

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 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/

Ms. Irene Lucas CBE
Chief Executive

1.

North
Sunderland

Reference No.: 16/02336/FU4 Full Application (Reg 4)

Proposal: **Erection of a single storey extension with external canopy to early years classroom and replacement of existing conservatory to year one classroom.**

Location: Bexhill Primary Academy Bexhill Road Sunderland SR5 4PJ

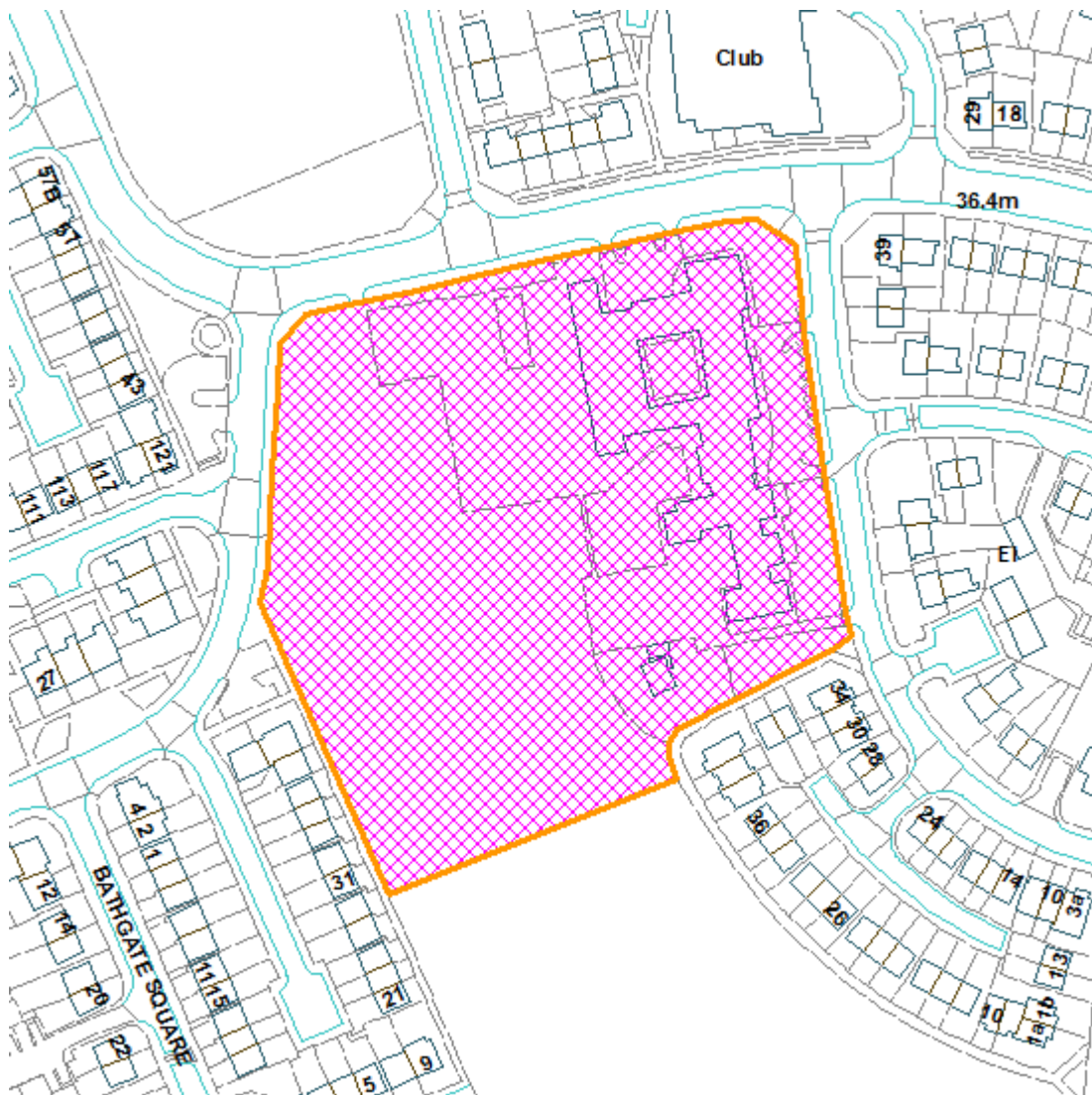
Ward: Castle

Applicant: WISE Academies

Date Valid: 17 January 2017

Target Date: 14 March 2017

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a single storey extension to the existing Early Years classroom, replacement of existing conservatory to the Year 1 classroom with a single storey 'conservatory-like' extension and installation of a lightweight canopy over the Early Years play yard area.

The proposed Early Years classroom extension would measure approx 11m in length and approx 8m wide with a maximum height of 3.8m and be of flat roof design. The western elevation of the classroom is proposed to be all glazed overlooking the playground whilst a small window is also proposed within the southern elevation. Additional openings are proposed within the northern elevation that overlooks the existing school site.

The proposed single storey extension which will replace the existing conservatory will measure approx 3.5m in length (projection from the existing school building), approx 8.7m wide and have a height of 3.4m. The southern elevation of the extension will be completely glazed with a door also proposed within the eastern elevation. No openings are proposed within the western elevation. The proposal will have a lean-to roof design.

Finally, the lightweight canopy will project out from the proposed Early Years extension and cover part of the existing play area.

The application has been advertised by way of a site notice posted on 01.02.17 and neighbour notification letters.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Castle - Ward Councillor Consultation
DC North Chair And Vice Chair Consultation
Network Management

Final Date for Receipt of Representations: **22.02.2017**

REPRESENTATIONS:

Third Party Representation

No third party representation received.

POLICIES:

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

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

CF_5_Provision for primary and secondary schools

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

COMMENTS:

The main issues to consider in relation to the application are:-

1. The principle of the land use.
2. The appearance and layout of the development.
3. The impact upon neighbouring properties.
4. Highways Issues

LAND USE

The site is subject to policy EN10 of the UDP, which states that all proposals for new development will be judged on accordance with the policies and proposals of the UDP and where the plan does not indicate any proposal for change, the existing pattern of land use is intended to remain. Policy CF5 is also applicable. This policy is concerned with the provision of primary and secondary education facilities and states that such needs will be accommodated primarily on existing sites or those identified in the UDP.

The use of the site as a school will remain unchanged as a result of this proposal with all built form proposed to be carried out on existing areas of hard surfacing (play yard) or in place of an existing structure (conservatory) on the site. No playing fields will be affected as a result of this development and as such the proposal complies with policies EN10 and CF5 and is considered to be acceptable in principle.

THE APPEARANCE AND LAYOUT OF THE DEVELOPMENT

The proposed Early Years classroom extension, extension to the Year 1 classroom and lightweight canopy are proposed to be located towards the southern end of the school site and as such would not be highly visible from public land/vantage points. The proposal is also set back from the main highways of Bexhill Road and Bingley Street which bound the northern and eastern boundaries of the site and the development proposal will be largely screened by the existing built form. In addition to the above physical features, the extensions are considered to be of a scale and design that is in keeping with the existing school and would in no way dominate the immediate surroundings.

In light of the above the proposal is considered to comply with policy B2 of the UDP, which requires that the scale, massing, layout or setting of new developments and extensions to existing buildings to respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

IMPACT ON NEIGHBOURING PROPERTIES

The proposed extensions would not be highly visible from existing neighbouring properties given their location, siting, design and scale and existing built form on the site. The closest residential properties are situated approximately 24m to the south of the school (50 & 52 Bellamy Crescent) and, as such, it is not considered that the development would give rise to any adverse impacts such as loss of outlook, privacy or light. As such, the proposal complies with Policy B2 of the UDP.

HIGHWAYS ISSUES

Policies T14 and T22 seek to ensure, amongst other things, that new development does not cause traffic congestion or highways safety problems on existing roads and makes provision for its own parking needs.

Clarification was sought in respect of the existing teacher/ staff and pupil numbers and whether the school had any intention to increase these numbers following the development proposal. The school has since confirmed that they currently have 363 pupils on roll from Reception to Year 6, with an additional 30 Full Time Equivalent children attending the Nursery (i.e. attending for the equivalent of five half-days each). A small number of these nursery children stay on site to access additional childcare sessions with the other morning or afternoon nursery children. The school has confirmed that they have no intention to increase their capacity due to the proposed extension.

In terms of teaching staff the school has 36 full time staff, consisting of teachers, teaching assistants, office staff etc. There is also 11 part-time auxiliary staff (mainly kitchen and lunchtime staff, including two cover teachers). As above, the school has no plans to increase the number of staff due to the proposed extension.

Following this information engineering colleagues have confirmed that they have no observations or recommendations to make with regard to the proposed development and as such, it is considered acceptable and in accordance with policy T14.

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.

CONCLUSION

On balance, and subject to a satisfactory resolution being reached in respect of highways, the proposal is considered to be of an acceptable scale and design in relation to both the school itself and the surrounding built environment. The extensions would not interfere with the living conditions of surrounding residential occupiers and as such the proposal complies with UDP policies outlined above that seek to ensure that new development does not adversely affect residential or visual amenity.

Given that the site notice period does not expire until the day of the Committee Meeting, and subject to no representations being received that raise new material planning considerations that have not been considered and addressed in the above report, the recommendation to Members is to be minded to Grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 and subject to the conditions listed below.

RECOMMENDATION: Members be minded to Grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 subject to the conditions listed below:-

Conditions:

1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time

2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

- Site Location Plan
- Existing Layouts ref: 1001
- Proposed Layouts ref: 2001
- Proposed Layouts ref: 2002

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 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.

Reference No.: 17/00069/FU4 Full Application (Reg 4)

Proposal: **Erection of a new single storey extension to existing classroom to front elevation facing Bradford Avenue**

Location: Saint John Bosco School House Bradford Avenue Sunderland SR5 4JW

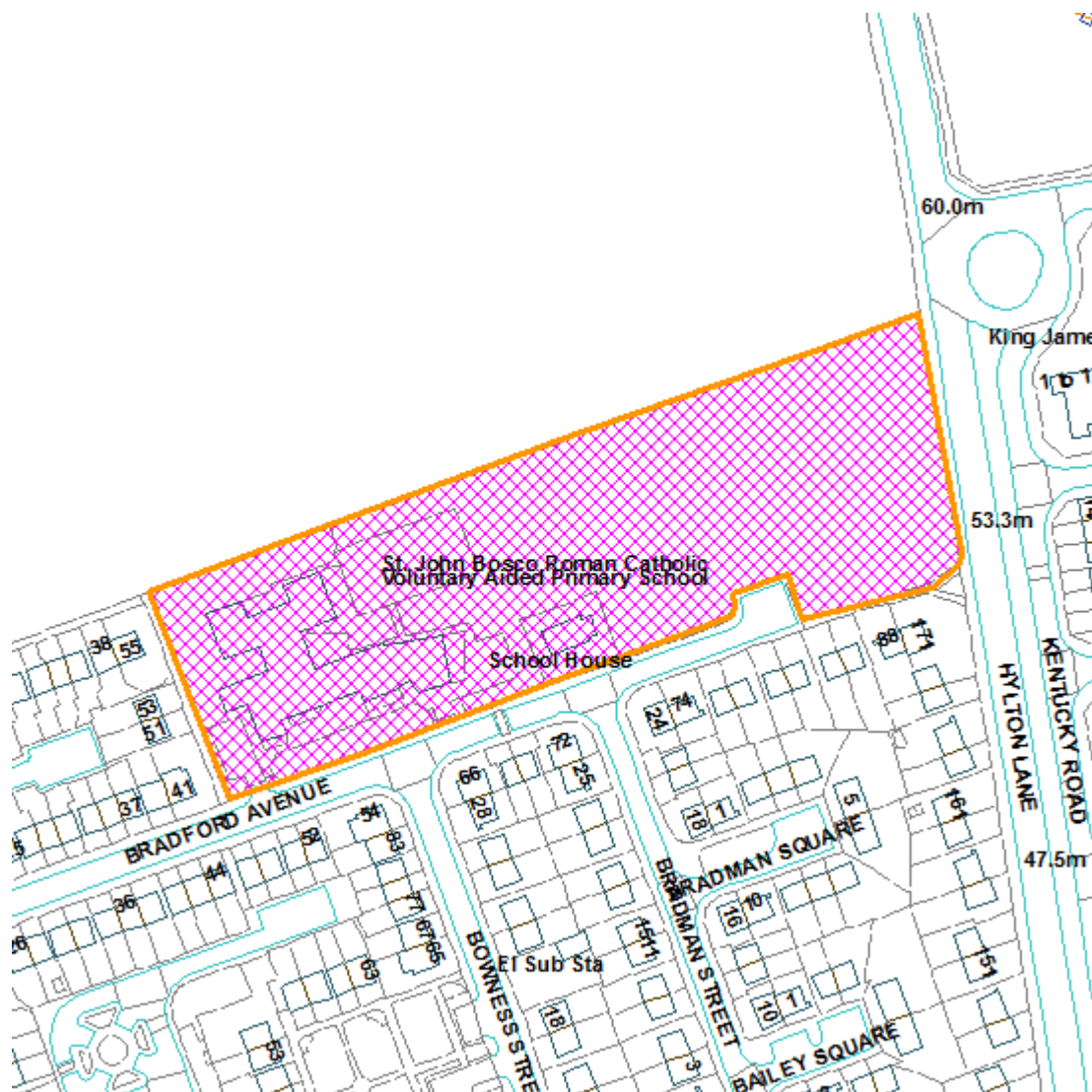
Ward: Redhill

Applicant: The Chair of Governors

Date Valid: 24 January 2017

Target Date: 21 March 2017

Location Plan



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PROPOSAL:

The application seeks full planning permission for the construction of an extension at Saint John Bosco RC Primary School, Bradford Avenue, Town End Farm.

The site lies towards the north of the settlement and covers approximately 14,000 square metres. The school building itself lies towards the west of the site and comprises a flat-roofed single storey building constructed from brick. The balance of land has been given over to car parking, playgrounds / sports pitches and playing fields.

The proposed extension would be sited to the front of the building, facing towards Bradford Avenue. The proposed extension would provide additional classroom space, measuring circa 3 metres in depth and 7 metres in width. The proposed construction materials would be matching brick and white upvc windows with a flat roof.

The site, in terms of relevant planning constraints, lies within a Coal Authority Standing Advice Area.

The application has been referred to the planning committee as the Council has an interest in the land.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
Redhill - Ward Councillor Consultation
Redhill - Ward Councillor Consultation

Final Date for Receipt of Representations: **24.02.2017**

REPRESENTATIONS:

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 the application has been subject to notification letters sent to surrounding neighbours.

There have, at the time of writing the report, not been any representations received.

The Highway Authority has also been consulted and their comments will be provided to Members at the planning committee.

POLICIES:

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

CF_5_Provision for primary and secondary schools

B_2_Scale, massing layout and setting of new developments

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

COMMENTS:

The main planning considerations, having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning considerations (including representations received,) are noted below:

- Principle of the development.
- Design
- Living conditions

These considerations are expanded upon below.

- Principle of the Development

The provisions of the Planning and Compulsory Purchase Act 2004, at paragraph 38(6), states that the determination of planning applications must be made in accordance with the (development) plan unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) forms a material consideration.

The Framework, at paragraph 12, states that the development plans form the starting point for decision making. The Framework, at paragraph 215, further states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plans to the policies in the Framework, the greater the weight that may be given). The Unitary Development Plan (1998) forms the relevant development plan and consideration needs to be given to its consistency with the Framework.

The relevant policy of the Unitary Development Plan, CF5, states that Primary education needs will be accommodated primarily on existing sites. These provisions would align quite closely with the Framework which states, at para 72 that Government attaches great importance to ensuring that sufficient choice of school places is available.

The proposed development can be given consideration as being in accordance with UDP Policy CF5 as primary education needs would be accommodated within an existing site through the provision of a small extension. The proposed development can also be given consideration as being in accordance with the Framework which states, at para 72, that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

The proposal can therefore be supported in principle and consideration can now be given to any detailed impacts. These can be seen below.

- Design

The provisions of policy B2 of the UDP state that the scale, massing, layout or setting of extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality. These provisions would align quite closely with the Framework which states, at para 56, Government attaches great importance to the design of the built environment. The proposed extension would have a relatively small footprint and would be viewed against the context of the existing school building. The proposed extension would also be constructed from matching materials with similarly proportioned windows.

The proposal would therefore, in accordance with UDP Policy B2 and section 7 of the Framework, respect the character of the host building, nearby properties and locality.

- Highway

The provisions of policy T14 of the UDP states that new development should not cause traffic congestion or highway safety problems on existing roads. These provisions would align quite closely with the Framework which states that development should create safe and secure layouts. The proposed extension would be quite small relative to the existing school and would be unlikely to lead to a material increase in either the character or volume of traffic on the local highway network.

The proposal would therefore, in accordance with policy T14 of the UDP and section 4 of the Framework, not cause highway safety problems.

- Living conditions

The provisions of UDP policy B2 states that extensions to existing buildings should retain acceptable levels of privacy. These provisions align quite closely with the Framework which states, at paragraph 17, that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The proposed extension would be unlikely to give rise to a material increase in noise or disturbance for the occupiers of the nearby properties. The proposed windows face towards the "T" junction of Bradford Avenue and Bowness Street which means there would not be any significant overlooking.

The proposed development would therefore, in accordance with UDP policy B2 and paragraph 17 of the Framework, ensure a good standard of amenity and acceptable levels of privacy.

Equality Act 2010 - 149 Public Sector Equality Duty

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

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

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;

- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

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

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

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

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

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

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

RECOMMENDATION: Members be minded to Grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 subject to the conditions listed below:-

Conditions:

1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time

2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

- Existing & site plan & ground floor plan (Project number CH 37, Drawing number 01)
- Existing & proposed floor plan & elevations (Project number CH37 Drawing number 02)

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.