Item 3

**Development Control (Hetton Houghton & Washington) Sub-Committee** **20 December 2010**

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## REPORT ON APPLICATIONS

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### REPORT BY 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.

**1.** Land at Volker Stevin/Van Elle Windsor Road, Springwell Village.

**2.** Reservoir East of 23 Eddison Road, Rear of 31-36 Lakeside Gardens and North of Sherringham House "Willows Reservoir", Swan, Washington.

### 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 the Technical Manager on 0191 561 1182 email address 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 (General Development Procedure) Order 1995.

**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

**1.** **Washington**

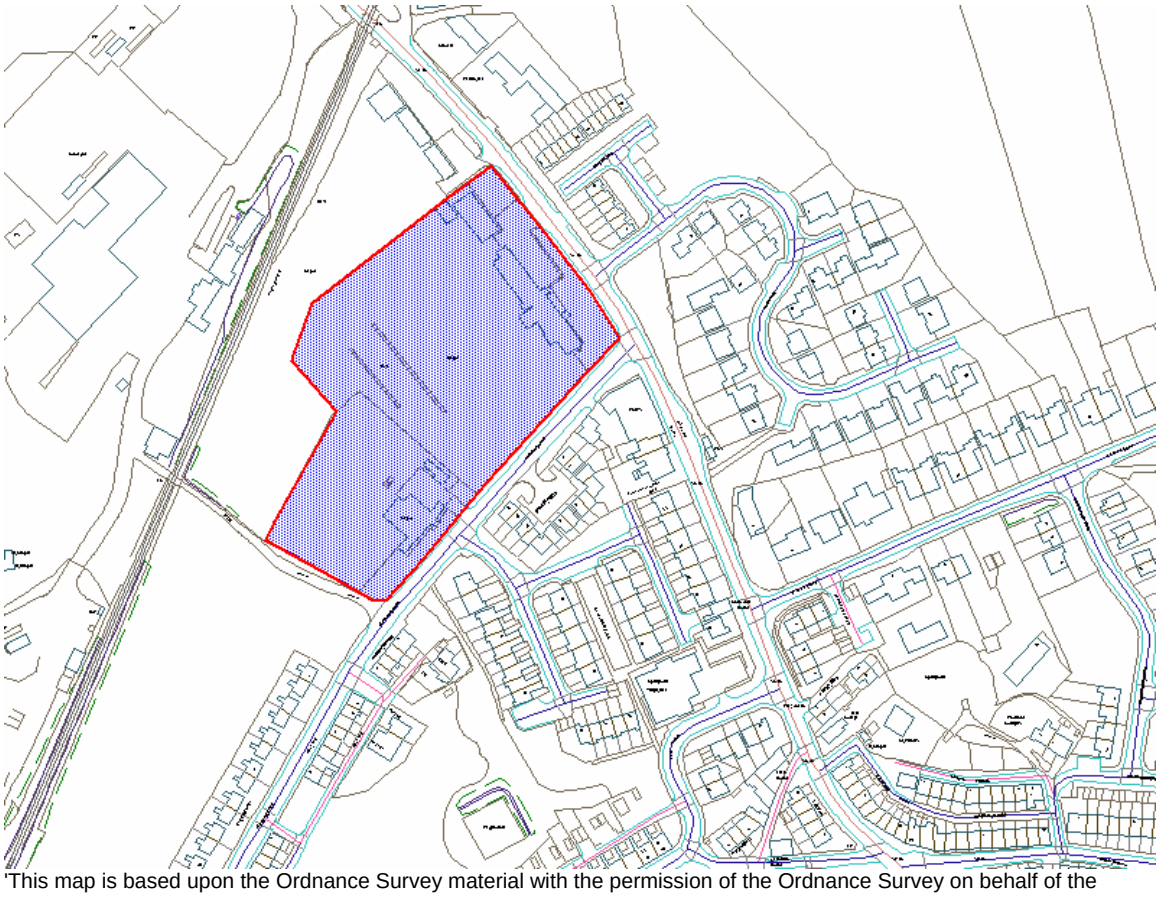
**Reference No.:** 10/03294/FUL Full Application

**Proposal:** **Demolition of industrial units and construction of 60 no. dwellings and garages for residential purposes, with associated landscaping and access from Springwell Road.**

**Location:** Land At Volker Stevin/Van Elle Windsor Road/Springwell Road Springwell Village Gateshead NE9 7QN

**Ward:** Washington West
**Applicant:** Taylor Wimpey NE LTD & Volker Stevin
**Date Valid:** 30 September 2010
**Target Date:** 30 December 2010

**Location Plan**



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**PROPOSAL:**

The site, part of a former quarry, forms part of an area identified under policy WA1.9 as an existing employment site 2.6 hectares in area allocated for office, research and development, light industry and general industry. The proposal seeks consent to develop 1.7 hectares for residential use.

The proposal consists of 60 dwellings at a density of 34 dwellings per hectare comprised of:

26 x 4 bed room detached properties.
25 x 3 bed room semi-detached and terraced properties.
9 x 2 bed room semi-detached and terraced properties.

Vehicular access will be taken from Springwell Road via the construction of a mini roundabout with additional pedestrian access from the south east corner of the site on Springwell Road and the south west corner of the site on Windsor Road.

The application is supported by the following documents.

- Application Drawings
- Planning Statement
- Affordable Housing Statement
- Statement of Community Consultation
- Risk Assessment in Regard to Land Contamination
- Noise Assessment
- Transport Statement
- Habitat Survey
- Bat Risk Assessment
- Flood Risk Assessment
- Foul Sewage and Utilities Assessment.

The application is a departure from the Unitary Development Plan and has been advertised as such.

**TYPE OF PUBLICITY:**

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

**CONSULTEES:**
City Services - Transportation
Environment Agency
Street Scene (Environmental Service)
Director of Children's Services
Force Planning and Police Architectural Liaison Officer
Durham Bat Group
Natural England
County Archaeologist
English Heritage
Culture and Tourism

Final Date for Receipt of Representations: **04.11.2010**

**REPRESENTATIONS:**

NEIGHBOURS.

The operator of the adjacent quarry has raised objections to the proposal. The company has been operating an active non hazardous landfill, recycling facility and crushing operation adjacent to the Volker Stevin site. The firm considers that residential use next to such an operation may affect the current planning conditions and Environmental Permits.

At present the planning conditions relate to the nearest housing which is a considerably further distance away from the quarry than the proposed development. The objector is concerned that if houses are built so close to operations the current planning conditions will have to be altered to consider the new development. The objector considers that satisfying the current planning conditions can be very difficult and can restrict operations and if new conditions were added this would have a significant detrimental effect on the operation. Thus the company opposes the proposed planning application on the grounds it may be impossible to operate the current operations with more stringent conditions.

CONSULTEES

County Archaeologist

The County Archaeologist has advised that part of the site was quarried in the 19th and 20th centuries (Springwell and West View Quarries) and that there used to be terraced housing along the street frontages (Lightpipe Row). The quarries are of interest in terms of the history of stone quarrying but no archaeological work is required.

English Heritage

The site lies close to the Bowes Railway, which is a Scheduled Ancient Monument (SAM 7). English Heritage has no comments.

Durham Bat Group. (DBG)

The survey is not considered robust based on a single visit in September. DBG would accept that the risk of bat use is relatively low but do not believe there is enough relevant evidence to dismiss it completely. DBG points out that the dearth of bats records from this site arises from a lack of survey work in the area and that it is disingenuous to suggest that this means that there are few bats present. Durham Bat Group and Gateshead Countryside Team carried out a survey along a North-South transect across central Gateshead in the last summer. The indications are that South Gateshead is rich in bats.

DBG agree that the risk to bats is not sufficiently high to restrict the development or impose timings on the works. However, the development of the site as a housing estate will turn what is likely to be used for feeding and at least casual roosting into an area which is not bat friendly.

In order to maintain continuity of conservation status, DBG would suggest that the developers need to make provision for roosting bats in appropriate buildings across the development and give some detailed thoughts to the landscaping, particularly to how flyways across the site and foraging within the site will be maintained and improved.

Natural England (NE)

Natural England is satisfied with the submitted surveys and the conclusions drawn.

NE would suggest a development of this scale offers an opportunity for habitat improvement and therefore recommend that the applicant implements the Ecological Enhancements as set out in section 9 of the September 2010 Habitat Survey.

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on the local authority to regard the conservation of biodiversity in the exercise of their functions. This can include a demonstrated commitment and contribution to Biodiversity Action Plans where appropriate and progress against key biodiversity indicators and targets. This should be considered.

Highway Engineers

Comments on the submitted layout included the following:

1. The proposed red line boundary for this application may need to be reviewed/revised to include the proposed traffic management measures and the proposed new access junction with Springwell Road.

2. The scope and extent of the proposed scheme of external traffic management measures needs to be agreed with the highway authority. Details of the proposed gateway and the mini roundabout that will form the primary access junction into the development will be required. It should achieve appropriate sight lines and vehicle deflections and may require the set back of the existing building line along the frontage of Springwell Road.

3. The provision and distribution of visitor parking was not considered in accord with Council policy.

4. The proposed footpath link adjacent to plots 41 & 42 appears to be 2.Om wide enclosed with a hedgerow and/or a 1 .8m high close boarded fence to the side. A 1metre verge should be provided to each side of the footpath and the fence and hedgerow heights should not exceed 1 m in height to enable natural visibility/surveillance to be retained for users of the path thus improving pedestrian security and reducing the potential for anti-social behaviour. In addition the boundary fencing adjacent to the footpaths junction with Windsor Road should be set back sufficiently to provide clear intervisibility for pedestrians crossing Windsor Road.

5. The layout drawing appears to indicate a raised speed table at the junction adjacent to plots 15 28 and 45. This should be confirmed.

6. The proposed layout appears to have been engineered so that vehicular speeds are generally consistent with a 20 mph speed limit it is recommended that a 20 mph zone should be introduced.

7. It is noted that a noise assessment has verified the extent of noise insulation provision required to mitigate the impacts of road traffic noise.

8. Details of proposed wheel washing and location of necessary equipment should be provided.

9. Appropriate parking provision should be identified in-curtilage for construction workers during all phases of construction to minimise loss of amenity for residents.

10. It has been agreed with Sunderland CC that the developer would include travel information in marketing material and welcome pack information although no specific details were provided. It is recommended that the welcome pack should be prepared for each household providing information on public transport, cycling and walking routes and associated facilities in the area. In addition it is requested that the developer provides all adult residents with a free month bus pass at first occupation, to encourage the use of the existing bus services. The developer will need to detail the proposed methodology for the distribution of the welcome pack and how the tickets will be issued.

11. In previous discussions with the developer, Sunderland CC had requested that a section within the Transportation Statement would include a statement on the benefits of using electric vehicles and other low carbon vehicles as an alternative to petrol/diesel powered vehicles, particularly for shorter journeys. To support this statement it was recommended that electric vehicle charging infrastructure should be provided as a consumer incentive to help decrease carbon emissions, improve air quality in the City and help make the electric car a real option for motorists. Consequently, the developer should provide infrastructure of an appropriate standard (i.e. ducting, cabling electric socket outlet) within private garages to facilitate the future re-charging of electric cars.

In addition it should be noted that the development proposals do not take into account the adjacent land to the north of the site, which could be subject to a similar type of development in the future. Access arrangements for the subject proposals could impact on future access into the adjoining site, particularly in terms of junction spacing, and a possible joint application may be more appropriate with a single access junction provided. This could possibly take the form of a standard roundabout, which would remove the need for a gateway feature into the village.

The proposed development is located adjacent to an existing site in industrial use. The layout and alignment of the residential development

should take into account the proximity of this existing site, particularly should the industrial use intensify.

As a result of these comments discussions have been held with the applicant and amended layouts have been submitted for consideration.

The first a letter and an amended layout drawing (1N/SPR/SK-05 Rev A) have been received dated 10th November 2010. The majority of highway safety concerns I raised have now been addressed. However, the following comments were requested to be considered: -

Internal Layout

Concerns raised regarding parking provision and access to garages has generally been adopted in the amended layout. It is accepted that the proposed garages for plot 8, 36 and 52 are located in the most appropriate locations. It is noted that an additional visitor parking bay could be introduced into the western most shared area/square adjacent to the 2 proposed spaces adjoining plot 42. This would increase the visitor parking provision to 18 spaces. This still falls short of Council standards by 2 spaces.

Pedestrian/Vehicle intervisibility should be increased at the junction of the footpath link, adjacent to plot 42, and Windsor Road. It is recommended that a footpath flare of 2m x 2m is provided at its junction with Windsor Road and that an overall visibility splay of 2m x 70m is provided. This may require an appropriate set back of the boundary walls/fence of the adjoining properties. No landscaping or fencing higher than 1.0m should encroach into this splay. In addition consideration should be given to removing the garage associated with plot 41 so as to provide improved pedestrian/vehicle intervisibility as well as providing improved over looking of the footpath link.

The applicant’s letter makes reference to Home Zone Areas. However, for these areas to be classed as home zones will require the applicant seeking a legal designation under Section 268 of the Transport Act 2000. This should be clarified by the applicant. In the mean time the proposals have been assessed on the basis of criteria normally applicable to adoptable shared surface areas.

These comments have been passed to the applicant and a response and a further amended plan is awaited.

Urban Design.

The Urban Design team are concerned that a proportion of the existing WA1.9 site is proposed to remain in B1, B2 and B8 uses abutting a residential development site. Should the principle of development be established, the Urban Design team offered the following comments relating solely to the submitted scheme.

Layout and access

The revised layout has been improved considerably from the previous pre application submission. The provision of a feature such as home zone type courts; rear serviced parking and landscaped features serve to enhance the design quality of the development and avoid the scheme being dominated by parking. However there remain a number of design related issues which require further resolution.

Fundamentally the potential for conflict between the operation of adjacent bad neighbour uses; namely industrial operations adjacent to a proposed residential development should be carefully considered; and mitigated against, to ensure the amenities of future residents are not unduly compromised. Whilst it is noted that the applicant has suggested the use of 2.4 metre high boundary treatments along the common boundary with the adjacent use, further noise attenuation measures or development exclusion zones may be required.

Notwithstanding the above, the Urban Design team offered the following design-based observations of the submitted layout.

1. Whilst the provision of benches is welcomed as a formal public seating arrangement, it is advised that these facilities should be revised and relocated to allow for maximum surveillance and overlooking by adjacent properties.

2. It is suggested that the provision of garages to the rear of plots 54-58 should be altered to a similar arrangement to plots 59-60; providing landscaped car-ports which will serve to enhance the visual and aesthetic appearance of this shared courtyard type environment.

3. Generally the arrangement of a mews court presents an acceptable urban design response. However the access arrangement to this element of the scheme should be revised to create an acceptable design solution. In line with the comments of the Transportation Team, it is recommended that the access to this area is amended to a minimum width of 4.1 metres to allow for two-way traffic movement; limiting potential situations of conflict between the movement of vehicular and pedestrian users of this space. Furthermore the composition of this area should be revised to provide plots 5 and 6 with a rationalised area of private defensible space. This minor change would allow for the remainder of the mews environment to function as an area of semi public space supporting the amenities of surrounding plots 1-9.

4. The situation of plots 1 and 5 approximately 1.5 metres from the common boundary and main vehicular access serving the adjacent industrial site is considered inappropriate. The applicant is strongly advised to amend this arrangement and re-site units within an appropriate buffer. In the case of plot 1 it is recommended that further details indicating the extent of different boundary treatments to the north-east element of the site are submitted for consideration.

5. The situation of garage blocks to the front of properties located at plots 17 and 25 present an inappropriate design response. The spacing

between main facing windows of these plots and the gables of garage blocks is approximately 5metres; a spacing which fails to meet the guidance of section 10 C of the City Councils adopted Residential Design Guide SPD. This guidance indicates that at 1 to 2 storeys a minimum spacing of 14 metres should be maintained between main facing windows and end elevations. Consequently this arrangement should be amended to resolve this conflict.

6. The layout of individual units (particularly plots 28-29, 36-37 and 45-46) should be revised to provide strong and continuous building lines; avoiding the creation of prominent blank gables/elevations at these locations. Whilst minor variations in the alignment of buildings is acceptable to create variety within street scenes; units set-forward of adjacent units by between 3-6 metres serve to detract from the quality of the streetscapes of this development and offer poor enclosure to the scheme as a whole.

7. Provision of a pedestrian access route to Windsor Road is welcomed; however the composition and enclosure of this footpath link requires further consideration to ensure adequate levels of surveillance and overlooking serve to maximise its use by pedestrians.

8. The designation of an area of amenity space to the south-east of the application site presents an important opportunity to create a permeable pedestrian link to Springwell Village. To support the function of this area as amenity space, it is suggested that the proposed visitor parking bay abutting this area is removed and replaced with a pedestrian footpath; increasing pedestrian permeability to Springwell Village as a consequence. Moreover the gables of the properties fronting onto this space should be treated appropriately to encourage overlooking and surveillance; secondary windows should be integrated into these elevations where appropriate.

On-site open space

The provision of on-site open space should serve to meet the provisions of UDP policy H21 allowing for a minimum of 0.4ha of amenity open space (per 1000 bed spaces within 0.5 km of a neighbourhood (or larger) open space) for new residential developments. Given that the proposed development indicates approximately 348 bed-spaces, there would be a requirement for approximately 1,400m2 of amenity open space at this site. The amenity space plan submitted to support this application indicates an area of approximately 860m2 amenity open space allocated within the layout proposed.

Furthermore a courtyard type vehicular/pedestrian arrangement is included within this provision, which the Urban
Design team do not endorse. Consequently it is suggested that additional amenity open space is provided on-site to meet the aforementioned policy requirement.

Scale and massing

The two-storey scale of the proposal appears acceptable within the context of the application site which is generally typified by residential

properties limited to this scale; however the Urban Design team strongly encourage the applicant to realise opportunities to vary the roofs cape of properties. This approach has been successful in other developments and serves to add architectural variety to street scenes; particularly when punctuating key vista terminations and squares.

Elevation treatment

The elevation treatment of individual units in an important component of any development proposal; for example elevations which introduce additional fenestration and interface materials can be beneficial to produce a residential environment with character, surveillance and legibility. In this instance the elevations of these units requires additional thought to provide a scheme which meets these aspirations.

A fundamental concern in urban design terms relates to the use of house type PA22 within plots 5, 6, 17; 38-41 and 59-60. Appreciating the location of these units alongside the internal layout and elevation treatment of these units; there are concerns that these units are not fit-for-purpose and do not follow the wider design rationale underpinning this scheme
It is considered units featuring inactive frontage at ground floor level should not be used to enclose areas requiring additional natural surveillance and overlooking such as key entrances, footpath links and mews court type areas. Instead it is considered the layout of the proposal should be amended to include units featuring dual-frontage at ground floor level at these locations.

Whilst the arrangement and composition of standard elevations appear appropriate, there are opportunities to introduce additional fenestration into gable elevations improving surveillance and overlooking to public areas of the scheme

Features such as render and artstone should also be incorporated into the rear elevations of units located in prominent locations to enhance the character of development overall. Particular units which should be considered for this treatment include units 15-16; 34-41 and 54-60.

Materials

The schedule of building materials submitted in support of this application appears incomplete. A full schedule of materials and a site plan indicating the distribution of materials around the site, should be submitted including details of all render, artstone and rainwater goods to be used.

Sustainability

The design and access statement makes no reference to principles of sustainable development. As part of the City Councils ongoing aspirations to make Sunderland a low-carbon city, the Urban Design team strongly encourage developers to integrate principles of sustainable development into proposals.
Accreditation standards such as code for sustainable homes should be used in this regard to inform the design of the proposal.

These issues have also been discussed with the applicant and an amended scheme submitted for consideration.

Environmental Health.

Contaminated Land

The application is to build on an area of land that has had a previous industrial use and as such an assessment will be required to determine if the land is suitable for its intended residential use.

A letter and report has been submitted with the application (Preliminary Risk Assessment in Regard to Land Contamination). The purpose of the report has been to obtain geotechnical and contaminant chemistry data to support the detailed design and construction of the proposed development. However the report submitted does not include the contaminant data, a desk top study, conceptual model, risk assessment etc in accordance with CLR 11 Model Procedures for the Management of Contaminated Land and associated guidance. This information is essential to determine if the land is suitable for its intended use as a residential development. The report indicated that the information submitted is the current information available and that a Geoenvironmental Report would be issued in due course.

The applicant has been informed and a report received on 15 November 2010 and is under consideration.

If a hazard or hazards are identified on the site from any form of contaminant, the results of the survey shall be utilised to undertake a site specific risk assessment to consider risks to water resources, surrounding land, wildlife, building materials, future users of the site and any other persons. The risk assessment to be undertaken using the contaminant, pathway, receptor principle.

No works other than investigation works shall be carried out on the site prior to the receipt of written approval of any remediation strategy by the authority.

Noise

A noise assessment has been submitted with the application entitled Springwell Village, Washington Noise Assessment.

The report has considered the impacts of noise from various sources upon the residents of the proposed development and the following are considered relevant:

Traffic Noise

An assessment has been undertaken in accordance with PPG24 `Planning and Noise¿ and has identified that proposed housing bordering Springwell Road will be affected by traffic noise during both day and night.

PPG 24 states that planning permission should not normally be granted, but where it is considered that permission will be granted by the Local Planning Authority, conditions should be imposed to ensure a commensurate level of protection against noise. Therefore if planning approval is to be granted a recommendation has been made by the consultant that by providing double glazing the noise level within the premises could be reduced to an acceptable level. However this is providing that the windows to the property are closed. With windows open the noise level within the proposed properties will be above the recommended levels as detailed within the report and in BS8233. Whilst it is possible to mitigate noise levels within the dwellings, as currently designed the gardens on Springwell Road will suffer from unacceptable noise levels.

Noise from the Quarry

Noise from the neighbouring quarry has been assessed in accordance with BS 4142 - Method of rating Industrial noise affecting mixed Residential and Industrial areas.

The results of the assessment show that noise from the quarry is nearly 10dB above the background levels and therefore it is likely that residents closest to the quarry will experience noise disturbance and those complaints are likely.

Whilst the assessment predicts that the internal noise levels will be acceptable with the windows open, the calculation has failed to include the acoustic feature correction which when added results in the internal noise level with the windows open being unacceptable. With thermal double glazing fitted and windows closed the noise level within the premises are predicted to be satisfactory.

It is therefore recommended that suitable noise mitigation measures are proposed to ensure that residents of the proposed premises are not disturbed both internally and externally by noise from the quarry.

Adjacent Industrial Land

It is understood that there is an area of industrial land bordering the proposed development site. An assessment of this area has not been undertaken due to the lack of information regarding its future use.

The future use of this area of land may have a noise impact upon the proposed residents and the applicant has been requested to carry out further survey in relation to this potential noise source.

Clay Pigeon Shooting.

It is understood that organised clay pigeon shooting takes place approximately 200m to the south of the proposed development site and that the activity does not require planning permission as it has permitted development rights for 28 days per year.

The Chartered Institute of Environmental Health guidelines on Clay Target Shooting recommend a buffer zone between the clay pigeon shooting site to protect noise sensitive premises. The CIEH guidance recommends that shooting should not normally take place with separation distances of less than a 1000m in the direction of shooting.

The noise assessment submitted by the applicant has predicted that sound levels of 65.9dB may be experienced at the noise sensitive properties. The CIEH guidance suggests that shooting noise levels above 65dB (A) are highly likely to annoy residents. However the circumstances and frequency of the shoot will influence the degree of annoyance caused.

The noise assessment highlights the fact that the clay pigeon shooting is infrequent and does not occur on more than 28 days per year and Environmental Health unaware of any complaints from existing residents of the area.

In addition it should be noted that the CIEH guidance and the Clay Pigeon Association recommend a safety buffer zone of at least 275m.

Environment Agency (EA).

The Environment Agency has suggested the following planning conditions on any consent.

The development hereby permitted shall not be commenced until such time as a scheme for surface water management has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Flood Risk

The site lies in Flood Zone 1 and is therefore at the lowest risk of fluvial flooding. The Flood Risk Assessment submitted assumes Northumbrian Water Ltd (NWL) will accept the surface water flows as it appears the south west drainage currently discharges to their sewer; however NWL have not yet confirmed this is possible. If NWL do agree to accept the proposed flows, then all discharges rates and storage requirements must be agreed with them, rather than the Environment Agency.

Close Proximity to Landfill and Waste Site

The EA wish to raise attention to the close proximity of the application site to three permitted waste sites (within 250 metres of the application site). These include a non hazardous waste landfill site, a completed co-disposal landfill site and a waste transfer station.

Whilst the transfer station and landfill have measures in place under the permits to minimise nuisance, the close proximity of the proposed development to these sites, (particularly the waste transfer station) may

still pose a nuisance issue in terms of noise, dust, litter and odours to future occupiers.

It is also important to note that the active landfill site (although not being used currently) is likely to be operational for a number of years as the southern part of this site still has capacity to be filled. EA recommend that the Council (Environmental Health Team) take this into consideration when assessing the application.

The proposed development falls within 250m of a landfill site that is potentially producing landfill gas. Landfill gas which consists of methane and carbon dioxide is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. It is also a greenhouse gas and therefore contributes to global warming. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance. The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites frequently have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

Foul Drainage

An acceptable method of foul drainage disposal would be connection to the foul sewer. The Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

EA ask to be consulted on the details submitted for approval to the Council to discharge the above recommended condition and on any subsequent amendments/alterations.

EA support the recommendation for further noise mitigation measures to be incorporated within the development given the adjoining waste transfer site and landfill. EA records show that the landfill is quiet at the moment but has capacity to be filled within the southern part of the site which is covered under an existing permit. It may be necessary to liaise with Environmental Health Team in terms of odour/dust issues.

It is therefore recommend that the Noise Assessment submitted by the applicant be updated to include an assessment of the likely impact of the noise from the landfill site once it becomes active again. The assessment should be undertaken using appropriate guidance including BS4142 Method of rating industrial noise affecting mixed industrial and residential areas'.

Once this assessment has been completed it should be used in conjunction with the original assessment to detail the mitigation measures that are proposed to satisfy this department that the noise externally at the residential premises does not exceed the background noise (LA90) by 5dB

(A) as an absolute maximum including any penalty for noise of a character likely to increase the likelihood of complaint.

**POLICIES:**

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

WA_1_Retention and improvement of established industrial / business area
CN_23_Measures to conserve/ improve wildlife corridors
EC_4_Retention and improvement of existing business and industrial land
EC_5_Sites for mixed uses
B_2_Scale, massing layout and setting of new developments
T_13_Criteria influencing proposals for highways improvements including new road construction.
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
EC_12_Criteria relating to potentially polluting industries
H_8_Windfall sites to accord with other policies unless specific benefits are provided
H_21_Open space requirements in new residential developments (over 40 bed spaces)
EN_6_Limit exposure of new noise/vibration sensitive developments to existing sources
EN_7_Proposals for residential development in the vicinity of railway tracks
EN_9_Conflicts between proposed sensitive developments and existing non compatible uses
EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas

**COMMENTS:**

The main issues to consider in determining this application are;

- The principle of the use of the site for residential development.
- Housing policy issues.
- Loss of employment land.
- The impact of the proposal on the operation of the nearby quarry.
- The Highway and Infrastructure issues associated with the proposal.
- The amount of affordable housing provided as a percentage of the development.
- The implications of the proposal on education facilities in the area.
- The design principles of the proposal.
- The effect on possible industrial archaeology.
- Any contamination of the site and remediation measures.
- Children's play.
- Sustainability.
- Noise.

The above matters are under consideration and it is anticipated a recommendation will be made on the supplement to this report.

**RECOMMENDATION: Deputy Chief Executive to Report**

**2.** **Washington**

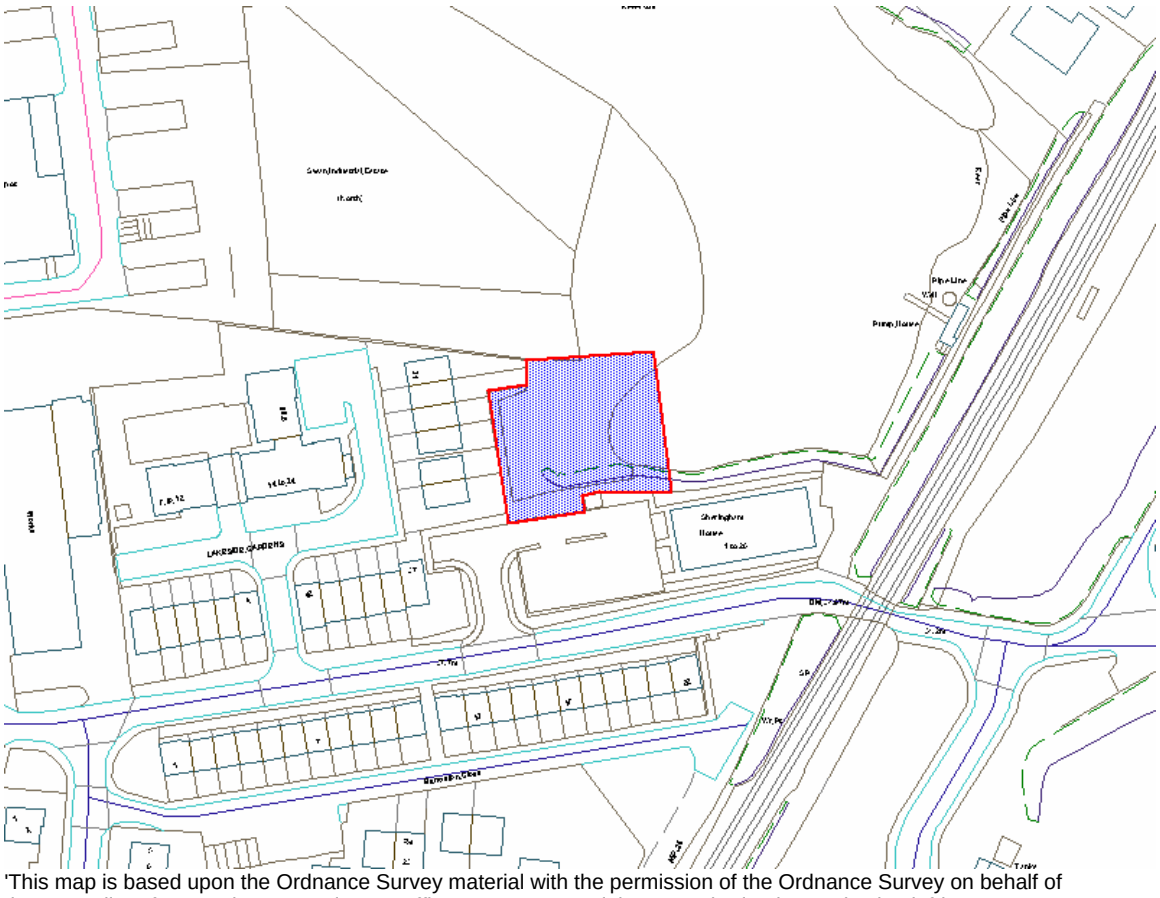
**Reference No.:** 10/03337/FUL Full Application

**Proposal:** **Erection of a single-storey warden's lodge with associated car parking and boundary fencing (revised siting of lodge (to western shore of lake to the rear of Swan Industrial Estate from location on eastern shore of lake) approved as part of planning permission 05/03963/SUB)**

**Location:** Reservoir East Of 23 Eddison Road Rear Of 31-36 Lakeside Gardens And North Of Sherringham House Swan Washington

**Ward:** Washington East
**Applicant:** Willows Reservoir & Coffee Shop Ltd
**Date Valid:** 25 October 2010
**Target Date:** 20 December 2010

**Location Plan**



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**PROPOSAL:**
The application under consideration seeks planning permission for the erection of a single storey warden's lodge with associated car parking and boundary fencing to accommodate a revised siting of the lodge (to western shore of lake, to the rear of Lakeside Gardens and to the north of Sherringham House) which was approved as part of planning permission 05/03963/SUB.

The proposed Lodge which is intended to be used as accommodation for an on site warden/caretaker for the fishing lake is proposed to the rear of numbers 31 - 34 Lakeside Gardens in Washington. An area of associated car parking (12 car parking spaces) are also proposed on the site and will extend from the rear of 31 Lakeside Gardens to the rear of 36 Lakeside Gardens.

**TYPE OF PUBLICITY:**
Site Notice Posted
Neighbour Notifications

**CONSULTEES:**
County Archaeologist
Street Scene (Environmental Service)
City Arboricultural Officer
Environment Agency
Northumbrian Water
Natural England
SUSTRANS
Head of Community Services
Network Rail
Durham Wildlife Trust
City Services - Transportation

Final Date for Receipt of Representations: **16.12.2010**

**REPRESENTATIONS:**
Neighbour Notification Letters
Site Notices

13 representations received - all objecting to the proposed development
1 forty-six name petition objecting to the proposed development

Objector 1(Barmston Close)

- Reasons for objection: "Encroachment, Health Concerns, Inappropriate use, Increased Litter, Loss of Heritage, Loss of Light, Loss of Privacy, Noise from Use, Poor Access, Traffic Generation".
- Objector 1 states that the development is to be built "straight in front of their property", that there is limited access to the proposed development site that will result in increased traffic on an already busy road. Loss of outlook and environment are also raised as a concern. Current lack of maintenance of the site is raised as a concern as is increase in vermin. The removal of willow trees from the site and encroachment into people's privacy is also of concern.

Objector 2 (Lakeside Gardens)
Reasons for objection:

- Site address is misleading.

- Environmental impact as a result of proposed development including removal of trees, impact upon bird nesting sites, impact upon wildlife.
- Warden's lodge is a dwelling and business facility.
- Positioning of car parking immediately adjacent to rear gardens will detrimentally affect residential amenity, through invasion of privacy.
- Noise and disturbance during construction phase of the development.
- Work necessary will cause structural damage to existing dwellings on Lakeside Gardens.
- Concern that if approved the car park and associated facilities will be open 24 hours a day rather than the 12 hours that are suggested.
- Disturbance from fishermen and members of the public trespassing.
- Heavy littering, harm to wildlife and drug paraphernalia on the site.
- Increased traffic and creating of nuisance on street car parking.
- Increased littering and vermin.
- Devaluation of property.
- Security risk.

Objector 3 (Lakeside Gardens)
Reasons for Objection:

- Invasion of privacy and overlooking from proposed car park.
- Proposed car park will allow public access to the area immediately adjoining existing rear gardens.
- Elevated levels of litter.
- Loss of view of lake.
- Concern over lack of maintenance of site presently and in the future.
- Destruction of wildlife habitat and trees.

Objector 4 (Lakeside Gardens)
Reasons for Objection:

- Address of site on application publicity is misleading.
- View from the rear of the house will be compromised if the development goes ahead.
- Proposed Wardens Lodge is too close to the rear of the existing properties.
- Noise and disturbance from propose car park.
- Effect upon wildlife habitat and wildlife living on and feeding from the lake.
- Increased traffic would create increased hazards to Swans leaving the lake and walking in the streets and the car park of Sherringham House.
- The Warden's Lodge is a way of securing a residential dwelling on the site.
- Invasion of privacy in existing houses and gardens.
- The proposed car park will create a security risk to vulnerable areas of existing dwellings, i.e. rear garden areas.
- Poor maintenance of existing site and concerns over future levels of maintenance.
- Intensification of traffic levels.
- Increase in levels of litter.

Objector 5 (Lakeside Gardens)
Reasons for Objection:

- Address of site on application publicity is misleading.

- Environmental implications: draining lake; cutting down trees; removing hedgerows, effect upon swans.
- Creation of noise and pollution.
- The proposed Warden's Lodge will be a dwelling and business facility.
- Structural damage to property as a result of proposed work.
- Invasion of privacy and overlooking towards the rear of properties.
- Noise, disturbance and disruption during construction works.
- Resident not informed that application site was to be redeveloped when purchasing house.
- Loss of lake view.
- Current security of the site is considered to be poor by the objector.
- Concern that the fishing lake will operate 24 hours a day rather than 12.
- Litter and drug paraphernalia found on the site already, increase of litter and vermin will result from development.
- Creation of additional traffic.
- Creation of car parking area to the rear of 31-36 Lakeside Gardens will create security risk for occupiers of properties.

Objector 6 (Sherringham House)
The objection received states:

- The development would be detrimental to the varied wildlife of the area, would be unsightly, especially with the ugly floating duckboard, the jetties and car park. Above all the development would greatly diminish the valuable public amenity provided by access to the lake by way of the footpath. A major concern is whether the proposed fencing will be so arranged as to prevent all access by local residents to the footpaths and waters edge.

- We also fear that the warden’s lodge is likely to become simply another residential building, in an area where further building would not normally be allowed.

- We have no objection to fishing rights being sold by the lake's owner, but this development is on almost an industrial scale, and is completely out of keeping with the surroundings.

Objector 7 (Lakeside Gardens)
Reasons for Objection:

- Detrimental impact upon plant and animal life around the lake.
- Long term adverse impact upon the local environment and the community particularly through disturbance of plants, trees, animals and birds.
- Increased traffic on to Station Road increasing the risk of accidents.
- Use of Station Road as overflow car parking.
- Concern over the risk to safety from Heavy Goods traffic used to support the construction process.
- Objection to commercial enterprise or work associated with the enterprise taking place outside of normal working hours due to noise and disturbance to near residential neighbours.
- Positioning of car parking (approx. 3ft) to the rear of rear garden is unacceptable and will adversely impact upon privacy by bring people in to close proximity to residential property.
- Overlooking into rear garden area.

- Interruption of view of lake from rear of property.
- Concern over the ability of the applicant to manage the construction process and access the site.
- Concern over noise and dirt pollution associated with the debris/soil that would be used for infilling of the lake.
- Objection to infilling against the retaining wall to the rear of Lakeside Gardens and request for reassurance that such infilling would not compromise the integrity of the retaining wall and house foundations.
- Objection to lack of detail/information regarding infill, method of access to/from site removing the opportunity for the objector to comment.

Objector 8 (RSM Property Management)
Reasons for Objection:

- Letter received from RSM Property Management, the management company for Sherringham House. The management company states that they are objecting on behalf of the management company and the 17 leaseholder's resident in Sherringham House. The management company state that they are unsure how the applicant will gain access to the site via Sherringham House because:

- All 18 flats in Sherringham House have a designated car parking space plus parking as approved by the initial planning permission for Sherringham House.

- Access to the reservoir can only be gained by knocking down the bin store which is not acceptable.

Objector 9 (The Willows)
Reasons for Objection:

- Health and Safety.
- Increase of traffic on to Station Road.
- Noise and disturbance to residents of The Willows and Sherringham House during the construction phase of development. Car park of Sherringham House cannot be used for contractor's vehicles.
- Proposal involves works to a Site of Nature Conservation Interest (SNCI) and is contrary to UDP Policy CN18.
- Objects to fencing off an area totally surrounded by residential dwellings.
- Plans are not drawn to scale.

Objector 10 (The Willows)
Reasons for Objection:

- There is no recognised footpath alongside the privately owned track leading to the well as marked on the submitted plan.
- Additional walkways have been added to the front of Sherringham House on the plans submitted (when comparing the plans to planning permission 05/03963/SUB).
- The applicant is encroaching on to Council Land in order to site the Lodge. This area is part of an S.N.C.I.
- Some areas surrounding the site have Village Green Status; the objector expects that the Council would want to enhance the areas surrounding the areas of village Green.
- Sherringham House has a walled car park with only one point of access. Access must be retained at all times for emergency vehicles.

- Proposed development will lead to unacceptable levels of car parking on Station Road and Lakeside Gardens.
- Sherringham House has a 125 year lease which includes the car parking space. Plans submitted are of different scales from 1:500, 1:1250, and 1:1750. As standard measurement would be preferred.

Objector 11 (The Willows)
Reasons for Objection:

- The owners of the track (including the objector) will not grant the applicant any right of access to the track to the east of the lake, except for maintenance of the well.
- Land ownership issues.
- Objector is awaiting results of survey from the applicant.
- Objector wants reassurance that any new planning permission issued will include all of the planning conditions attached to planning permission 05/03963/SUB which relates to a wider area of the reservoir site.
- Lack of detail in the information submitted. Objector queries if there will be "another Environmental impact assessment"?
- Site is part of S.N.C. I. and objector queries what will become of the area proposed for infill if the commercial fishing venture fails.
- Objects to Council Land being included within the proposed development site.
- Noise and disruption to occupiers of residential dwellings both during construction phase and operational phase of the development.
- Increased car parking on Station Road.
- Impact upon nesting sites and waterfowl.

Objector 12 (The Willows)
Reasons for Objection:

- Inaccuracy of plans including:
- A track is shown alongside the existing track - there is no track existing in this location.
- Track is shown extending in to the garden of 6 the Willows.
- Lodge is to be built partially on Council owned land.
- Additional walkways have been added in front of Sherringham House (when comparing the plans to those approved by planning permission 05/03969/SUB).
- Noise and disturbance for residential occupiers from infilling and other operations during the construction phase of the development (objector states that approximately 800 lorry loads of fill material will be required).
- The objector seeks assurance that the conditions placed upon the lodge approved as part of the 2005 planning application will be re-applied in the event that approval is forthcoming for this planning application.

Objection 13 (The Willows)
Reasons for objection:

- Objects to siting of the proposed lodge and car park on Council owned land.
- Detrimental effect and destruction of vegetation, wildlife and waterfowl nesting sites.
- Disruption to the residents of Lakeside Gardens and Sherringham House

Petition 1
46 signature petitions submitted. The petition submitted is in relation to the planning application made for the erection of a single storey warden's lodge with associated car parking and boundary fencing located on the lake between Lakeside gardens, the Willows and Sherringham House. The petition states that:

We, the local residents, object to the plans stated above and want Sunderland City Council to deny any planning application which will affect the lake, known as Willows Reservoir, and its surroundings.

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

B_2_Scale, massing layout and setting of new developments
CN_18_Promotion of nature conservation (general)
CN_19_Development affecting designated / proposed SAC's, SPAs and RAMSAR Sites
CN_21_Developments affecting designated / proposed LNR's, SNCI's or RIGS
CN_22_Developments affecting protected wildlife species and habitats
B_3_Protection of public/ private open space (urban green space)
L_2_Redressing indoor sport/recreation deficiencies through new development/dual uses
L_3_Encouragement to regional recreational developments in appropriate locations
L_4_Standards for outdoor sport and recreation
L_5_Ensuring the availability of Public Parks and amenity open space
WA_14_Improvements in the level of provision / quality of amenity open space

**COMMENTS:**
The main issues to take into account when considering the proposed development are:

- Principle of the development.
- Siting and design of the proposed development (impact upon visual amenity)
- Impact upon near neighbouring residential property and occupiers.
- Impact upon wildlife and wildlife habitat.
- Highway access and car parking arrangements.
- Construction access, works and methodology.

All issues relating to this planning application remain under consideration and a consultation response from the Council's Countryside Team in respect of this application is awaited. It is anticipated that the outstanding consultation response will be received shortly and that all considerations relating to this application will be concluded prior to the meeting of the Development Control (Hetton, Houghton _ Washington) Sub Committee and a report made on the Supplementary Report accordingly.

**RECOMMENDATION: Deputy Chief Executive to Report**