

## **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 Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration Services.

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**Reference No.:** 08/03289/FUL Full Application

**Proposal:** Erection of "extra care" facility for the elderly comprising 50 apartments with associated communal facilities and car parking.

**Location:** Moor House Four Lane Ends Hetton Le Hole Houghton Le Spring

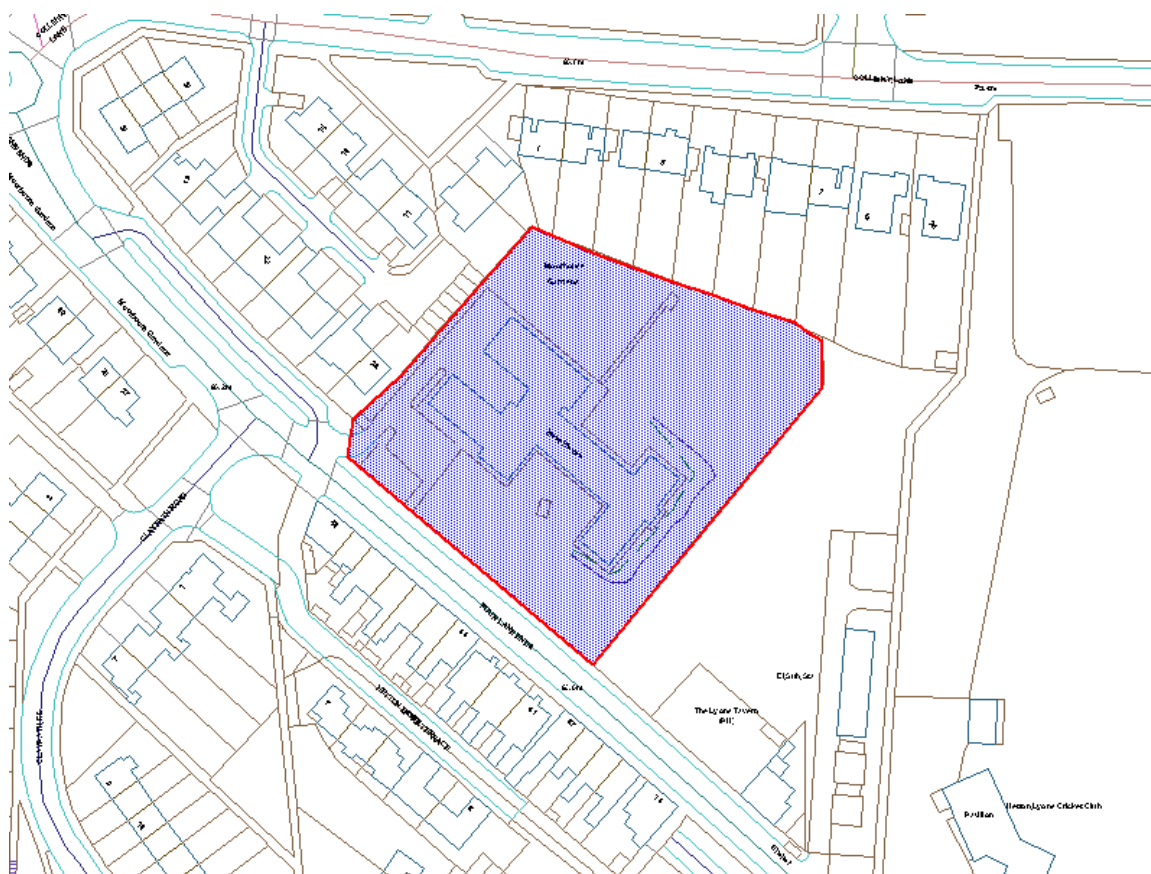
**Ward:** Hetton

**Applicant:** Housing 21/Sunderland City Council

**Date Valid:** 8 September 2008

**Target Date:** 3 November 2008

## Location Plan



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## PROPOSAL:

An Extra Care facility comprising 50 units is proposed, 12 of which will be 2 bedroomed wheelchair standard and the remainder 2 bedroom apartments. A proportion of the units will be for private sale, a proportion shared ownership and the remainder for rent.

Extra Care, is a form of housing which provides a home for life for people with a range of care needs. In extra care schemes people retain the privacy of an individual apartment whilst being supported by an on-site care and support team through personal care and support plans designed to help them retain their independence.

An "Older Persons Strategy" has previously been agreed by Sunderland City Council, and this proposal represents the third phase of the proposed Extra Care Programme in the City. The first phase, Leonard House in Silksworth is currently under construction and the second phase, 'Woodlands' in Washington, is due to commence on site in the near future.

The site to be developed is that currently occupied by "Moor House" care home (now closed), fronting onto Four Lane Ends in Hetton-le-Hole. The existing site is 0.59ha and the minimum density of the proposed development is 84 dwellings per hectare.

The existing building is generally of two storey, traditional construction comprising brick walling and concrete tiled roofs. The building is set into a predominantly grassed area with a frontage onto Four Lane Ends.

The site is bounded to the north by the two-storey semi-detached dwellings of Moorhouse Gardens. These properties have relatively deep gardens between the rear elevation of the property and the proposed site, the gardens increasing in depth to the east. To the east/south east of the site is an area of public open ground, an electricity sub-station with a cricket field beyond. A footpath passes through this area of public open ground. This area is at a level above the existing care home and is shielded from the site by a line of existing mature and semi-mature trees.

The site is bounded by Four Lane Ends to the southwest, the boundary being marked by a low brick wall with piers. Four Lane Ends (A182) is a relatively busy main road leading to South Hetton and ultimately the A19. This road is bounded to the south west by terraced houses of two storey construction, abutting the public footpath.

Currently vehicular access to the site is taken from Four lane Ends, the existing entrance being located at the end of the existing lay-by to the front of Moorhouse Gardens. The site currently has 13 unmarked parking spaces although there is further capacity for parking within the site in unmarked areas.

The site has a general fall towards the east, the existing building being recessed approx. 1200mm into the ground at the east end. There is a dominant belt of semi-mature trees to the east boundary with a number of other trees located within the grounds. The existing building is located predominantly parallel to Four Lane Ends, with garden areas located to the north of the existing building and between the building and Four Lane Ends.

A range of communal facilities proposed which are open to the general public. These are proposed on the ground floor in the form of an 'arcade' including dining room with catering kitchen, lounge, multi-purpose room, hair dressing salon, shop and treatment room. A guestroom, a sleepover room and care staff accommodation are also provided. The provision of communal facilities to this form of accommodation is considered to be essential to integrate the

development with the surrounding neighbourhood and ensure a busy and vibrant building.

There is also a wheelchair store, assisted bathroom and laundry on the ground floor for the use of residents, along with a refuse store room.

The residential accommodation is provided across three floors and is accessed by lifts.

### Built Form

The proposed building is broadly 'L' shaped, running along the south east and south western boundaries of the site and is three stories in height (overall height of 11.5 metres). The built form is proposed as a mixture of brickwork and render. 36 of the apartments at first and second floor are proposed to include a Juliette style balcony.

The proposed built form remains under consideration and the applicant has been requested to amend the plans to reduce the overall height of the building proposed and address some minor design concerns.

It is anticipated that consideration of the amended plans will be concluded prior to the meeting of the Development Control Sub-Committee and reported on the Supplement Report accordingly.

### Highway Access and Car parking

The vehicular access to the site is to remain as existing. However, all car parking is to be provided to the rear of the site. On site parking is to be provided for 18 vehicles with a further 4 dedicated spaces for disabled users. A turning head is provided which provides access to a covered entrance for drop off/ambulance access.

The access and car parking is considered to be acceptable. There is some minor clarification of the width of the access road required. It is anticipated that this clarification will be received prior to the meeting of the Development Control Sub-Committee meeting and reported on the supplement accordingly.

### Sustainability

The building is designed to achieve level 3 of the Code for Sustainable Homes.

### Ecology and Protected Species

An extended phase 1 and protected species survey, a site evaluation and impact assessment, mitigation and compensation (bat method statement) and a plan indicating bat mitigation measures accompanied the submitted planning application. A consultation response from Natural England regarding the acceptability of the information submitted is awaited.

### **TYPE OF PUBLICITY:**

Press Notice Advertised

## **CONSULTEES:**

Director Of Community And Cultural Services  
Hetton Town Council  
Director Of Health, Housing And Adult Services  
Northumbrian Water

Final Date for Receipt of Representations: **01.12.2008**

## **REPRESENTATIONS:**

4 letters of objection to the proposed development have been received. All of the letters received originate from occupiers of dwellings situated in Moorhouse Gardens which adjoin the application site.

The objections received are on grounds of:

- Overlooking of private garden space and houses.
- Three storey development (scale).
- Invasion of privacy.
- Overdevelopment of the site.
- Noise and disruption during construction.
- Devaluation of property.

The above concerns will be addressed in the analysis of the proposal which will be set out on the Supplement. However, as Members will be aware the affect of development proposals on the value of private property cannot be considered as a material planning consideration.

## **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\_17\_Tree Preservation Orders and replacement of trees  
CN\_22\_Developments affecting protected wildlife species and habitats  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
H\_1\_Provision for new housing  
H\_8\_Windfall sites to accord with other policies unless specific benefits are provided  
H\_17\_Nursing and rest homes to respect amenity / established local character  
H\_18\_Proposals for provision/ conversion of dwellings for multiple occupation

**COMMENTS:**

The main issues for consideration in the determination of this application are:

- The principle of development.
- The scale, layout and design of the proposal.
- The impact on residential amenity; and
- The highway implications.

Amended plans are awaited in connection with the proposed development as are consultation responses. It is anticipated that these will be received on time to allow them to be reported together with a recommendation on the supplement.

**RECOMMENDATION: Dir. of Dev. and Regeneration to Report**

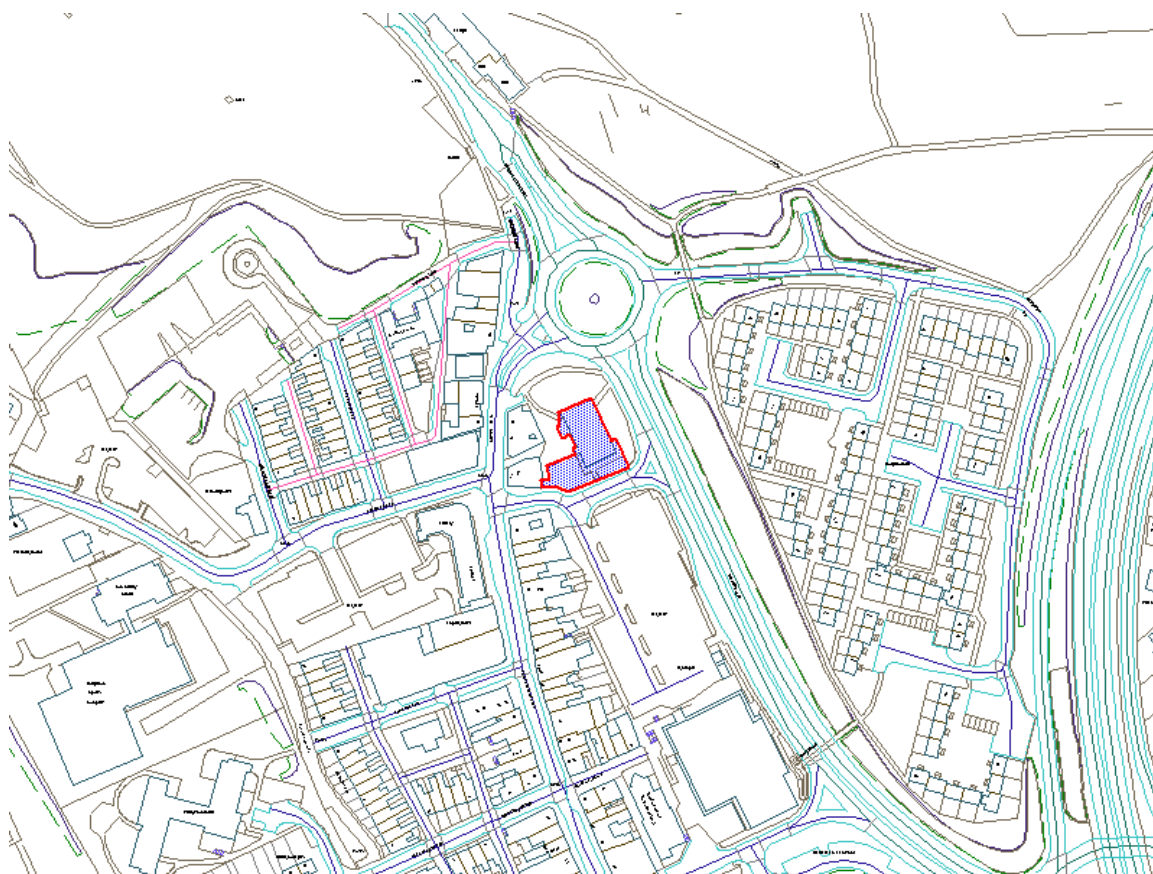
**Reference No.:** 08/03445/FUL Full Application

**Proposal:** **Change of use from snooker hall (use class D2) to public house (use class A4), including external alterations to existing building, erection of bin store and access ramp and creation of pavement cafe and external landscaped area (amended description 24.9.08)**

**Location:** Houghton Snooker And Social Club Hillside Way Newbottle Street Houghton Le Spring

**Ward:** Houghton  
**Applicant:** JD Wetherspoon Plc  
**Date Valid:** 30 September 2008  
**Target Date:** 25 November 2008

### Location Plan



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### PROPOSAL:

Planning permission is sought for a change of use from snooker hall (use class D2) to public house (use class A4), including external alterations to existing building, erection of bin store and access ramp and creation of pavement cafe

and external landscaped area at Houghton Snooker and Social Club, Hillside Way, Newbottle Street, Houghton-le-Spring, DH4 4AR.

The proposed change of use and associated external alterations affects a relatively modern detached, flat-roofed building housing a snooker club situated in Houghton-le-Spring town centre. A small pitched roof extension projects from its west elevation. To the east is the dual-carriageway A182 Hillside Way, to the north is the roundabout junction between Hillside Way and Newbottle Street and to the west are buildings comprising ground floor retail fronting Newbottle Street, the main commercial thoroughfare in Houghton town centre, and first floor offices. To the south is the junction between two short roads which lead from Hillside Way and Newbottle Street to provide access to the car park of the nearby Co-Op supermarket.

The host building, which has a footprint of approximately 425 sq. metres, is of prominence in the streetscene given the presence of roads to three sides. In addition, it occupies a slightly raised location within an area of grassed landscaping, but is somewhat screened from the north and east by trees and low shrub planting. Entry to the building is taken from a porch in the south elevation via footpaths leading across the grassed landscaping from the access road to the Co-Op. The snooker club does not benefit from any dedicated parking provision.

The majority of the ground floor of the existing building (approximately 260 sq. metres) is occupied by the snooker playing area, with the remaining southern portion occupied by a bar, seating area and toilets. Above the bar and seating area is a mezzanine floor (floor area approximately 115 sq. metres) housing a number of pool tables and further toilets.

The proposed ground floor layout includes a customer area of 260 sq. metres, a bar against the eastern wall of the building, a kitchen and cool store. The mezzanine level will contain toilets and a staff room. Access to the building will remain via its south elevation.

The exterior of the building is to be modernised and improved in conjunction with the proposed change of use. The upper section of the front (south) elevation is to be rendered and painted, whilst the two front corners of the building are to be clad in cedar wood from ground level to the roof. The existing front porch is to be demolished and replaced by a predominantly glazed structure positioned to the centre of the front elevation. A canopy projecting 1.8 metres from the front elevation and with a maximum height of 3.5 metres will extend across the front of the building to the west of the porch. To the east of the porch a row of windows is to be installed and to its west, below the canopy, 'bi-fold' doors are to be installed. Both the windows and doors which will stretch from ground level to the first floor level. The 'bi-fold' doors will give access to a proposed pavement cafe at the front of the building, which will wrap around its south-west corner to provide an additional external drinking area.

French doors are to be installed in the side of the existing extension to the west elevation of the building, giving a further point of access to the aforementioned external drinking area. At the rear (north-west) corner of the building a bin store is proposed, comprising a fence of 2.2 metres in height enclosing an area measuring 2.8 metres x 4.1 metres. A railed delivery access ramp will lead from the door adjacent to the bin store (leading from the cool store) to a footpath across the landscaped area at the rear of the building.



No significant external alterations are proposed to the rear (north) or east elevations.

As with the existing snooker club, no dedicated parking facilities are proposed as part of the application. The applicant has indicated within the Design and Access Statement submitted with the application that it is intended for customers to use the existing off-street parking facilities within Houghton town centre, including the large public car park off Station Road, 100 metres to the west of the development site. The car park of the Co-Op supermarket and a small car park to the rear of the former Kwik Save supermarket have also been identified, although it would appear that use of these may only be for patrons of either shop.

This application would normally be determined by officers under the Council's delegation scheme. However, a request has been made by Councillor Sheila Ellis to refer the application to this Sub-Committee. At the meeting of the Sub-Committee on 28th October 2008, Members resolved to visit the site. That visit is programmed for 21st November 2008, after the preparation of this report. Any issues raised at that visit will be addressed at the Sub-Committee meeting.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Director of Community And Cultural Services  
Force Planning and Police Architectural Liaison Officer

Final Date for Receipt of Representations: **29.10.2008**

#### **REPRESENTATIONS:**

Four letters of representation have been received in response to public consultation; three in objection to the proposed change of use and one in support. The letters of objection have been received from Peppercorn Coffee Shop, 72 Newbottle Street; on behalf of the White Lion public house, Newbottle Street and from Councillor Ellis, outlining her concerns regarding the proposal. The concerns raised within these letters include:

- proportion of food and drink uses within Houghton town centre is already 'slightly above the national average'
- level of food retailing within Houghton town centre is 'above the national average'
- presence of a 'multi-national' pub group will 'devastate' the small pubs and eating establishments in an already struggling main street (i.e. Newbottle Street)
- applicant can sell food at low prices with which smaller businesses cannot compete
- proposal will be harmful to Houghton town centre's 'vitality and viability', contributing to a growth in vacancies in the town centre

- apparent compliance with local and national planning policy is 'superficial' given the perceived overall negative impact on vitality of the town centre
- applicant 'deliberately targets young and inexperienced drinkers'
- proposal would have an adverse economic impact on the town
- proposal would lead to an increased traffic hazard at the junction to the south (this is not expanded upon)

The letter of support is from a resident of nearby Grasswell, who states that:

- objections are the product of an aversion to competition and regeneration
- existing snooker club is an eyesore, detracting from the appearance of the area
- change of use could 'herald a new era' of interest in Newbottle Street
- competition from outlets such as Greggs and Peters bakers does not appear to have harmed independent traders on Newbottle Street
- presence of proposed public house will lead to renewed interest in Houghton town centre as a 'nightspot', as the number of quality public houses in town centre is below average
- proposal could lead to 'good things in an ailing area'

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments

S\_2\_Encouraging proposals which will enhance / regenerate defined existing centres.

S\_12\_Criteria for hot food take-aways, restaurants, other A3 uses and amusement centres

EN\_5\_Protecting sensitive areas from new noise/vibration generating developments

HA\_30\_Support for Houghton Town Centre

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 consider with regard to this development are:

- the principle of the proposed change of use
- the impact of the proposed development on visual and residential amenity
- noise implications
- highway safety implications
- other issues

## Principle of the Development

The development site lies within the retail centre of Houghton-le-Spring town centre on the proposals map of the City Council's adopted Unitary Development Plan (1998). As such, it is subject to policy S2 of the UDP, which states that the City Council will give favourable consideration to proposals which will sustain and enhance the vitality, viability and appropriate diversification of such retail centres and thereby facilitate their regeneration. Subject to other policies within the UDP, use classes A1 (retail), A2 (financial and professional services), the former use class A3 (all food and drink, now use classes A3, A4 and A5), D1 (non-residential institutions) and D2 (assembly and leisure) are acceptable within these centres. The aims of policy S2 are re-iterated by policy HA30, which states that the maintenance and improvement of Houghton town centre will be supported.

Policy S12 states that planning permission for hot food takeaways, restaurants and other food uses will normally be granted in existing town and local centres unless they have a detrimental effect on the environment, residential amenity and public or highway safety.

In addition to the above UDP policies, Planning Policy Statement 6 (PPS6) provides national planning policy guidance for town centre development. PPS6 states that the Government's key objective for town centres is to promote their vitality and viability by planning for the growth and development of existing centres and promoting and enhancing existing centres by focusing development in such areas and encouraging a wide range of services in a good environment. The Statement also explicitly confirms that it is not the role of the planning system to restrict competition, preserve existing commercial interests or to prevent innovation.

The Statement identifies 'main town centre' uses as retail; leisure and entertainment facilities (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices and arts, culture and tourism. PPS6 continues (paragraph 3.8) by stating that 'it is not necessary to demonstrate the need for....other main town centre uses (i.e. non-retail uses as identified above) within the town centre' - need must only be demonstrated for applications for main town centre uses in edge-of-centre or out-of-centre locations.

Additionally, an assessment of the impact of a development on the vitality and viability of an existing centre need only be carried out if: it is to be in an edge-of-centre or out-of-centre location; if the gross floor space to be created is greater than 2500 sq. metres or if it is likely have a significant impact on a smaller centre (Houghton is classed as a main town centre). Due to the size of Houghton town centre and the relatively high number and range of outlets in the centre, it is considered that an assessment of the impact of the development on the vitality and viability of the centre is not required.

The objections received in response to the consultation exercise mainly focus on the perceived potential impact of the development on the vitality and viability of Houghton town centre. One objector is in receipt of a letter from the City Council stating that the proportion of food and drink uses within Houghton town centre is 'slightly above' the national average and that food retailing is 'above' average. If this is the case, there cannot be said to be an unhealthy proliferation of such

outlets within Houghton centre - the addition of a further example would not unduly unbalance the variety of uses present, or lead to an excess of food and drink establishments within the town centre, especially as the snooker club is itself a licensed premises.

Given that the proposed change of use affects a building located within a designated main town centre and will result in the presence of a use explicitly stated as appropriate within a town centre by PPS6 and policies S2, S12 and HA30 of the UDP, it is considered to be entirely compliant with the requirements and objectives of the Statement and the relevant UDP policies. By virtue of this, and as no impact assessment is required, PPS6 makes it clear that such uses are not considered to harm the vitality or viability of town centres - the change of use will contribute to and complement the mix of uses already found within Houghton town centre.

### Impact on Residential and Visual Amenity

UDP policy B2 requires that the scale, massing and layout of new development should respect and enhance the best qualities of nearby properties and the locality.

The proposed external development (namely the new porch/canopy, rendering and glazing to the front of the building and bin store to the rear of the building) is not considered to have a harmful impact on the appearance of the host building or the wider streetscene. The existing snooker club building is rather unattractive and fails to make a positive visual contribution to the appearance of the locality - the alterations to the front will somewhat modernise and improve its primary and most visually prominent elevation. The proposed bin store is to be located in a fairly secluded position at the rear corner of the building, generally screened from public view.

The host building also benefits from occupying a relatively secluded and isolated location, distant from residential dwellings. The buildings closest to the development site (Lambton House and 83 and 85 Newbottle Street) are occupied by ground floor retail and upper floor offices. The nearest residential properties, those of Houghtonside estate, are located over 50 metres to the east of the development site on the opposite side of the dual-carriageway A182 Hillside Way. This distance, coupled with the presence of the busy road, is considered to be sufficient to ensure that the proposal should raise no significant concerns with regard to residential amenity, in terms of a loss of outlook or the creation of noise and disturbance caused by customers visiting the public house late in the evening.

The opening hours proposed by the applicant (07.00 - 00.30 Monday to Friday; 07.00 - 01.30 Saturdays and 07.00 - 02.30 Sundays and Bank Holidays) and proposed external drinking area are considered to be appropriate given the isolation of the building in relation to residential properties and unlikely to lead to unacceptable levels of noise and disturbance. In addition, a recently approved change of use of nearby 16-18 Sunderland Street, which occupies a comparable location adjacent to the A182 Hillside Way, to a nightclub (app. no. 06/03276/FUL) permitted opening hours of 21.00 - 03.30 for four nights of each week, whilst there do not appear to be any planning restrictions on other licensed premises within the town centre.

The impact of the proposed change of use on residential amenity is acceptable and the development therefore compliant with policies B2 and EN5 of the UDP.

### Noise Implications

Policy EN5 states that where development is likely to generate noise sufficient to increase significantly the existing ambient sound or vibration levels in residential or other noise sensitive areas, the Council will require the applicant to carry out an assessment of the nature and extent of likely problems and to incorporate suitable mitigation measures in the design of the development. Where such measures are not practical, permission will normally be refused.

Although the applicant's public houses operate a 'no-music' policy, it is proposed that a condition be imposed to prevent the provision of amplified music or live entertainment at the premises without the submission and written approval of a satisfactory noise assessment, which should include details of proposed mitigation measures to restrict noise pollution to an acceptable level.

### Impact on Highway Safety

Policy T14 requires proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport; not cause traffic congestion or highway safety problems on existing roads; make appropriate safe provision for access and egress by vehicles, pedestrians, cyclists and other road users; make provision for the loading and unloading of commercial vehicles and indicate how parking requirements will be accommodated. Policy T22 states that in deciding the appropriate level of car and cycle parking to be provided in connection with a development proposal, the Council will have regard to: development type (e.g. scale, use, catchment, user characteristics) and locational characteristics (e.g. accessibility by modes other than private car, population density, historic character).

The proposed change of use is not considered to raise any significant concerns with regard to highway safety - any increase in traffic created by the development can adequately be catered for by the existing road network in Houghton town centre. It is not considered that the objector's assertion that the proposal would create a traffic hazard at the junction can be upheld. In respect of parking provision, it is considered that that found within the town centre in close proximity to the development site is sufficient to provide for visitors to the premises.

The objection asserting the potential for a traffic hazard at the junction due to the proposed change of use did not expand upon the matter in any detail, or explain how or why this would be the case - it is therefore difficult to offer any further discussion of this claim.

With regard to the above, in the absence of any significant concerns with regard to highway safety, the proposed change of use is considered to comply with policies T14 and T22 of the UDP.

## Other issues

The size of the applicant company, which operates public houses in most towns and cities throughout the UK, in relation to other businesses within the town centre and its perceived ability to serve food and drink at a lower price than competitors cannot be a material consideration in the determination of this application. The advice of PPS6 that it is not the role of the planning system to restrict competition must be borne in mind - market forces and the quality of the food and drink alternatives to the proposed public house on offer within Houghton will ultimately determine its success.

Similarly, the assertion of an objector that the applicant company 'deliberately targets young and inexperienced drinkers' (the applicant has, in fact, stressed a commitment to the responsible sale of alcoholic beverages via its 'Code of Responsible Drinks Retailing' statement submitted with the application) is a matter of personal opinion and one that cannot influence the determination of this proposal.

## Conclusion

The principle of the proposed change of use of the building is considered to be acceptable, while the proposed external alterations to the existing building raise no significant concerns with regard to visual and residential amenity. Nor are there any significant implications in respect of noise or traffic/parking generation. As such, the proposal, with the imposition of the conditions set out below, is considered to comply with policies B2, S2, HA30, T14, T22 and EN5 of the UDP and the requirements of Planning Policy Statement 6.

## **RECOMMENDATION: Approve**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 3 The premises shall not be operated for the purposes hereby approved between the hours of 00.30 and 07.00 on weekdays, 01.30 and 07.00 on Saturdays and 02.30 and 07.00 on Sundays and Bank Holidays, in order

to protect the amenities of the area and to comply with policy B2 of the UDP .

- 4 Before the use hereby approved is commenced, full details of the ventilation/extraction/filtration system, including all external ducting and stacks shall be submitted to and approved in writing by the Local Planning Authority. All works shall be completed in accordance with the agreed details before the use commences, in order to protect the amenities of the area and to comply with policy S12 of the UDP.
- 5 Notwithstanding the approved plans, no amplified music shall be played outside of the building structure at any time, in the interests of public and residential amenity and to comply with policies B2 and EN5 of the City Council's adopted Unitary Development Plan (1998).
- 6 In the event of the provision of amplified music or live entertainment within the premises, all doors, windows and fire escapes shall be kept closed during the performance, in the interests of public and residential amenity and to comply with policies B2 and EN5 of the City Council's adopted Unitary Development Plan (1998).
- 7 The City Council, in its capacity as Local Planning Authority, shall be informed in writing at least three months in advance of the initial provision of any amplified music or live entertainment within the premises. Such notification shall be accompanied by a noise assessment, undertaken by a suitably qualified and experienced noise control consultant, and proposed mitigation measures, which shall not be implemented until approved in writing by the Local Planning Authority. The assessment shall be undertaken to ensure that at the facade of the nearest noise sensitive property, the noise generated from the property to be licensed (the LAeq5 min) should not exceed 10dB below the minimum external background noise, or, where noise from the property to be licensed will contain tones or will be intermittent sufficient enough to attract attention, 5dB below the minimum external background noise level, during the operating period. The mitigation measures approved in the report shall then be adopted prior to the provision of any amplified music or live entertainment at the premises, in the interests of public and residential amenity and to comply with policies B2 and EN5 of the City Council's adopted Unitary Development Plan (1998).
- 8 The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.

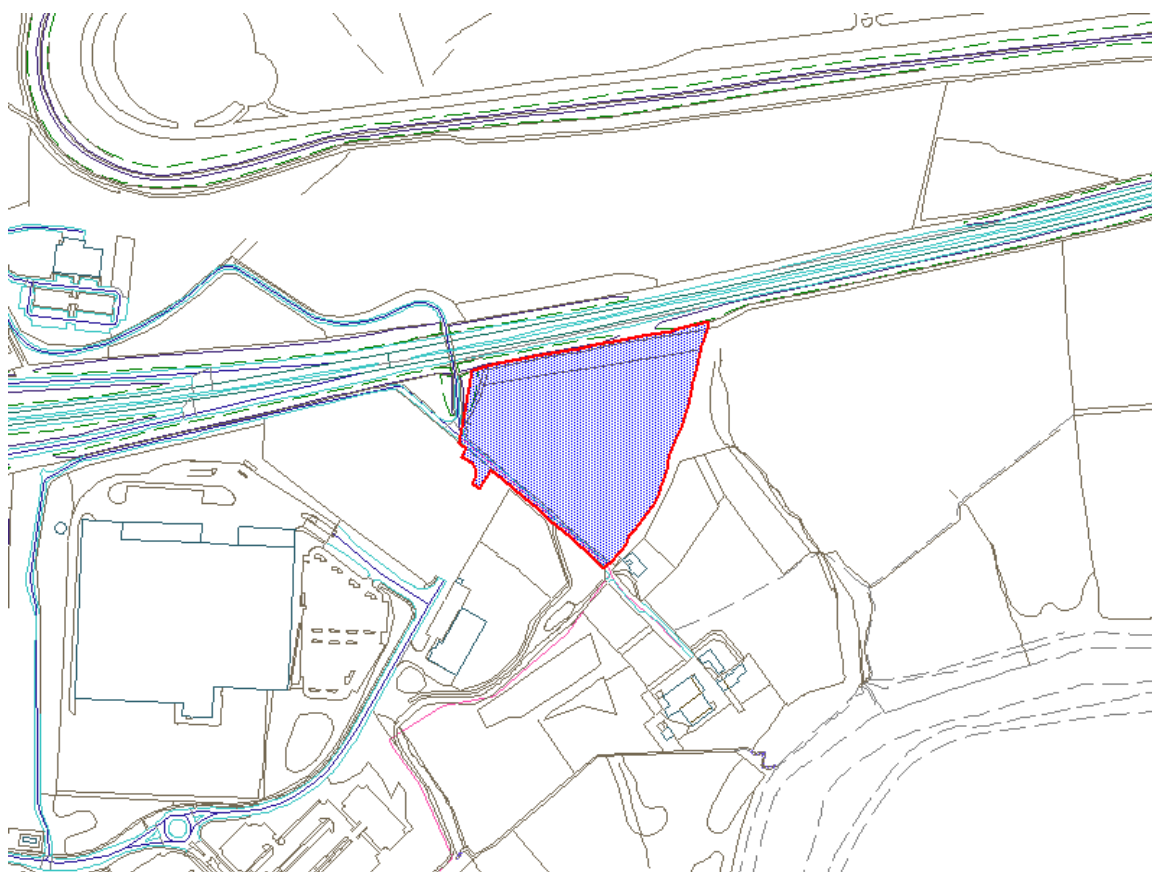
**Reference No.:** 08/03582/OUT Outline Application

**Proposal:** Application for outline planning permission for the erection of a B8 distribution unit, (up to 10,000 m2 in size), including detailed permission for means of access, including stopping up and diversion of public footpath and bridleway.

**Location:** Plot 2 Mandarin Way Pattinson Industrial estate Washington,

**Ward:** Washington East  
**Applicant:** Bericote (Ryton) Ltd  
**Date Valid:** 23 September 2008  
**Target Date:** 18 November 2008

#### Location Plan



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#### PROPOSAL:

The application has been submitted on behalf of Bericote (Ryton) Ltd, a company which specialises in Industrial and warehousing developments. The proposal being forms the second phase of development of this area of Pattinson North



Industrial Estate. Members may recall that phase 1, for the erection of an ASDA recycling centre (08/00129/FUL) was approved, subject to conditions following the 01 April 2008 meeting of the Sub Committee.

In terms of location, the site lies adjacent to the phase 1 plot which has been developed for a new ASDA recycling unit, at the eastern end of Pattinson North Industrial Estate. This lies beyond the current terminus of Mandarin Way on the opposite side of Barmston Lane.

The site is triangular in shape and is bounded to the north by the A1231, the west by Barmston Lane and by open countryside to the east. Low Barmston Farm House lies at its southern most tip. The site is currently undeveloped agricultural land, with existing tree planting to its northern boundary with the A1231, and along its eastern boundary. Two gas easements are also known to cut across the site, one running along Barmston Lane itself and the other running diagonally through the site from the north west to south east. As mentioned previously, the site is bounded on three sides by both private and public rights of way.

The application proposals have been the subject of pre-application discussions with various Council departments as well as key interest groups and local residents. The scheme as submitted takes into account, as far as possible, the comments raised by interested parties during those discussions.

This application seeks outline permission to develop a Storage / Distribution unit (Use Class B8) of 8-10,000m<sup>2</sup> with associated office and infrastructure. Due to the potential issues that were known to be associated with the site, the details of the means of access is the main subject of consideration at this stage, with the details of the precise location and arrangement of the building and infrastructure to be reserved for determination via a subsequent Reserved Matters application.

As well as detailing the new access arrangements, the proposal also makes provision for new public rights of way within and around the application site. It should be noted that these elements of the proposal will also involve amendments to individual's private rights of way along Barmston Lane, which leads to the hamlet of Low Barmston Farm to the South East. Should planning permission be approved an application under S.247/248 of the Planning Act will need to be made, which will involve a separate consideration of the merits of the proposed diversions / additions and will involve additional public consultation, following which a final decision on the diversions will be made. For clarification; from a planning perspective, the issue of whether the change, alteration or loss of a right of way is acceptable by individuals is not for consideration at this stage.

All that is being considered in planning terms as part of this application is the:-

- Physical acceptability of the layout arrangement of the means of access.
- Acceptability of the movement in and around the site by the various users from a highways perspective.
- Principle of having a B8 warehouse / distribution unit in this location.
- The proposed access arrangements are as follows:-
- The creation of a 5 arm roundabout.
  - (i) The southern arm leads from Mandarin Way;
  - (ii) To the west, two arms link in, one from the recently completed ASDA recycling facility and the other from the northern section of Barmston Lane. A pedestrian / cycle way (3m wide) and a separate 3m wide bridleway run

from the northern side of this towards the next arm of the roundabout (site entrance). At this point there is a horse pen (corral) for horses to pass through, in order to control horse movements.

(iii) The northern arm of the roundabout leads into the new site, which would be subject to a Reserved Matters application for B8 development. Leading from this is a further horse corral which leads into a similar arrangement as described above, leading towards the eastern arm of the roundabout and towards Low Barmston Farm.

(iv) To the east, an arm leads to the south eastern section of Barmston Lane that heads towards Low Barmston Farm.

- The creation of new sections of cycleway / bridleway along Barmston Lane as described above and also a new section running along the entire length of the eastern boundary, joining into the existing C2C route that runs along the northern edge of the site, parallel with the A1231

In terms of the size, the indicative plans submitted show that the building would be

- Between 12m and 15m in height.
- Width approximately 130m
- Length approximately 280m

The proposed development could generate in the order of 100 to 125 jobs, depending on who occupies the building. Other additional supplementary information submitted includes an ecological / biodiversity report, ground condition survey and transport assessment. It should also be noted that Low Barmston Farmhouse a Grade II Listed Building lies to the immediate south east of the site.

A request for a Members Site Visit was made at the 28.10.2008 meeting. Any issues raised at the site visit on 21.11.2008 will be addressed at the Sub-Committee Meeting.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Environment Agency  
County Archaeologist  
Sustrans

Final Date for Receipt of Representations: **24.10.2008**

## **REPRESENTATIONS:**

Neighbours.

Five letters of objection have been received from residents of the Low Barmston Farm hamlet as a result of neighbour consultations.

To summarise, the main concerns raised include:-

- A roundabout is excessive and unacceptable and would alter the rural character of Barmston Lane.
- The roundabout junction would be dangerous for horses and their riders.
- The development would affect the private rights of access of the residents of Low Barmston Farm
- Un-neighbourly development-particularly due to the proposals orientation and the perceived increase in vehicles.
- The development would create pollution:- particularly noise and light.
- The proposal if approved could lead to parking problems, with workers parking vehicles along the length of Barmston Lane, which is an unadopted road.
- The proposal would have an adverse effect on wildlife and habitat such as hedges.
- The proposal could contribute towards flooding.

These concerns are considered and discussed in the comments section below.

Consultees.

The following responses have been received as a result of the consultation process.

Northumbrian Water  
No Objections.

Environment Agency (EA)

Has objected to the proposed development due to the application not adequately considering the flood risk and failing to demonstrate that the flood risks resulting from this development can be safely managed.

County Archaeologist

Advises that representations have been received from a resident suggesting that the site is likely to be of considerable archaeological interest.

Whilst the County Archaeologist's records do have a reference to Barmston medieval village, which was in existence in 1323, no clue exists to the site of the village except perhaps the mansion, which is now impossible to locate. The suggestion is that the village could have been located on or near to any of the three farms of High, Middle and Low Barmston. They also have an entry for the medieval Barmston Park, and a medieval mill which again are unlocated.

The resident has also been advised that there may be a forge of 1750 within the development site and an old colliery waggonway which supposedly ran through the site. Again there is no record of this on the County Archaeologists system.

Sustrans

Is pleased with the proposal for the introduction and realignment of cycle routes as shown on the submitted plans.

Cyclist Touring Club

Welcomes the improvements to the existing cycling network and requests that all works are designed to a high standard to reduce future maintenance costs.

English Partnerships

Supports the application.

These are considered and discussed where appropriate in the comments section below.

## **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\_11\_Measures to protect the archaeological heritage of Sunderland (general)

B\_15\_Developments causing large scale ground disturbance (currently undeveloped areas)

CN\_15\_Creation of the Great North Forest

CN\_17\_Tree Preservation Orders and replacement of trees

CN\_18\_Promotion of nature conservation (general)

EC\_2\_Supply of land and premises for economic development purposes

EC\_3\_Support for new and existing economic activity

R\_1\_Working towards environmentally sustainable development

T\_1\_Promote the development of a varied, balanced, integrated & sustainable transport system

T\_2\_Promote the role of public transport, improving quality, attractiveness and range

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

T\_22\_Parking standards in new developments

WA\_1\_Retention and improvement of established industrial / business area

B\_10\_Development affecting the setting of listed buildings

CN\_16\_Retention and enhancement of existing woodlands, tree belts and hedgerows

T\_13\_Criteria influencing proposals for highways improvements including new road construction.

## **COMMENTS:**

The key issues to consider in relation to this proposal are:-

- Principle of the operational use of the site.
- The highways implications.
- Environmental Considerations (including flooding, noise and light pollution)
- The impact upon wildlife on site.

- The potential archaeological implications to the site.
- The affect on the setting of a Listed Building.
- The appearance and layout of the development.
- Sustainability.
- Principle of the operational use of the site.

In terms of land use, the development has to be considered against the following UDP policies:

WA1.7 Pattinson North.

Guidance provided in this policy promotes uses including offices, research and development, light industry, general industry, warehouses and storage (B1, B2, and B8).

EC4 Land for Economic Development.

Guidance provided in this policy supports the retention and improvement of employment, and acceptable primary uses for these sites include offices, research and development, light industry, general industry, warehouses and storage (B1, B2, and B8).

The proposed development is considered to support the aims of the policies within the adopted UDP by supporting economic growth through introducing new employment opportunities if approved. As such, in land use terms the principle of a warehouse development is considered appropriate.

The highways implications.

In considering the highways implications for the site, consideration has to be given to Policies T14 and T22 of the adopted UDP which require that new development should have adequate parking facilities and not give rise to traffic congestion or highway safety problems. T13 of the UDP encourages highway improvement works which will facilitate the movement of industrial traffic in existing and proposed industrial areas, whilst improving conditions for pedestrians and cyclists.

I. Introduction of a roundabout.

In general terms, a roundabout has always been the preferred option of the Councils highway engineers for the head of Mandarin Way, once all the available plots had been built out, in order to allow the free-flow of traffic, particularly larger commercial vehicles visiting the companies situated on the industrial estate. The introduction of a roundabout would allow for such vehicles to turn around in the highway without having to perform awkward reversing manoeuvres or having to be solely reliant on being allowed to manoeuvre around in the goods yards of the business located here. From that perspective, it is clear that the proposed roundabout has its benefits. However, this has to be balanced against the concerns raised by residents which relate primarily to how the roundabout proposes to link Mandarin Way to Barmston Lane.

At present, Barmston Lane is a small, privately owned and maintained road which provides the sole means of access to the properties that are located at Low Barmston Farm.

Currently, residents enjoy private access rights granted by the owner of the lane, English Partnerships. Residents are concerned that these access rights could be lost. However the proposal, if approved would create a closer and more direct route to the adopted road network of the City for the residents, who would thereby benefit.

Nonetheless, some users of Barmston Lane consider that the proposals produce a number of problems, particularly,

- The possibility of horses bolting across the roundabout into the path of commercial vehicles.
- The potential conflict between traffic visiting the industrial estate / site and vehicles accessing Low Barmston Farm.
- Possible problems of parking occurring along the length of Barmston Lane that will remain unadopted from the eastern arm of the roundabout onwards, towards Low Barmston Farm.

Looking at each of these concerns in order,

- With regards to horses, substantial provision has been made for upgraded and additional sections of bridleway for horse riders to use, which are considered to be of benefit. Irrespective of whether or not a roundabout is in place, should Barmston Lane and Mandarin Way link in any configuration, there will always be potential for a horse to bolt across Mandarin Way. It is considered that by providing a significant amount of dedicated segregated routes around the site for riders that if a horse were ever to bolt, by the law of averages it would be unlikely to occur within proximity of the roundabout. It also has to be noted that, for a 60 metre approach either side of the Barmston Lane and Mandarin Way intersection at the roundabout, riders would be on their own segregated route leading them away from the central island. As such, it is considered that the proposal is well conceived and offers a solution that meets the needs of the industrial estate, the future occupants of the site and the riders who frequent the area.
- In terms of conflict arising between vehicles visiting the industrial estate and the residential properties of Barmston Lane, it is considered that the roundabout will act as a traffic calming measure, with vehicles naturally slowing down to drive around the roundabout thus giving all users more time to be aware of each others intentions. In addition, it has been suggested to the developer that a passing place is introduced along the section of Barmston Lane that heads towards Low Barmston Farm, in order to accommodate vehicles who may meet one another heading to and from the roundabout, although such an occurrence is likely to be infrequent. Revised plans are awaited in this respect, which should be received prior to the Sub- Committee meeting. In broader terms, it should also be noted that the submitted transport plan estimates that overall traffic generation created by the development would represent only a 5% increase on the traffic currently exiting onto the Pattinson Road Roundabout at the opposite end of Mandarin Way.

- With respect to parking along the unadopted sections of Barmston Lane, it is recommended that parking restrictions will need to be introduced, which would be subject to a separate legal procedure. The developer has been made aware of this intention and that he would be liable for all incurred costs. Such requirements as well as the number and arrangement of vehicle parking spaces within the curtilage of the site can be controlled via the imposition of an appropriately worded condition should Members be minded to approve the application.

On balance, it is considered that; the proposed means of access into the site is the most acceptable and appropriate solution, the proposed use will not result in a significant increase in traffic to the area, measures can be put in place to deter vehicles from unnecessarily driving down and / or parking on Barmston Lane and that an adequate provision has been brought forward to accommodate cyclists / horse riders needs. As such the proposal is considered to meet the requirements of UDP policies T13, T14 and T22.

## II. Affects upon Barmston Lane.

In addition to the actual highways effects as described above, residents have also expressed concern at how the proposal would alter the character of the approach to their properties. Whilst this is undeniable, once residents have exited the roundabout they still have a 80 ¿ 100 metre stretch of Barmston Lane before the hamlet is reached. In addition to the proposal creating a dedicated separate route for cyclists and horses, it should also be noted that this remaining section will be further improved by the applications proposals which indicate additional landscaping and tree planting along its length. Consequently, it is not considered that the character of Barmston Lane as it approaches Low Barmston will be affected to an unacceptable degree and therefore the scheme complies with the highways objectives of UDP policies T13 and T14.

## Environmental Considerations (including flooding, noise and light pollution).

### I. Flood Risk.

Following objections from the EA in respect of the Flood Risk Assessment (FRA), further details have been requested from the applicant which are awaited at the time of writing.

In particular the EA requires Micro Drainage details to indicate that the drainage system and pond proposed can store a once in a 100 year storm without any flooding. Currently any existing discharge drains into nearby tributaries that lead into the River Wear. The FRA must demonstrate that the proposed discharge will not exceed this.

As such, the above information required in this respect is needed prior to any consent being issued. It is anticipated that this will be received shortly and will be reported on the supplement report prior to the meeting.

## II. Noise.

Planning Policy Guidance Note 24 considers the implications of development on noise sensitive areas. Similarly, UDP Policy EN5 requires assessment of, and proposed mitigation of significant increases to noise resulting from a development. In considering whether the development will create any adverse noise effects, the manner in which the building is going to be operated has to be examined. The initial indication is that the proposals are not perceived as being any louder than the majority of general industrial warehousing activities which are prevalent in the immediate surrounding area. In addition, it has to be remembered that the site is parallel with the busy A1231 which itself creates a level of background noise that the proposals are not considered to add to in any significant manner.

As already mentioned, the indicative layout plan shows the building is orientated in such a manner that it 'backs onto' the residential development, so this in itself will provide a degree of sound protection. In addition, it may be necessary for the landscaping strip that faces onto Low Barmston to incorporate some further form of mitigation, such as a bund or an acoustic fence, confirmation of such is still awaited from the Councils Pollution Control Section. It is anticipated that this will be received in time to be reported on the supplement report prior to the Sub-Committee meeting.

## III. Ground Conditions / Contamination.

The application is also accompanied by a geotechnical assessment which concludes that the site is stable and will not require any unusual foundation solutions. It also confirms that there is no contamination issue on this site. Notwithstanding these findings, confirmation is still awaited from the Councils Pollution Control Section that the site is suitable for development and that no mitigation measures are required to protect site workers or any other potentially sensitive receptors, including groundwater. It is anticipated that this response will have been received in time to report such at the Sub-Committee Meeting.

## IV. Lighting.

In respect of any effects of lighting on the wider surrounding area and habitat, it is not considered that the proposals will have any significant adverse effects. As there have been significant advances in the field of lighting over recent years, it is considered that the lighting of the site can be undertaken in such a manner that will not spill out into the surrounding area. However, until a detailed site layout is submitted together with lighting details no accurate assessment is possible. Details of the precise positioning, type and design of lighting to be used can be secured via condition and should alleviate any concerns raised in this respect and thereby ensure that the requirements of UDP Policies CN16 and CN18 are met.

## The impact upon wildlife on site.

The proposal is generally considered to be consistent with other developments approved recently in the area, on similar areas of land, most notably the Phase I ASDA site to the west and the Turbine Park Development on the northern side of the A1231. These sites have very similar physical characteristics as the



application site in as much as they were open fields with no planting and allocated for industrial purposes in the UDP.

Residents have claimed that numerous species can be seen in the area, including bats, kestrels, owls, sparrow hawks, and badgers. A series of ecological surveys have been undertaken and the application is accompanied by an ecology report, which confirms that there are bat roosts in the vicinity. The development if approved whilst losing some trees along the boundary with the A1231 to the north would see the enhancement of the wider area by encouraging additional tree planting around the perimeter of the site, including improvements to the existing hedges either side of Barmston Lane. Whilst the open fields will be lost as a result of the development, this additional planting would improve the overall habitat for breeding birds and foraging bats. The submitted ecological report suggests that native trees, such as Oaks be planted. It is proposed that Bat boxes be installed around the building and a new water area is also depicted as being created. In general, whilst the proposals to be implemented are considered acceptable the report is considered to be lacking in some background information which the applicant has been asked to provide, namely:-

I. Consideration of other protected and local biodiversity action plan species such as badger, great crested newt, barn owl, brown hare and hedgehog - all of which have been recorded on or in the vicinity of the site.

II. Details of the dates and methodology used in conducting the report.

III. Qualifications of the ecologists who undertook the report.

IV. Consideration of the potential of the site and its context as a buffer and link within a complex of adjacent habitats and corridors. The site in its current state provides habitat for a number of important bird species for example, and bats have also been recorded immediately to the north of the site/A1231 including Barmston Pond LNR.

V. A drawing is required detailing the extent of the woodland on site that will be lost, including tree positions and numbers.

VI. The impact of the development on land and features adjacent to the site, both during and post construction, also need to be considered and include examples of the perceived work and maintenance regimes associated with utilities / services and the local access network. Any boundary fencing specifications and lines should be sensitive to biodiversity and public access, safety and enjoyment. It is preferred that any boundary fence lines are set to the inside of the proposed landscaping in order for any users of the routes to be created to have the best possible aspect.

Notwithstanding these additional details, it should be noted that overall the mitigation/enhancements proposed are welcome and help fulfill requirements of the NERC Act 2006 and planning policies. The proposals do provide a level of confidence that habitats of value will be created as a result of the development and generally, it is considered that the proposed measures will be positive in ecological terms, which can be controlled via the imposition of conditions. It is anticipated that the additional details that have been requested will be received prior to the sub-committee meeting in order to allow such matters to be reported on the supplement.

The potential archaeological implications to the site.

The County Archaeologist is of the opinion that the new information which has been passed on to them by residents cannot be ignored. Consequently the claims that potential remains of an early hamlet and a post medieval forge may survive on the site need to be examined further.

The developer therefore has been recommended to appoint an archaeologist to undertake an archaeological desk based assessment, in line with the requirements of Policy B11 of the adopted UDP which seeks to protect the archaeological heritage of Sunderland. The assessment will include a search of early mapping to look for evidence of the wagon way, forge and hall. Following this assessment, a geophysical survey and evaluation trial trenching may need to be undertaken.

Under normal circumstances archaeological work should be undertaken prior to determination. However, given that the County Archaeologist initially advised that no archaeological work would be required on the site, pre-determination archaeological work may not be deemed appropriate.

As such, it is concluded that in respect of the potential archaeological implications on the site, that it would be appropriate for an archaeological condition to be imposed at this outline stage, which would ensure that the archaeological work is undertaken before the reserved matters application is submitted, so that in the event of any settlement, wagon way or forge being found during the archaeological work, adequate recording and / or mitigation measures could be undertaken. Consequently it is considered that with the imposition of an appropriately worded condition, the proposal would meet the requirements of Policy B11 of the UDP.

#### The Affect on a Listed Building.

As indicated above, the site is located to the north west of Low Barmston Farmhouse which is a Grade II listed building. It was built in around 1840 in a baronial style and constructed in sandstone under a Welsh slate roof. It retains an irregular plan. PPG15 indicates that Grade II listed buildings are of special interest, in architectural or historic terms, warranting every effort to preserve them.

Whilst Grade II listed buildings account for around 94% of all listed buildings PPG15 makes it clear that statutory controls should apply equally regardless of grade. Whilst the proposed development will not impact directly upon Low Barmston Farmhouse, Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that Local Planning Authorities, in considering whether to grant planning permission for development which affects a listed building or its setting, should have special regard to the desirability of preserving a building or its setting or any features of special architectural or historic interest which it possesses. This advice is incorporated into Policy B10 of the adopted UDP.

Given that the application site shares its boundary with the entire north western boundary of Low Barmston Farmhouse it will clearly have an impact upon its

setting and curtilage. It will therefore be important to consider whether this impact affects the properties special interest and have regard to the historic and contemporary setting of the building.

Historically, the building has been physically detached from the main grouping of agricultural buildings to the south east and this contextual relationship remains today. The Farmhouse has a tightly defined curtilage formed by stone walls and mature vegetative boundaries, particularly to the northern boundary onto the application site.

Whilst historically the Farmhouse would have been set within the wider setting provided by the farmstead itself and surrounding field patterns, this has diminished over time and the functional relationship between these elements removed. The setting of the Farmhouse is now defined by its immediate curtilage and its relationship with the building group to the south east. Historically, as now, the vegetative boundary to the north side provides a distinct physical and visual edge.

The wider setting, particularly to the north and north west has changed substantially over time with the building of the A1231, adjacent industrial buildings and car parking areas. The UDP allocation of land to the north for employment purposes (UDP Policy WA1) emphasises this shift away from the former agricultural character of the area and this limits and defines the contemporary setting of the listed building.

The application, as submitted, has been devised to maximise as far as possible the distance between the farmhouse and the development, providing a landscaped buffer along the south eastern boundary to ensure that visual intrusion is minimised and that an element of openness remains. Taking into account the known constraints of the site, (gas mains), the indicative layout plan submitted shows that a swathe of land running along the Barmston Lane frontage of the site heading towards the A1231 crossover bridge to the north will remain open in character, as this is to be set aside for landscaping / parking. The precise form that this landscaping / parking will take can be considered at a later reserved matters stage should Members be minded to approve the application but nevertheless it is evident that some distance views that currently exist from the crossover bridge across to the listed building will remain. As such, whilst altering the current situation it is considered that on balance, the proposals do help to emphasise and protect the curtilage of the Listed Building.

As such, for the reasons given above it is considered that the application proposals will not have an adverse effect on the setting of this building and therefore comply with Policy B10 of the adopted UDP.

The appearance and layout of the development.

Although the site is designated in the adopted UDP for industrial purposes, as well as considering the design of the proposal in context with the prevailing industrial buildings to the south / east, the development should also have regard to the non-industrialised areas to the south / west. A purely indicative layout for the plot has been submitted at this outline stage, in order to give comfort that a building of the size proposed can be located on the site without significant adverse impact. The indicative design and layout of the building is considered to

be consistent with the other industrial units in the vicinity. The design and access statement submitted with the application expands upon this indicative plan and sets out a number of design principles that the proposal should adhere to, namely:-

- The building will be positioned to screen the yard area from Low Barmston Farm House: This will reduce the potential for any undue noise or disturbance. Such an arrangement would mean that as the crow flies, Heavy Goods Vehicles would be no closer to the residential properties than they are at present when visiting the neighbouring Scania Trucks site and ASDA Recycling Centre.
- The off set and screening distance between Low Barmston Farm House and the development will be maximised as far as practicable. The plan to be approved as part of this outline already shows a considerable off set resulting from landscaping and PROW zones.
- Elevations will match those of the adjacent service centre as far as practicable in order to ensure that a consistent design approach has been adopted in this area of the Industrial Estate: including:-
  - i) Consistent materials.
  - ii) Consistent colours.

It is considered that such design specifications can be achieved by the use of an appropriately worded condition on any consent granted.

In addition it also has to be taken into consideration that the development is shown as having significant planting around its boundaries, particularly to the sides which face towards Low Barmston Farm, which will provide screening and further sound attenuation, as described in the 'Environment' and 'wildlife' sections above.

With respect to the site boundary, it is anticipated that this would involve a perimeter security fence of some form to be constructed around the entire site. The precise details and positioning of this fencing can be agreed at a later stage via the imposition of appropriately worded conditions.

Overall it is therefore concluded that the proposed development will be unlikely to cause unacceptable landscape and visual impacts. Through the imposition of conditions requiring adherence to the principles as set out in the design and access statement as well as; precise details of the landscaping, the size of and materials to be used for the external elevations of the building and the style of fencing, the visual impact of the building can be minimised. Whilst the details of the building are not being agreed at this stage, it is considered that the indicative plan submitted is a reasonable approximation of the form the built development will take and that there is adequate room for a development of this size and associated infrastructure.

With the imposition of such conditions should Members be minded to approve the application it is considered that the proposal will comply with policy B2 of the adopted UDP.

## Sustainability.

The development should give appropriate consideration to guidance provided through Policy 38 of the RSS. The guidance provided by this policy aims to encourage planning proposals to:

- a. ensure that the layout and design of new buildings and developments minimise energy consumption;
- b. encourage and promote opportunities for new developments to achieve high energy efficiency and minimise consumption in terms of energy efficiency best practice and BREEAM rating.
- c. encourage and facilitate businesses in improving their energy efficiency and reducing consumption; and
- d. promote and secure greater use of local renewable energy in new development, to secure an ambitious but viable percentage of their energy supply from decentralised and renewable or low carbon sources. In advance of local targets being set major new developments should secure at least 10% of their energy supply from decentralised and renewable or low-carbon sources, unless this is not feasible or viable.

In addition, UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage, especially damage which may be irreversible or very difficult to undo.

The application is generally considered to accord with the principle of RSS Policy 38 and UDP Policy R1 as it is on a site that has long been allocated for industrial purposes. In addition, it is considered that measures could easily be incorporated into any design of the building to deliver further additional sustainability measures such as grey water recycling and rainwater harvesting. The indicative layout plans show a water storage facility in the north east corner of the site, which would suggest such measures were being considered at this stage. In order to ensure such features together with a commitment for at least 10% of the energy supply to be from green sources are incorporated in the final design, a condition can be imposed to any consent issued requiring such, should Members be minded to approve the application, which would enable the proposal to comply with the RSS and UDP aims described above.

## Conclusion.

The principle of developing this allocated industrial site is considered as being acceptable and it would promote improvements in the economic development of the area. It is anticipated that further information and / or advice in respect of the outstanding issues of flood risk, noise, wildlife, and ground contamination will be received in time to be reported together with a recommendation on the supplement.

**RECOMMENDATION: Dir.of Dev. and Regeneration to Report**

**Reference No.:** 08/03761/LAP Development by City(Regulation 3)

**Proposal:** **Proposed infill extension to existing buildings for storage.**

**Location:** Office And Storage Buildings Herrington Country Park  
Chester Road Houghton-Le-Spring,

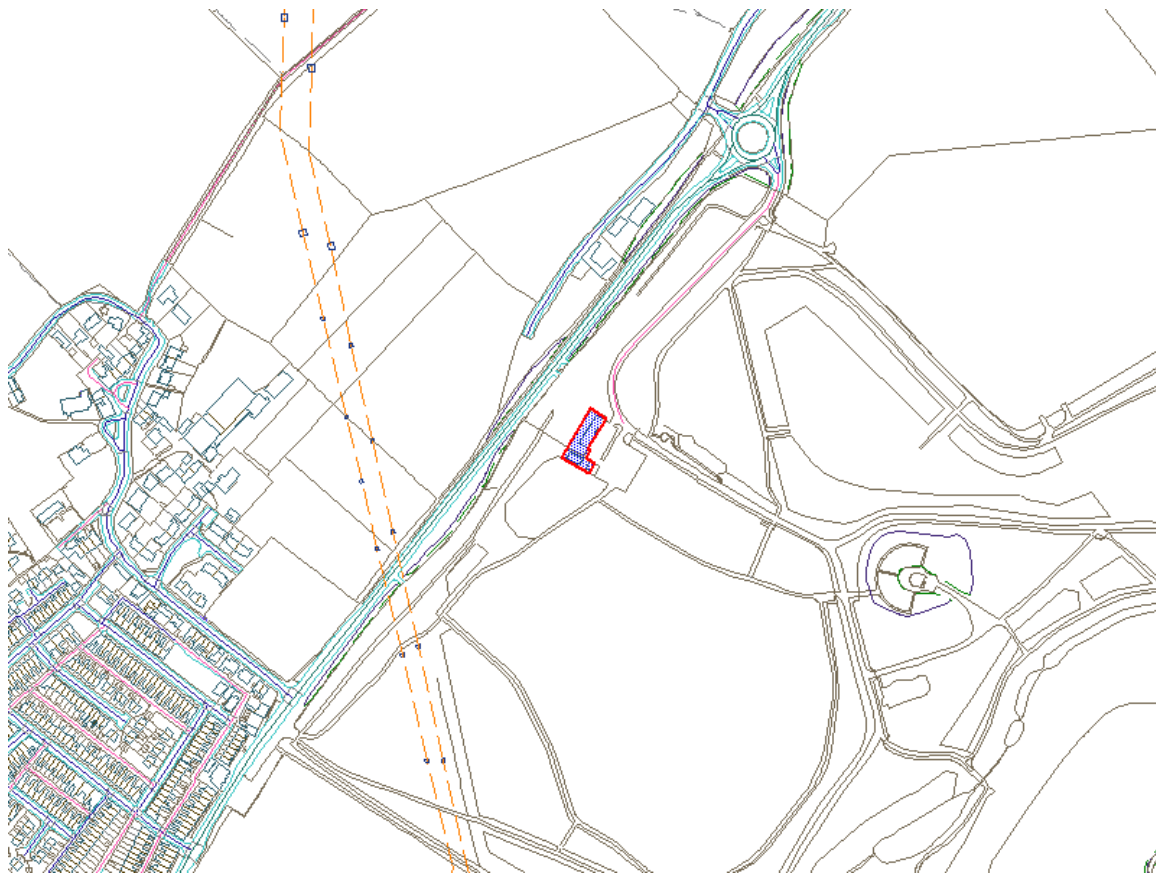
**Ward:** Shiney Row

**Applicant:** Development And Regeneration

**Date Valid:** 7 October 2008

**Target Date:** 2 December 2008

### Location Plan



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### PROPOSAL:

Herrington Country Park occupies the site of the former Herrington Colliery, which closed in 1985.

There have been a number of recent constructions within the vicinity of the site. This includes the erection of a toilet block. The application was approved on 3rd December 2004 (application reference 04/02419/LAP). A storage container was also granted temporary permission to the rear of the existing office building for a

period of three years on 2nd August 2006 (application reference 06/02167/SUB). Furthermore, consent was also granted for the creation of 225 car parking spaces in 7th April 2006 (application reference 06/00518/LAP).

The current office building measures 30m in length, 8.5m in width with a maximum height to the ridge of 4.5m (the building has a footprint of approximately 255 square metres). The existing toilet block measures 8.1m in length, 5.3m in width with a maximum height of 4.6m (the building has a footprint of 43 square metres).

The proposed storage building is a two-storey construction (with a ridge height of 6.5m), much of the second floor is contained within the roof space. A justification is currently being sought from the applicant for the requirement of the additional height in relation to the existing buildings as well as clarification of the proposed use of the upper story. The building forms an 'L' shape in order to connect the existing toilet and storage buildings. The dimensions of the areas named 'Storage Area 1' and 'Storage Area 2' will measure 9.1m in length with a width of 8.5m. The areas named 'Area 2' and 'Area 3' will measure 16m in length with a width of 7.3m. This gives the extension a total footprint of 194 square metres.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

No Consults

Final Date for Receipt of Representations: **05.11.2008**

#### **REPRESENTATIONS:**

Neighbours

No representations have been received.

Consultees

There were no external consultees for this application.

#### **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
HA\_10\_Proposals for new leisure and recreation  
CN\_3\_Control of development within the Green Belt  
CN\_5\_Safeguarding the visual amenity of the Green Belt

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

L\_7\_Protection of recreational and amenity land

CN\_2\_Purpose of the Green Belt in Sunderland

### **COMMENTS:**

The main issues to consider in the assessment of this application are:

- Principle of development and impact on the Green Belt,
- Biodiversity,
- Impact on highway safety,
- Visual Amenity,

The application is being given further consideration, however, it is anticipated that a recommendation will be made on the supplement.

**RECOMMENDATION: Dir. of Dev. and Regeneration to Report**



**Reference No.:** 08/03872/FUL Full Application

**Proposal:** **Refurbishment of the Galleries Shopping Centre comprising, a new glazed roof above the central mall of the shopping centre. A canopy in front of the east entrance. New entrances to the north, southwest and southeast entrances.**

**Location:** The Galleries Washington Town Centre Washington

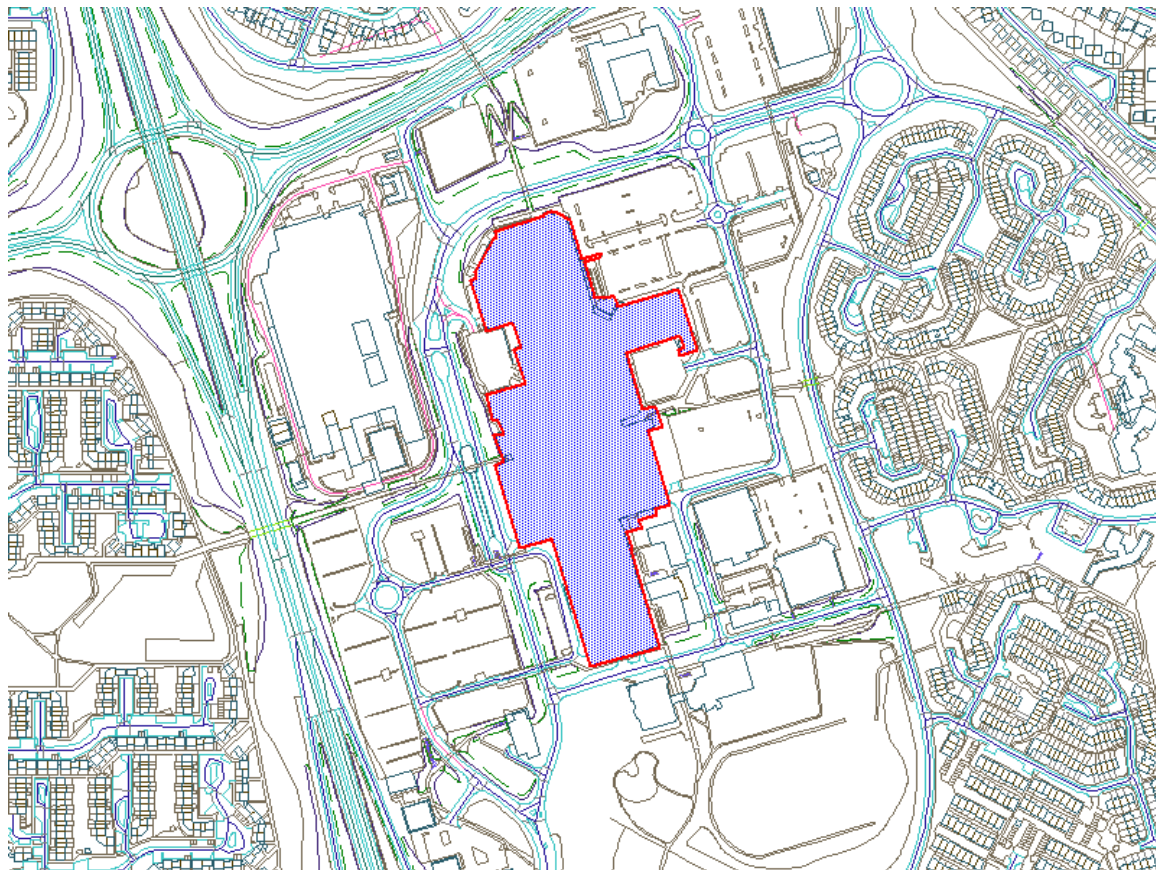
**Ward:** Washington Central

**Applicant:** Mr Allan Atkinson

**Date Valid:** 13 October 2008

**Target Date:** 8 December 2008

### Location Plan



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### PROPOSAL:

The submitted planning application seeks consent for refurbishment of the Galleries shopping centre.

The Galleries Shopping Centre and Retail Park are the main retail buildings in Washington Town Centre. As part of a strategic plan for renewal and

development the Northern Retail Extension was recently completed and is now open for trading. Members may recall that the Northern Retail Extension was considered by Committee on 4th July 2006 (planning application number: 06/02314/SUB).

Members may also recall that planning application 08/02368/FUL for the refurbishment of the original Galleries Shopping Centre, installation of a new glazed roof above the central mall, a canopy to the eastern entrance and new entrances to the north, southwest and southeast entrances were considered by committee on 2nd September 2008, the application was subsequently approved. The application, which is the subject of this report (08/03872/FUL) seeks approval for minor amendments to that scheme approved under planning reference 08/02368/FUL.

The approved refurbishment works which currently have the benefit of planning approval comprise:

- New glazed entrance doors and screens to the southwest entrance.
- New glazed entrance doors and screens located at the face of the building (the existing entrance being recessed).
- Replacement of a glazed canopy at the east entrance.
- Replacement of the existing entrance lobby located at the north entrance with a glazed lobby of increased height and volume.
- Removal of the existing pyramid shaped roof, located centrally within the centre at Wessington Square, and replacement with a glazed roof to the maximum of the existing roof height.

This application seeks consent to vary the detailing to the southeast and southwest entrances and also the Wessington Square roof. In addition the north entrance has been redesigned.

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

Press Notice Advertised  
Site Notice Posted

#### **CONSULTEES:**

No Consultations required.

Final Date for Receipt of Representations: **18.11.2008**

#### **REPRESENTATIONS:**

None received.

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments

S\_8\_Design of shop fronts

S\_4\_Seek to improve the appearance, safety and efficiency of existing shopping facilities identified in S2

S\_2\_Encouraging proposals which will enhance / regenerate defined existing centres.

S\_1\_Provision of enhanced shopping service, including local provision, based on existing centres.

WA\_33\_Improvement of Washington Town Centre

## **COMMENTS:**

Built in two phases in the 1960's and 1970's, the Galleries Shopping Centre continues to be well used. However, the architectural style of the Galleries is very inward looking with limited amounts of natural daylight visible from inside of the centre. The refurbishments proposed are designed to maximise the amount of natural daylight available within the centre. They also aim to open up and enhance the existing entrances to the Galleries to improve their appearance by making them more visible and transparent, providing views into and out of the existing malls. As a result of the proposed refurbishment works there will be an additional area of 20 square metres of retail space in addition to the existing footprint of the Galleries.

A planning application for the western entrance to the Galleries was approved on 24th January 2008 under the delegated powers of the Director of Development and Regeneration, that application was submitted in isolation in order that works to the entrance could be undertaken in conjunction with the new Bus Station which the entrance serves.

The proposed refurbishment falls into two broad areas:

- The refurbishment of the entrance points.
- The replacement of the roof over Wessington Square.

Taking each of the entrances in turn:

### **South West Entrance**

The South West Entrance to the Galleries is located adjacent to the front of the Asda store. This entrance opens onto a busy corner where pedestrians arrive from the western car parks and cars and taxis park to collect shoppers from Asda's main entrance.

It is proposed to erect a new glazed entrance in this location. The proposed glazing will encompass both the ground and first floor of the shopping mall and will reflect the design of the western entrance approved under planning reference 07/05234/FUL.

Internally, there is currently a large concrete staircase dominating and blocking the South West entrance. The proposed refurbishment proposes removal of this staircase and replacement with a lightweight staircase relocated to one side of the entrance. This will allow a greater proportion of daylight to enter this area of the Galleries and will increase natural surveillance between the outside and inside of this area of the shopping centre.

The differences between the scheme now proposed for the southwest entrance and that approved under planning reference 08/02368/FUL are:

Glazed fenestration: the previously approved scheme detailed 3 floor-to-ceiling fixed glazed panels. It is now proposed to include additional horizontal glazing bars in the design of this entrance. In addition the central glazed panel opens to form an entrance point to the retail unit behind.

The proposed changes from the previously approved scheme are considered to be acceptable.

### South East Entrance

The South East Entrance leads to Independence Square, the only public open green space close to the shopping centre. The main use is for access to and from the local amenities of library, medical centre and swimming pool.

Again a two storey glazed entrance feature is proposed, introducing light and surveillance to these areas.

Currently a large central concrete staircase dominates and blocks the entrance. The proposal removes that concrete wedge and replaces it with a lighter weight staircase located to one side. The entrance screen and doors, which are currently recessed beneath an overhang, are moved further out flush with the main front wall of the elevation and a two-storey fully glazed frontage introduced.

The entrance now proposed is identical to that which was approved by 08/02368/FUL. The submitted plans indicate a revised advertisement located adjacent to the entrance. It should be noted that whilst the location of an advertisement in this location is considered to be acceptable in principle a separate application for advertisement consent will be required in connection with the proposed advertisement.

### Eastern Entrance

The eastern entrance is located adjacent to McDonalds Restaurant. This entrance is heavily used as it is located adjacent to a large surface car park and leads directly to the core of the shopping centre.

The eastern entrance is deeply recessed with no shop fronts in view from this approach.

Previously, it was proposed to erect a transparent canopy at this entrance point. This canopy has now been removed from the proposals although the paving and external lighting in this area remains scheduled for replacement. The existing entrance doors will be replaced with doors which incorporate clear glazing, once again to introduce a greater element of natural daylight to the mall.

## Northern Entrance

The northern entrance is located adjacent to the Sainsbury's Supermarket and is a very busy entrance to the Galleries. This entrance opens straight on to a large area car park and is close to the 'In Shops', Sainsbury's and is served by the Hopper bus service. This entrance is located opposite to the new Northern Retail Extension and so is likely to become particularly busy at peak times.

At present the northern entrance is marked by a very tall (in excess of 4m in height) identity sign. However, the entrance itself is low and recessed beneath a canopy. There are no shop fronts currently visible from the outside of this entrance.

Previously the proposal was to replace the single storey entrance lobby with a tall glass atrium, framed with stone cladding. The proposed frontage would have been two storeys of glazing, with a maximum height of 7.7metres, and an overall width of 16.8 metres. The new entrance included a lobby area, incorporated to minimise draughts in to the mall and promote sustainability within the development. This lobby area proposed was 8.49 metres in width, and projected a distance of 3 metres from the main glazed elevation and had an overall height of 3.2 metres.

The entrance feature now proposed at the northern entry point to the Galleries comprises a glazed entrance, framed in midnight (black) polished concrete blocks. The proposed entrance will be 7.2 metres in height and 16.2 metres in width. The entrance incorporates the sets of double swing opening automatic doors and one automatic revolving door.

There is also a large advertisement proposed in the upper quarter of the entrance feature. This is considered to be acceptable in principle, however members should note that the advertisement proposed will require a separate application for advertisement consent.

This new entrance will provide a hugely increased level of natural daylight in to this area as well as providing views into and out of the mall and providing a clearly marked point of entry for visitors to the centre.

The proposed new entrance features are considered to be acceptable in all respects and are considered to be a vast improvement on the current entrances to the Galleries centre in terms of both pedestrian movements and design. The proposed entrances will not result in any loss of visual amenity rather, they will enhance it. They are in keeping with the primary retail function of the area.

## Replacement Roof to Wessington Square

Wessington Square, an internal space located centrally within the Galleries Shopping Mall, is generally used for events and displays. The roof above Wessington Square currently comprises an octagonal based pyramid with the top section cut off. The existing roof is of solid form with no natural daylight entering this central space.

It is proposed to remove the octagonal based pyramid roof and replace it with a gently mono-pitched translucent roof. The proposed roof will be entirely comprised of glass which is specially treated to minimise solar gain on sunny days. Ventilation and smoke extraction will be dealt with by opening vents at high levels in the side walls.

The proposed glazed roof will introduce an enormous amount of natural daylight into this central area which is currently entirely artificially lit.

It is very unlikely that the proposed replacement roof will be visible from any external public view point. Although the area of roof to be replaced is slightly elevated above the level of the surrounding roof height, it is located mid way between the eastern and western entrances and will be entirely surrounded by areas of the existing roof of the Galleries and will therefore not be widely visible.

It is considered that the introduction of the proposed transparent roof into this central area will significantly enhance the public space, providing a feeling of the space being semi-external. The introduction of a glazed roof in this area is not considered to have any detrimental impact upon the town centre, as with the entrance features, the glazed roof is considered to contribute positively to the appearance of the Galleries and is considered to enhance the environment for those using the centre.

The changes proposed to the replacement glazed roof by this application are very minor and will not result in any material change in the appearance of the previously approved glazed roof. This element of the proposed development is therefore considered to be acceptable.

The proposed redevelopment of the entrance features are considered to be an improvement to the current arrangement at The Galleries Shopping Centre and are therefore considered to be acceptable. In addition, the installation of a glazed roof in the central area of The Galleries is considered to have a minimal effect upon the external appearance of the shopping centre whilst considerably contributing to the upgrading of the internal environment in terms of introducing natural daylight into an area where there previously was none. The proposed redevelopment works are therefore considered to be acceptable and it is recommended that the application be approved subject to the conditions set out below:

## **RECOMMENDATION: Approve**

### **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or

samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan

- 3 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.