterplan lie to the north, with Phase 3A housing and Carradale Road is located to the east. The site is a cleared brownfield site, previously comprising of 1960's residential units which, according to the Applicant, were demolished between 2004 and 2010. The site is approximately 3.3 hectares (2.3 hectares excluding the linear park).

The application has been supported by a relevant plans and elevations, Planning Statement, Design and Access Statement, Affordable Housing Statement, Ecological Survey, Site Investigation, Statement of Community Involvement, Drainage and Services Strategy, Refuse Disposal Details and a Travel Plan.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
Environment Agency
Natural England
Director Of Health, Housing And Adult Services
Northumbrian Water

Environmental Health

Final Date for Receipt of Representations: **02.05.2013**

REPRESENTATIONS:

Neighbours

No letters of representation have been received.

Consultees

Northumbrian Water Ltd (NWL) - Having assessed the proposed development in terms of the capacity of their assets and network to accommodate and treat the anticipated flows arising from the development, NWL did not offer any comment.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

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

H_21_Open space requirements in new residential developments (over 40 bed spaces)

SA_11_Improvements to Council housing

CN_17_Tree Preservation Orders and replacement of trees

CN_22_Developments affecting protected wildlife species and habitats

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

H_16_Negotiation for affordable housing in major developments

COMMENTS:

The key issues to consider in relation to this application are:

- Land-use and Policy Considerations
- Highway Considerations
- Residential Amenity and Design Considerations
- Ecology and Tree / Landscaping Considerations

These are being given further consideration and shall be reported to Members by way of a Supplement Report.

RECOMMENDATION: Deputy Chief Executive to Report

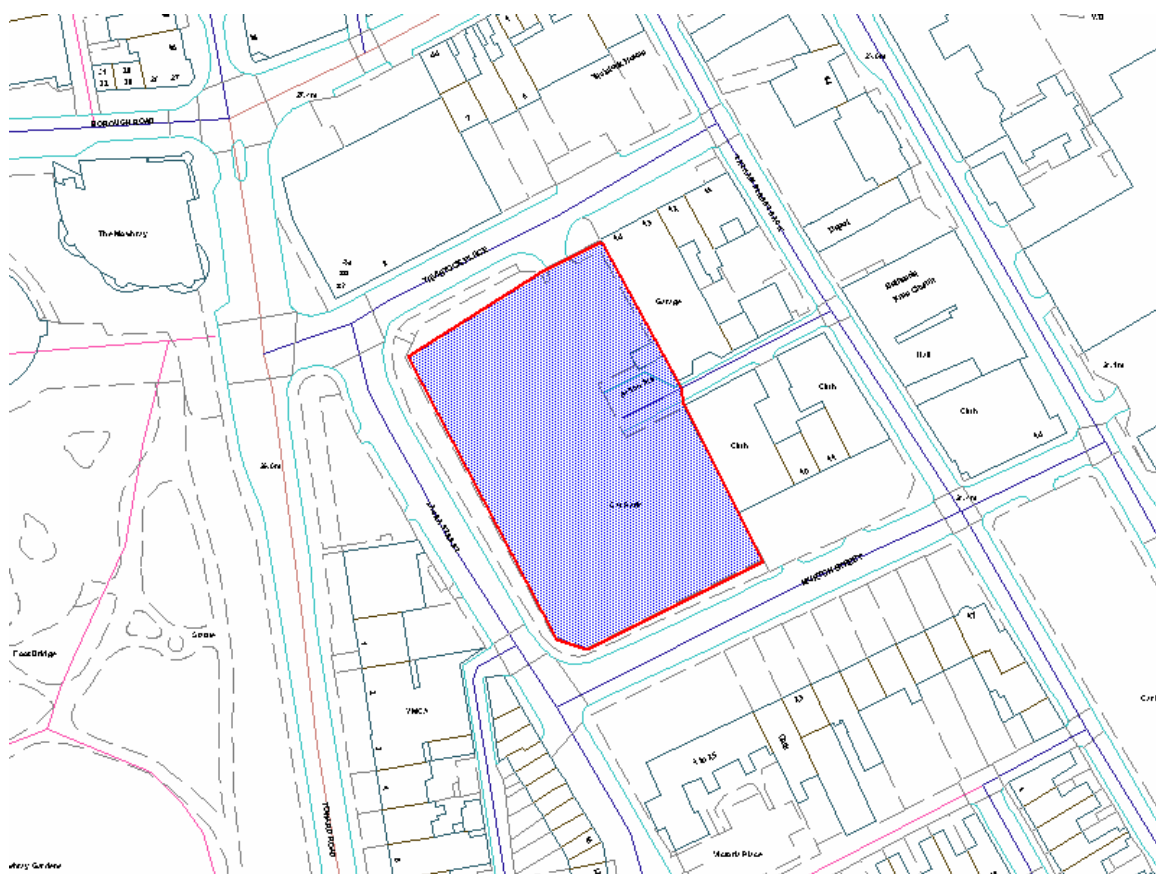
Reference No.: 13/00801/LAP Development by City(Regulation 3)

Proposal: Erection of boundary fence and gates to rear of property resulting in stopping up of public highway

Location: The Software Centre Tavistock Place Sunderland SR1 1PB

Ward: Hendon
Applicant: Sunderland City Council
Date Valid: 12 April 2013
Target Date: 7 June 2013

Location Plan



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PROPOSAL:

The site to which the application relates is land to the rear of The Software Centre, Tavistock Place.

Specifically, the proposal relates to the erection of boundary fencing and gates to the rear of the property. The erection of the proposed fencing and gates will result in stopping up of public highway, specifically the turning head of the back

lane of Tatham Street which runs between the rear elevations of existing buildings on Tavistock Place and Murton Street.

The submitted information indicates that the proposed fencing will replicate the design and colour of the retained former car park fencing which now encloses The Software Centre and at 2.4 metres in height will be lower than the height of the adjacent buildings in Tavistock Place and Murton Street. The proposed enclosure includes new double gates to match the proposed fence to allow NEDL to access the substation, which will also allow for refuse collection to take place from this point. The proposed fencing and gates would be coloured green (RAL6005) to match the existing fencing around the site.

The applicant advises that the application is made in an effort to tackle anti-social behaviour problems occurring in the back lane.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

City Services - Network Management
Hendon - Ward Councillor Consultation

Final Date for Receipt of Representations: **29.05.2013**

REPRESENTATIONS:

Neighbours

To date, no representations have been received, although it should be noted that the consultation period does not expire until 29 May 2013, which is after the Sub-Committee Meeting. Any representations received will be reported in advance of the Sub-Committee Meeting by way of a supplement report.

Consultees

Network Management Team - The Network Management Team has been consulted in respect of the proposal on the highway network and has advised that the proposed development will affect an area of highway to the rear of the property, (hammerhead/turning area accessed from Back Tatham Street). This area will require a stopping up order under Section 247 of the Town and Country Planning Act 1990.

There is a BT pole and lighting column within the proposed boundary enclosure. Enquiries should be made with regard to relocating the apparatus. If relocation is deemed necessary, all costs will be met by the applicant.

It is advised that NEDL (substation access) and Cleansing Services, (refuse collection) are consulted on the proposal with regard to the proposed access point and lock entry.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

B_4_Development within conservation areas

B_6_Measures to preserve and enhance conservation areas

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

T_22_Parking standards in new developments

COMMENTS:

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

- The principle of the proposed development;
- Layout, design and conservation;
- Impact on the highway network and parking provision.

The principle of the proposed development

Given that the application site lies within Sunderland City Centre, it is within the area to which the Unitary Development Plan (UDP) alteration No.2 (Central Sunderland) is applicable. Therein, policy EC10A relates to the regeneration of Central Sunderland and states that the Council will support the regeneration of Central Sunderland.

Through Policy EC5B the City Council has identified certain sites as Strategic Locations for Change, as defined on the alteration No.2 proposals map. The City Council aims to seek diversification to secure a range of uses for each site as identified in site specific policies.

Site specific policy SA55B.1 sets out that an area of approximately 27.5 hectares within Sunnyside is allocated as a strategic location for change. The text of the policy states that the City Council will encourage the continued development of the Sunnyside area. In terms of land use, the policy identifies a number of uses, which already contribute significantly to the character of the Sunnyside and these are identified so as to remain predominant. These uses include those falling within class B1 (Business) of the Town and Country Planning (Use Classes) Order.

In this regard, the proposal would see improvements aimed at securing the boundaries of The Software Centre, which is an existing office building. The improvement should allow the building to function effectively and securely for its approved purpose, which is one of the primary uses allocated for this area of the City in UDP alteration No.2. For this reason, the proposed development is considered to be acceptable in principle.

Layout, design and conservation

Applications for works relating to land and buildings in conservation areas must be considered against the policy found in paragraph 131 of the National Planning Policy Framework (NPPF). Paragraph 131 requires Local Planning Authorities to

take into account the desirability of sustaining and enhancing the significance of heritage assets.

Policy B2A of UDP alteration No.2 relates to sustainable urban design and states that the City Council will seek to secure the highest possible quality of built environment and the creation of desirable places to live, work, shop and visit.

In respect of impact upon the conservation area, policy B4 of the UDP seeks to ensure that all development within and adjacent to conservation areas will be required to preserve or enhance the character of the conservation area.

To this end, policy B6 dictates that the City Council will take certain measures to protect the amenities of conservation areas including:

- Encourage the retention of existing buildings and the improvement of features, open spaces, street patterns and plot boundaries.
- Give special attention to the preservation of important views.
- Promote Environmental Improvement and Enhancement programmes.

In this regard, the proposed fence and gates would be erected to the rear of The Software Centre at the head of the back lane of Tavistock Place and Murton Street. The fence would be designed so as to match the existing fencing around The Software Centre, which has been retained from the previous use of the site as a car park. Given the limited visibility of the back lane and the fact that the proposal would see the erection of new fencing which matches the design of the existing fencing around The Software Centre, it is not considered that the proposal would be detrimental to the visual amenities of the Sunnyside Conservation Area, nor would the amenities of occupiers of adjacent buildings be unacceptably compromised.

For the reasons set out above, the proposal is considered to accord satisfactorily with UDP alteration No.2 policy B2A and UDP policies B4 and B6, as well as paragraph 131 of the NPPF and the layout and design of the proposed development is considered to be acceptable.

Impact on the highway network and parking provision

UDP Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

The issues raised in response to consultation with the Network Management Team are outlined above and it is noted that the Team did not object to the principle of the proposed development, but advised on the requirement for a stopping up order in respect of the area of highway to be enclosed as well as the need for the applicant to make appropriate arrangements in respect of the existing utilities within the area to be enclosed. These matters can be brought to the attention of the applicant by way of informative notes, should Members be minded to grant consent for the proposed development.

It is not considered that the proposed development would adversely impact upon the highway network or car parking provision and such, the proposal is

considered to accord satisfactorily with UDP policies T14 and T22 as set out above.

Conclusion

The period for the receipt of representations does not expire until 29 May 2013, which is after the Sub-Committee Meeting. Accordingly it is recommended that Members grant consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) subject to no representations being received and subject to the conditions below. If any representations are received prior to the Sub-Committee meeting these will be reported by way of a supplement report and should any representations be received subsequent to the Sub-Committee meeting, the application will be brought before a subsequent meeting of the Sub-Committee and the recommendation reappraised if necessary.

RECOMMENDATION: MINDED TO GRANT CONSENT subject to no objections being received.

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:
 - The Existing and Proposed Site Plans and Proposed Fence Details - Drawing Number 0108058/001, received 26 March 2013 and
 - The Site Location Plan, received 26 March 2013.

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

- 3 The fence and gates hereby approved shall be painted/coloured green (RAL6005) prior to their erection and shall be maintained as such at all times thereafter, unless any variation is first agreed in writing with the Local Planning Authority in the interests of visual amenity and to accord with policy B2 of the Unitary Development Plan.

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
1.	11/00917/OUT Millfield	Former Cornings Site, Deptford Terrace, Sunderland	<p>Cowie Properties LLP and Landid Properties (Sunderland) Ltd.</p> <p>Outline planning application with all matters reserved to provide for one or more of the following land uses: B1 (a) offices; Class C3 residential; Class C1 hotel; Class C2 residential institutions; Class D1 non residential institutions; Class D2 leisure; Class A1-A5 retail; and sui generis car showroom use. Such development to include: highways and public transport facilities; vehicle parking; laying out of open space; landscaping; groundworks; drainage works; provision and/or upgrade of services and related media and apparatus; and miscellaneous ancillary and associated engineering and other operations.</p>	Site Visit 22.07.11	N/A	<p>Pending Consideration</p> <p>Section 106 required however no discussions on this matter to date.</p>

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
2.	13/00544/FUL Doxford	Land at Croftside House Knollside	Aldi Stores Ltd Demolition of existing care home and erection of a foodstore with associated vehicular and pedestrian access, car parking and landscaping	N/A	N/A	Pending further consideration No Section 106 Agreement required at this time
3.	13/00799/FUL Doxford	Land at Burdon Lane, Burdon, Sunderland	Bellway Homes (NE) Ltd Erection of 118 dwellings, formation of access, provision of landscaping and associated works	N/A	N/A	Currently out to consultation. Section 106 required, however to date no discussions have take place in this regard

Items Delegated to the Deputy Chief Executive

Items Delegated to the Deputy Chief Executive

1. **Erection of two storey school building and associated landscaping and infrastructure including 48no. additional car parking spaces and temporary site access and contractors compound**

12/02890/FUL

Grindon Hall Christian School Grindon Hall Nookside Sunderland SR4 8PG

23/10/12 Members Of Grindon Hall Christian School

Decision: Approved

Date of Decision: **19th April 2013**

Appeals Received South Sunderland

Between 01/04/2013 and 30/04/2013

Ref No	Address	Description	Date Appeal Lodged
13/00008/REF	Land Adjacent 1 Warren Square Sunderland SR1 2DU	Erection of 2no. semi detached dwellings.	23/04/2013

Appeals Determined Sunderland South

Between 01/04/2013 and 30/04/2013

TEAM	Ref No	ADDRESS	Description	Decision	Date of Decision
	12/00017/ENF	Victoria Gardens Public House China Street Sunderland SR2 8RT	Appeal against - Enforcement Notice	DISMIS	10/04/2013
	12/00020/REF	49 Cambridge Road Sunderland SR3 2DQ	Erection of conservatory to front and new boundary wall/ railings (Part Retrospective)	DISVAR	10/04/2013