

DEVELOPMENT PLAN

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

Unitary Development Plan - current status

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

STANDARD CONDITIONS

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

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the Commercial Development Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Alison Fellows

Executive Director of Commercial Development

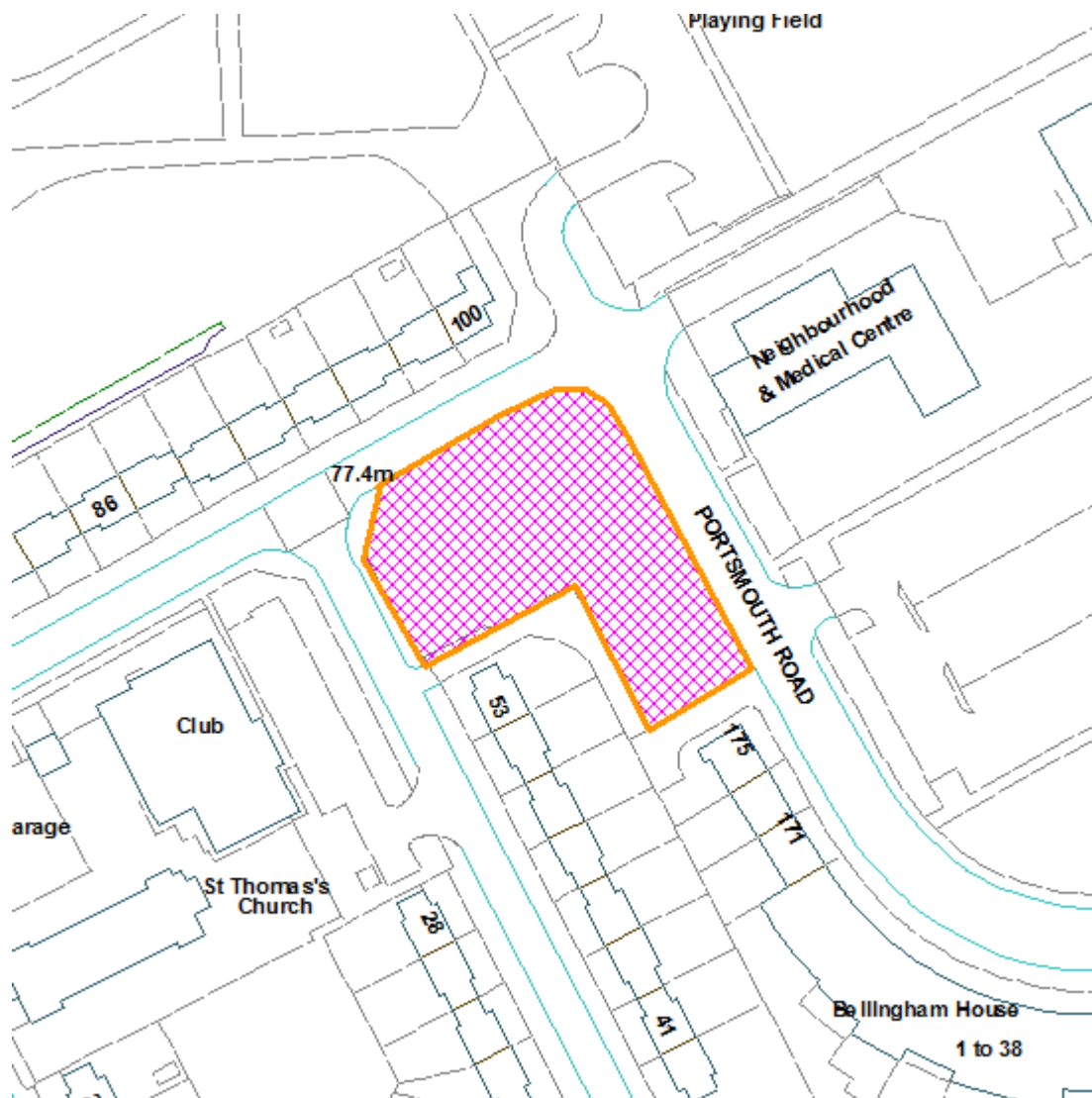
Reference No.: 16/00509/FUL Full Application

Proposal: **Erection of 9no dwellings with associated parking and stopping up of highway. (Amended description)**

Location: Adjacent Site of Former Public House Portsmouth Road Sunderland SR4 9AS

Ward: St Annes
Applicant: Mr D Carter
Date Valid: 19 April 2016
Target Date: 19 July 2016

Location Plan



PROPOSAL:

The application seeks approval for the erection of 9 dwellings with associated parking and stopping up of the highway. It should be noted that the description has been amended to reflect a reduction of 1 dwelling due to concerns expressed over the density and layout of the development.

The roughly rectangular site equates to approximately 1,500m² and occupies a position on the corner of Portsmouth Road and Parkhurst Road in Pennywell. The vacant parcel of land, which falls on a south to north axis in line with the gradient of Portsmouth Road, currently comprises a mixture of grass and hard standing and was formerly home to the Eagle Public House.

The surrounding area is predominantly residential in character although Pennywell shopping precinct and the Academy 360 School sit within close proximity to the east and north respectively.

In 2008 planning permission was granted for the erection 4 apartments and 9 terraced houses (Planning ref: 07/04795/FUL) whilst a further application was approved in 2009 for the erection of 16 Residential Units (08/03827/FUL).

The proposed layout comprises three blocks of two storey dwellings. Blocks 1 and 2 would be positioned to the north of the site fronting onto Parkhurst Road whilst block 3 would be positioned to the east of the site fronting onto Portsmouth Road. Each property would be afforded front and rear gardens and an off-street parking space whilst a further three visitor parking bays are shown to be accessed from Petersfield Road to the west.

The properties are proposed to be constructed out of a combination of red facing brickwork and white through coloured render with grey roof tiles.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Gentoo Group Ltd.
St Annes - Ward Councillor Consultation
Network Management
Flood and Coastal Group Engineer
Director of Children's Services
Environmental Health
Northumbrian Water
Southern Area Command - Police

Final Date for Receipt of Representations: **27.05.2016**

REPRESENTATIONS:

Neighbour representations -

No representations have been received as a result of the neighbour consultation letters issued, the site notice posted, or the press notice published.

Network Management -

The proposed parking bays should be positioned more evenly throughout the site to avoid conflict with the mini-roundabout on the corner of Portsmouth Road and Parkhurst Road. Areas of wide footway surrounding the site will require Stopping Up under Section 247 of The Town & Country Planning Act 1990 and further upgrade works will need to be carried out to the adopted highway under Section 278.

Environmental Health -

Comments have been received regarding the submitted desk top study. It has been advised that conditions in respect of a Phase 2 Ground Investigation and development of a Remedial Strategy and Verification Plan/Report (if required) as well as a condition for unexpected contamination, be attached to any consent granted.

In order to ensure the environmental impact of the construction of the development is adequately managed and mitigated and to ensure impacts on the amenity of residents are minimised, it is recommended that a condition be attached to any consent granted which requires the provision of a Construction Environmental Management Plan.

Northumbrian Water -

It has been requested that greater clarification be provided as to the management of surface and foul water from the development. In this respect it has been requested that a condition requesting such details should be submitted if the application is to be approved.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

H_1_Provision for new housing

R_2_Taking account of spare infrastructure / reduced travel / vacant & derelict land

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

T_22_Parking standards in new developments

COMMENTS:

Policy Implications

In order to assess the proposal, due regard must be given to relevant national policies and the policies and guidance provided by the Council's Unitary Development Plan (UDP) and Residential Design Guide Supplementary Planning Document (SPD), both of which have been formally adopted and therefore carry significant weight, as detailed under section 38(6) of the Planning and Compulsory Purchase Act 2004.

In view of the need to consider policy coverage beyond the UDP period, the Council sought a direction from the Secretary of State (SoS) which confirms agreement of the policies that are to be saved for a further period, pending formal adoption of the Local Development Framework (LDF). Accordingly, a list of the proposed 'saved' policies was submitted to the SoS - via Government Office for the North East (GO-NE). Confirmation of the saved policies and the direction provided by the SoS was received on the 4th September 2007, supporting the intention to maintain the extension of existing adopted policies to maintain continuity in the Development Plan, and ensure a stable planning framework locally, and a continual supply of land for development.

Subsequently, Annex 1: Implementation of the National Planning Policy Framework (NPPF), particularly paragraph 215, dictates that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

The National Planning Policy Framework (NPPF) provides the current Government's national planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out a series of 12 'core planning principles' which underpin plan-making and decision-taking and are considered to contribute to the over-arching aim of delivering sustainable development. Particularly relevant in this case are the principles that development should always seek to secure a high quality design and a good standard of amenity; should proactively drive and support sustainable economic development and the supply of housing and should encourage the effective re-use of land and property.

The main issues to consider in the determination of this application are as follows:

1. Principle of development
2. Scale, massing and layout
3. Highway Implications

1. The principle of development

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development as being a 'golden thread' running through plan-making and decision-taking. In respect of the latter, it is further set out that applications which accord with the development plan should be approved without delay or, where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The land is not allocated for a particular use in the UDP and therefore policy EN10 is applicable. This states 'all proposals for new development (including changes of use) will be judged in accordance with the policies and proposals of this plan. Where the plan does not indicate any proposals for change, the existing pattern of land use is intended to remain; proposals for development in such areas will need to be compatible with the principal use of the neighbourhood'.

In addition Policy H1 (New Housing Provision) of the UDP, seeks to ensure that sufficient new housing is provided which will maximise locational choice, caters for reduced out migration and increasing household formation and assists in the regeneration of existing residential areas and secures the re-use of vacant and derelict land.

Policy R2 of the UDP, Resource Utilisation, states that in considering proposals for new development the Council should take into account the extent to which they make use of existing and proposed services and road infrastructure minimises the need for travel and makes use of vacant and derelict land.

In respect of the above it is clear that the site has been considered to be appropriate for residential development in previous years and would facilitate the re-use of vacant brownfield land within a sustainable location characterised by residential dwellings. The use of the land for residential development is therefore considered to be acceptable in principle and in accordance with the provisions of policies EN10, H1 and R2 of the UDP.

2) Scale, massing, layout and design

One of the core principles of the National Planning Policy Framework (NPPF), as set out by paragraph 17, is that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Paragraphs 56 and 57 expand upon this principle, highlighting the importance Central Government place on the design of the built environment, including individual buildings, public and private spaces and wider area development schemes. Paragraph 64 of the NPPF goes on to state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

UDP policy B2 reflects the above, stating that the scale, massing, layout and/or setting of new developments should respect and enhance the best qualities of nearby properties and the locality whilst large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'. Expanding upon Policy B2, the Council also has additional guidance in the form of the Development Control Supplementary Planning Guidance (SPG) and Residential Design Guide Supplementary Planning Document (SPD) which set out standards and examples of good design practice.

As has been noted at the beginning of this report, it was considered that the original layout of the proposal was overly intensive with the proposed dwelling positioned on the corner of Portsmouth Road and Petersfield Road being of particular concern. Spacious corner plots are a characteristic of the general area and the aforementioned property was shown to extend close to the pedestrian footpath and project notably beyond the established front building line of the properties on Petersfield Road. In light of the above concerns the agent has reduced the quantum of development to 9 dwellings and a revised layout has been submitted.

The proposed dwellings are all two storey in scale and are laid out in three separate blocks. Blocks 1 and 2 would front on to Parkhurst Road and would be afforded front and rear gardens and in-curtilage driveways whilst the end properties siding onto Portsmouth Road and Petersfield Road would benefit from spacious corner garden areas. Block 3 would front on to Portsmouth Road with front and rear garden areas provided. Dedicated parking for these properties would be located off the north western gable accessed from Portsmouth Road.

The overall scale and massing of the proposed dwellings is considered to be commensurate with the surrounding properties and appropriate to the location whilst the use of render and staggered ridgelines on blocks 1 and 2 would serve to break up the built form and add architectural interest to the development. The ridgelines and floor levels of block 3 would drop in line with the gradient of Portsmouth Road.

In terms of boundary treatment the plans indicate that a lowered 900mm close board fence would delineate the garden areas to the front whilst a greater degree of privacy would be afforded for the rear gardens through the erection of 1.8m high close board fencing.

Notwithstanding, specific details of all materials and proposed boundary treatments would be required to be submitted for approval via condition should the application be approved.

In terms of the developments impact on the amenity of surrounding properties the main constraints are presented by the opposing semi-detached dwellings on Parkhurst Road to the north and the semi-detached properties fronting Petersfield Road to the west. Based on the submitted plans, spacing of just over 22.5m would be retained between the front elevation of No.98 and the principal elevation of block 1, whilst just over 21.5m spacing would be retained between the rear elevation of block 3 and the rear elevations of No's 51 and 53 Petersfield Road. These distances are in accordance with the spacing standards laid out within the City Council's Residential Design Guide and are deemed to be sufficient to mitigate any undue harm to the living conditions of existing and proposed occupants in terms of reduced sun/daylight, overshadowing, visual intrusion or a loss of privacy.

On the basis of the above, it is considered that the scale, massing and layout of the proposed development is appropriate within the context of the setting and would not demonstrably harm the amenity of neighbouring occupiers, in accordance with UDP policies B2 and paragraphs 17, 56 and 57 of the NPPF.

3. Highway implications

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

Sufficient parking would be provided within the confines of the site with one space per dwelling and three visitor bays proposed. The reconfigured layout plan has allowed the parking to be distributed more evenly throughout the site with the visitor parking bays relocated on Petersfield Road. No objections have been received by the Network Management Section on this basis.

Section 278 works will be required within the adopted highway to up-grade the footways around the perimeter of the site and for the construction of footway crossings to the properties. All redundant access points around the perimeter of the site will need to be re-instated to public footway whilst the rear lane will be required to be up-graded to an adoptable standard and light. These works

On the basis of the above, the development is considered to accord with the provisions of policies T14 and T22.

Conclusion

The development would involve the re-use of vacant brownfield land within a sustainable and predominantly residential location whilst contributing towards the City's housing land supply. Further, the proposed scale, massing layout and design is considered to be appropriate within the

context of the area without impinging on the living conditions of existing nearby residential occupiers.

As such, Members are recommended approve the application subject to the provision of the conditions outlined below.

Equality Act 2010 - 149 Public Sector Equality Duty

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

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

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

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

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

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

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

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

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

RECOMMENDATION:

Members are recommended approve the application subject to the provision of the conditions outlined below:-

Conditions:

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

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

The floor plans, roof plans and elevations received 30.03.2016 (Plan ref's; AL (00) 0120, AL (00) 0121, AL (00) 0122, AL (00) 0123, AL (00) 0130, AL (00) 0131, AL (00) 0132, AL (00) 0133.

The amended floor plans, roof plans, elevations received 29.06.2016 and the amended site plan received 20.07.2016 (Plan ref's; AL (00) 0110, AL (00) 0111, AL (00) 0112, AL (00) 0113 and AL (00) 0101.

The location plan received 30.03.2016 (Plan ref AL (00) 1000)

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

3 Notwithstanding any indication of materials which may have been given in the application, 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.

4 Notwithstanding any specifications on the submitted plans full details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

5 No development shall commence until a site plan detailing the existing and proposed ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved details. In light of the sloping nature of the site and in order to protect the amenity of the area in accordance with policy B2 of the Unitary Development Plan.

6 The development shall not commence until details of all hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include planting plans and specifications/schedules of all hard surface treatment including driveways, parking bays and access roads.

The approved soft landscape works shall be completed no later than the end of the first planting season following the first occupation of the development or in accordance with a programme agreed in writing with the Local Planning Authority. The approved landscape works shall be maintained in accordance with the current version of the British Standard 4428 for a period of 5 years commencing on the date of Practical Completion and during this period any trees or plants which die or become diseased shall be replaced in the first available planting season with others of similar size and species and any grass which fails to establish shall be re-established. In the interests of protecting the amenity of the area and to comply with policy B2 of the adopted Unitary Development Plan.

7 The construction works required for the development and any deliveries made to the site shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the Unitary Development Plan.

8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;

In the interests of residential and visual amenity and highway safety to accord with policies B2, EN10 and T14 of the Unitary Development Plan.

9 The development shall not be brought into use until the car parking indicated on the approved site plan, including the visitor spaces contained therein, has been hard surfaced, sealed and marked out in accordance with the approved details. Thereafter, the car parking shall be retained as such and shall not be used for any purpose other than for the parking of vehicles associated with the development. In the interests of highway safety and to accord with policy T22 of the Unitary Development Plan.

10 The development shall not commence until a detailed scheme for the disposal of surface and/or foul water from the development hereby approved has been submitted to and approved by the Local Planning Authority. Thereafter development shall not be brought into use until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policy B24 of the UDP.

11 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

2) A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved, in order to comply with the requirements of policy EN14 of the Unitary Development Plan.

12 No occupation of any part of the development hereby approved shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved, in order to comply with the requirements of policy EN14 of the Unitary Development Plan.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved, in order to comply with the requirements of policy EN14 of the Unitary Development Plan.

Reference No.: 16/00715/FUL Full Application

Proposal: **Erection of a single storey extension to side and rear.**

Location: 30 Rachel Close Sunderland SR2 0AF

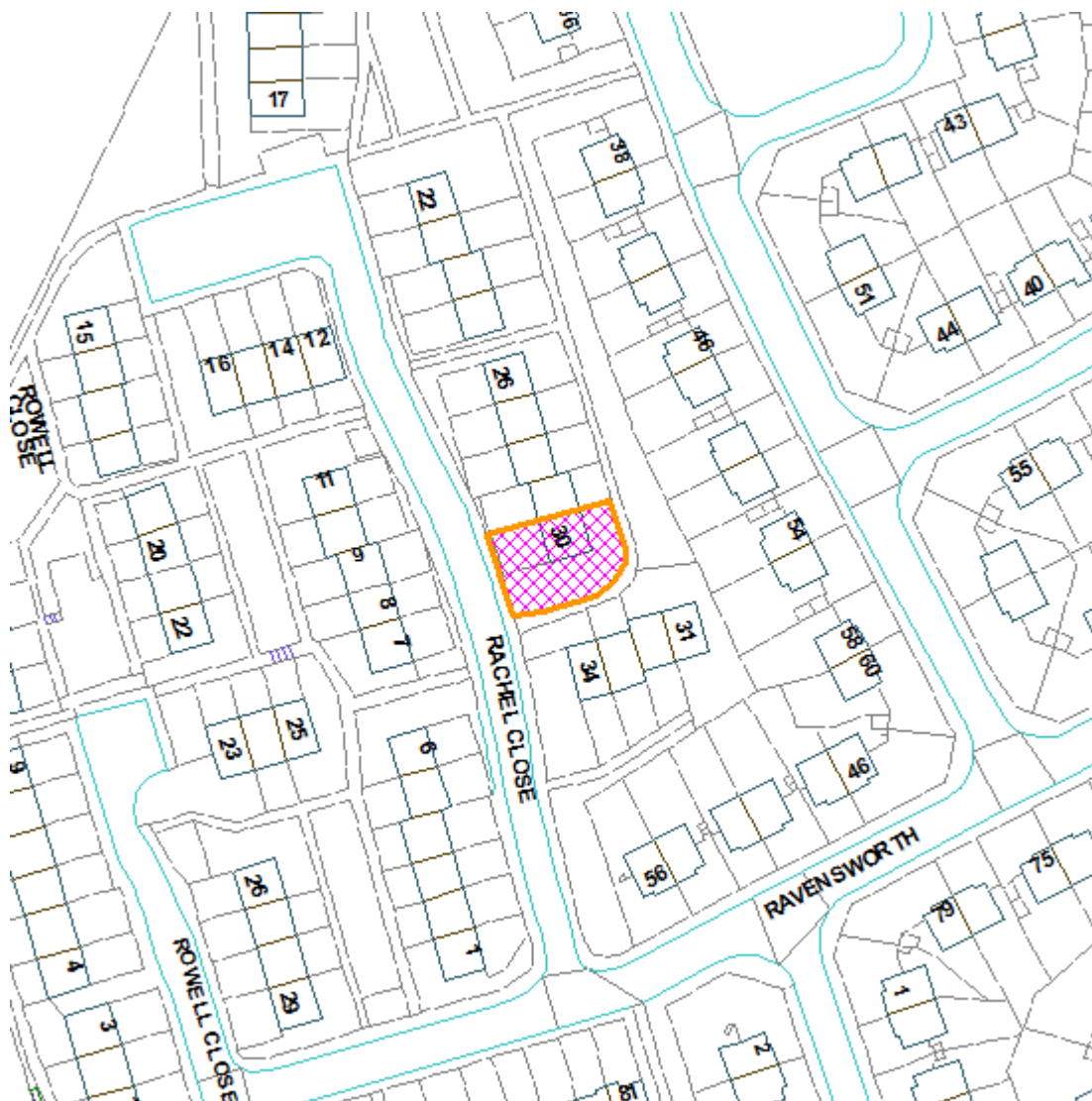
Ward: Doxford

Applicant: Mr Stephen Mould

Date Valid: 27 May 2016

Target Date: 22 July 2016

Location Plan



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PROPOSAL:

The property to which the application relates is a two-storey dwelling which forms the southern end of a residential terrace in an estate comprising terraced and semi-detached properties. The host dwelling has a gabled and a lean-to front porch and is finished with facing brickwork. The front garden is open-plan, as per all but one of the properties in the terrace, and the side/rear garden is enclosed by high close-boarded timber fencing and planting. The site inclines from front to rear and this section of Rachel Close slopes upward from north to south. A two-storey terrace exists to the south which fronts onto the application site and those in this terrace which face directly onto the site, nos. 33 and 34 Rachel Close, are situated some 14.8m away from, and slightly higher than, the host dwelling. Vehicular highway runs along the rear (west) of the site and a public footway runs along the front and side.

Planning permission is sought to erect a single-storey extension to the side and rear of the host property to provide an additional bedroom with en-suite and an open-plan kitchen / breakfast room.

The proposed extension is set flush with the front and projects 3m beyond the rear building line of the host dwelling, effectively wrapping around the corner of the building. The extension would have a width of 4m, measured along its front, and would be situated approximately 650mm from the south side, 3.6m from the north side and 5.4m from the rear boundary of the site. A hipped roof would be provided with an eaves height of 2.4m and a maximum ridge height of 3.6m, incorporating a gable end to its northern section. A single window would be provided in each the front and rear elevations, a set of glazed doors would be provided in the rear and no openings would be provided in either side of the extension.

It is noted that applications of this nature are normally determined under the powers delegated to the Executive Director of Commercial Development, however this application has been referred for determination by the Development Control Sub-Committee at the request of Councillor Colin English. The reasons given by Councillor English for this request relate to concerns raised by an objector to this application (see below) that their representations have not been fully investigated and a claim that the objector was informed by an officer in the Council's Development Control section that the application would be determined by the Sub-Committee.

An application for planning permission was submitted in January 2016 (ref. 16/00076/FUL) to erect a two-storey extension to the side of the host property and was subsequently withdrawn following concerns raised by the Council, as Local Planning Authority, that such a form of development would be detrimental to the amenity of nos. 33 and 34 Rachel Close.

TYPE OF PUBLICITY:

Neighbour Notifications

CONSULTEES:

Network Management

Final Date for Receipt of Representations: **28.06.2016**

REPRESENTATIONS:

One representation has been received, submitted by a resident of no. 33 Rachel Close in objection to the application, wherein the following concerns are raised:

1. The proposal would contravene Protocol 1 Article 1 of the European Convention on Human Rights 1998, which relates to the entitlement to the peaceful enjoyment of one's possessions, for the reasons set out below.
2. The proposal would restrict the amount of light afforded to the living room and both bedrooms of no. 33 Rachel Close.
3. The proposed extension would compromise the privacy afforded to no. 33 and would be situated only 9.5m from this neighbouring dwelling.
4. The submitted plans are inaccurate in that they indicate the maximum width of the public footway dividing nos. 30 and 33 Rachel Close as 2m, whereas its maximum width is actually 1.7m.
5. The window to be provided in the front of the proposed extension would compromise the privacy afforded to no. 33 and the proposal would pose a view of excessive brickwork from the curtilage of this neighbouring property.
6. The proposal would pose significant overshadowing of no. 33.
7. The layout, density, design, appearance and character of the proposed extension is not in-keeping with those of the local area.
8. Planning permission has previously been refused to erect a fence on the current application site, which creates the possibility of the existence of a restrictive covenant.
9. The proposal would pose additional noise disturbance on no. 33 by virtue of being situated closer to this neighbouring property.

In response to these points, Members are advised as follows:

1. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, as set out by section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 and acknowledged by paragraph 2 of the National Planning Policy Framework. The Council's adopted Unitary Development Plan (the "UDP") includes policies aimed at protecting the amenity of residents, so is not considered to conflict with this or any other European directive or legislation.
2. This issue will be addressed subsequently in this report.
3. Whilst the impact of the proposal on the privacy afforded to no. 33 will be considered and addressed below, it is noted that a distance of approximately 14.8m exists between no. 33 and the host dwelling, as was measured on site in the presence of the objector. Therefore, the proposed extension, with a sideward projection of 4m, would be situated 10.8m from no. 33.
4. This measurement is not considered to be crucial to the determination of the application, however it has been noted that the originally submitted plans contained some inaccuracies, which

have subsequently been addressed; given that these did not fundamentally alter the proposed development it was not considered necessary to notify neighbouring residents of such amendments.

5-7. These issues will be addressed subsequently in this report.

8. No such application for planning permission has been submitted and any potential restrictive covenant is not considered to be material to the planning merits of this application.

9. Given that the proposal constitutes a residential extension it is not considered likely to pose any significant levels of noise and no evidence has been provided to the contrary.

The Council's Network Management section confirmed that no observations or recommendations are offered in this instance.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

COMMENTS:

The main issue to consider in assessing this application is the impact of the proposal on the visual amenity of the street scene and the amenity of neighbouring residents.

Visual Amenity

Policy B2 of the UDP relates to new developments and extensions to existing buildings and states that their scale, massing, layout or setting should, 'respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy'.

Following from policy B2, section 7.3 of the adopted Household Alterations and Extensions Supplementary Planning Document (the "SPD") states that side extensions should have minimal impact on the residential amenity of neighbouring properties, should have a width which is no more than 50% of the overall width of the original dwellinghouse and should incorporate a roof slope and shape that matches the existing property.

The proposed extension, measured along its front, has a width of 4m, which equates to some 57% of the width of the original dwelling (approximately 7m), and would incorporate a hipped roof which does not match the gabled main roof of the host dwelling. The extension would be clearly visible from the footway which runs along the front and side as well as the highway which runs along the rear and it is noted that there are no other rear extensions within the terrace.

However, the proposed extension only exceeds the recommended width as set out by the SPD by some 500mm, which is not considered to be excessive relative to the width of the host dwelling and its curtilage. In addition, whilst not in-keeping with the design of that of the host dwelling, the provision of a predominantly hipped roof limits the maximum height and massing of the roof of the extension, so is considered to be an appropriate arrangement in this instance. Furthermore, the existing high close-boarded timber fencing and planting effectively screens the majority of the proposed extension from any area of public highway.

Therefore, provided that the external materials to be used match those of the host dwelling, it is not considered that the proposed extension would be detrimental to the visual amenity of the street scene.

Residential Amenity

Section 7.3 of Household Alterations and Extensions SPD goes on to advise that side extensions have a minimal impact on the residential amenity afforded to neighbouring properties whilst section 7.4 of this document states that, on terraced dwellings 'rear extensions along the common boundary will normally be limited to a maximum projection of 3m. In some circumstances it may be possible to increase with an additional 0.1m permitted for every 0.1m the extension is positioned off the boundary'. Section 7.4 also cites the '45-degree rule', which reads, 'Extensions should be designed so as not to project beyond a 45-degree line (on plan) that extends from an adjoining neighbour's nearest ground floor habitable room window, which is perpendicular to the proposed extension. The reference point is the centre of the neighbour's window to the extension'.

In addition, appendix 1 of this SPD recommends the retention of a minimum gap of 21m between main facing windows and 14m between main windows facing onto secondary windows or blank gables.

The proposed extension has rearward projections of 3m, would be set 3.6m away from the north side boundary and satisfies the '45-degree rule' when applied to the rear-facing windows of the adjoining terraced property, no. 29 Rachel Close, so accords with the SPD criteria set out above and it is therefore not considered that the proposal would compromise the outlook afforded to this neighbour. It is noted that the extension would be situated some 10.8m from nos. 33 and 34 to the south, which contain front windows serving primary habitable rooms. However, given the limited height and hipped roof design of the proposed extension together with the existence of high close-boarded fencing and planting, whilst part of the extension may be visible from the windows of these neighbouring properties, it is not considered that the outlook afforded to these windows would be significantly affected, nor would the proposed extension appear oppressive from any neighbouring property.

In respect of daylight and sunlight, it is noted that no. 29 is situated immediately to the north, however given the limited height of the proposed extension together with its distance from the common boundary it is not considered that it would pose any significant overshadowing of no. 29, nor would it appear oppressive to this neighbour. Whilst concerns of overshadowing and loss of light have been raised by the occupants of no. 33, given that this property is situated to the south together with the limited height of the extension and its distance from this neighbouring property, it is not considered that the proposal would pose any such impact on this neighbour.

Having regard to privacy, all windows would be provided in the front and rear elevations of the proposed extension and accord with the SPD spacing standards set out above and the existing high rear boundary treatment further protects the privacy afforded to neighbouring dwelling. Despite the concerns raised by the resident of no. 33, given the particularly acute angle of this property from the proposed front window it is not considered that the privacy afforded to this neighbour would be affected.

Conclusion

For such reasons, it is not considered that the proposal would compromise the amenity afforded to neighbouring residents or the visual amenity of the street scene, so accords with policy B2 of

the adopted UDP. It is therefore recommended that Members approve the application, subject to the conditions set out below.

Equality Act 2010 - 149 Public Sector Equality Duty

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

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

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

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

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

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

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

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

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

RECOMMENDATION:

It is recommended that Members approve the application, subject to the conditions set out below.

Conditions:

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

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

Location plan received 26.04.2016

Site plan received 22.07.2016

Existing and proposed floor plans received 22.07.2016

Existing and proposed elevations received 22.07.2016

Existing and proposed side elevations received 22.07.2016

Section through site received 22.07.2016

In order to ensure that the completed development accords with the scheme approved.

3 Notwithstanding any indication of materials which may have been given in the application, the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, in the interest of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.

Reference No.: 16/00789/FUL Full Application

Proposal: **Erection of office HQ building for Tombola Ltd with associated works including landscaping.**

Location: Land At Scotia Quay/North Of Low Street Sunderland

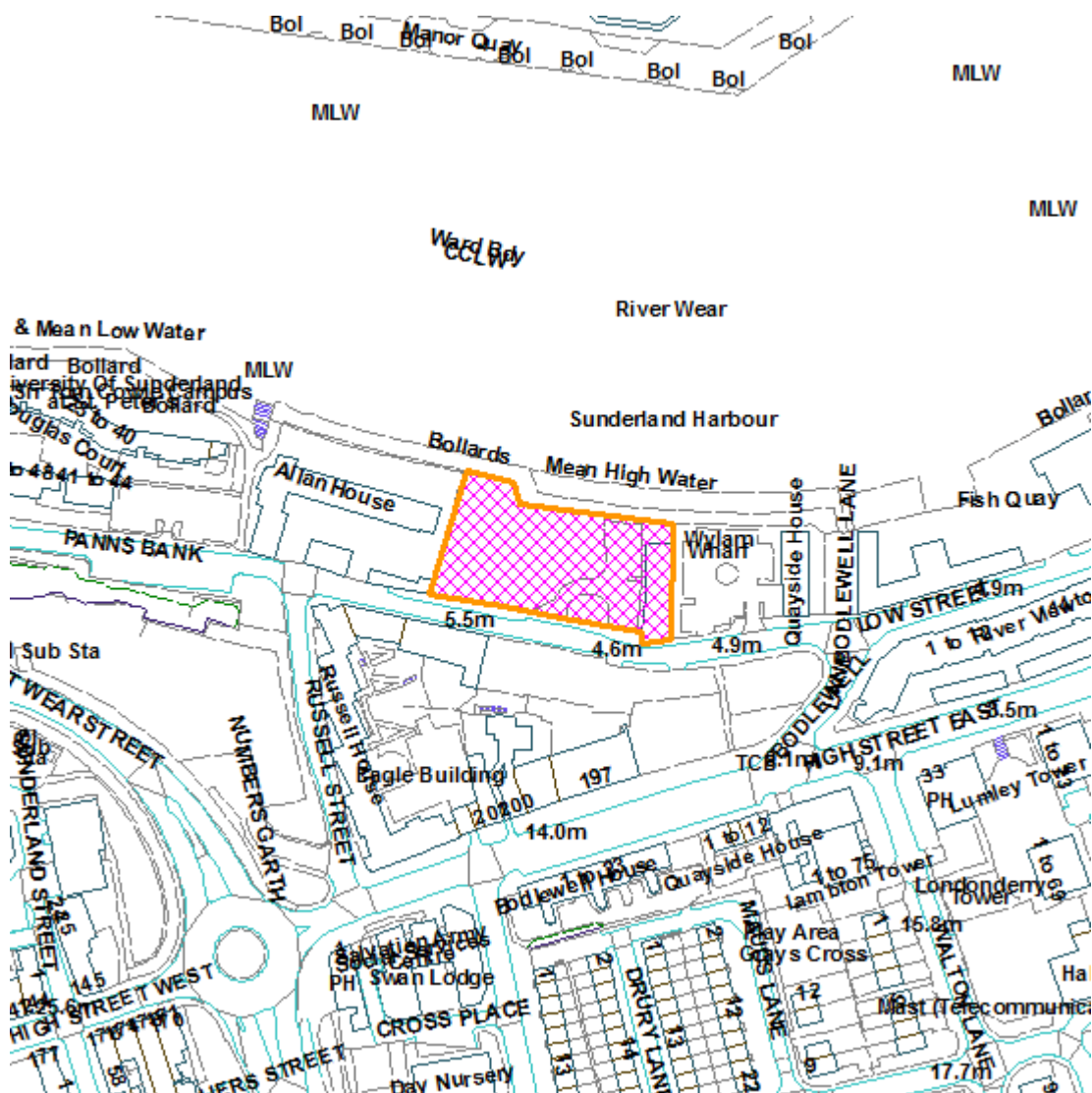
Ward: Hendon

Applicant: Tombola Ltd

Date Valid: 18 May 2016

Target Date: 17 August 2016

Location Plan



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PROPOSAL:

The proposal relates to the provision of a new HQ building for Tombola Ltd on land on the north side of Low Street, St Peters Riverside, Sunderland on a site which is currently vacant. Proposed is the erection of a new three storey office accommodation and associated landscaping with ancillary café and gym for employee use only.

The new headquarter building for Tombola Ltd would form a riverfront campus by integrating their current base, the Rose Line building. The new build will provide a contrasting and much needed change to their current working environment, akin to the open plan, flexible and socially enriching environments offered by large IT firms across the UK, most notably Facebook and Google. Tombola acknowledge the need to take inspiration from innovative office design to attract and retain staff within the northeast, particularly Sunderland.

The development would have floor to floor heights that comply with modern office standards. The building would be three storeys to maintain a massing sensitive of the current adjacent buildings and historic warehouses that have since been demolished within its context.

The application proposes a rectangular footprint positioned close to the western boundary to provide a central external landscaped area serving the current Rose Line building and Tombola's new HQ. The proposal would provide sufficient semi private space to host both business and community related events.

Shared social accommodation on the ground floor of the new development encourages movement and connections across the site, promoting the campus concept. A large café will front the River Wear, activating the northern edge and maximising views to the port. The main entrance to the proposed office would be just off Low Street within the landscaped campus. The proposal would also incorporate enhancement to the river frontage, with a ramped connection onto the Riverside Walk adjacent to the River Wear.

Application Site

The application site is situated in Wylam Wharf on Low Street which is located approximately half a mile north east of Sunderland City Centre, on the banks of the River Wear.

The application site is located in a prominent and sensitive location on the waterfront in the Old Sunderland Riverside Conservation Area. It has a number of listed buildings in the vicinity, those of landmark qualities include the adjacent Rose Line building and the Exchange Building on a higher level, on High Street.

The Rose Line building, (the current UK office for Tombola Ltd) is bound to the north by the River Wear, to the east by a surface car park and Quayside House, to the south by Low Street, and to the west by car parking and a vacant site, and University of Sunderland halls of residence further west.

The site, also known as Scotia Quay, which is approximately 2,685sqm is bound to the north and east by the River Wear and the Grade II listed Rose Line building respectively.

The cobbled road of Low Street lies to the south, lined with a bonded warehouse and a sparsely used private car park. The aspect is poor to the west whereby a 3m high boundary wall screens student accommodation serving Sunderland University.

The site, which lies in a conservation area, is undeveloped and has remained so for over twenty years, until recently vegetation dominated its once hardscaped appearance having previously been used as a service yard serving several warehouses lining Low Street. Prior to which it was a ship building yard during the height of the industry along the River Wear.

The planning application is also supported by the following documents which are referred to where necessary throughout this statement:

- Application forms and completed certificate of ownership
- Design and Access Statement
- Heritage Statement
- Transport Assessment
- Ecology Report (Phase 1 habitat survey and arboriculture)
- Planning Statement
- Landscape Strategy
- Sustainability Statement
- Site Investigation Report
- Flood Risk and Drainage Assessment
- Framework Travel Plan

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Business Investment
Port Manager
English Heritage
Nexus
Fire Prevention Officer
NE Ambulance Service NHS Trust
Northumbrian Water
Southern Area Command - Police
Environment Agency
Marine Management Organisation
Hendon - Ward Councillor Consultation
Network Management
Environmental Health
Tyne And Wear Archaeology Officer
Flood And Coastal Group Engineer

Final Date for Receipt of Representations: **07.08.2016**

REPRESENTATIONS:

Neighbour Representation

No representations have been received to the proposal following publicity of the application.

Consultee Responses

Environmental Health - No objections to the principle of development. However, if members are minded to grant consent conditions should be imposed in respect of Gas Risk Assessment, Foundation Options Risk Assessment, Land Contamination and Japanese Knotweed. It is also recommend that the Environment Agency should be consulted in respect of the Land Contamination.

County Archaeologist

The site lies within the medieval settlement (borough) of Sunderland.

It was the site of Ambrose Crowley's iron works in 1682, Reay's block-makers yard in circa 1790, Potts Shipbuilding Yard from the mid-19th century until 1917, and then Scotia Engine Works.

An archaeological desk based assessment was produced in 1993. A further assessment was produced in 2008.

An archaeological evaluation trench was excavated on the site in 1994. A series of structures dating from the 17th to 19th centuries were recorded, built into ballast that had been used to reclaim land from the river. The sand and gravel ballast was 3m deep. At the north end of the trench were the fragmentary remains of a stone wall running parallel with the river. The base of the wall sat below river level so it could have been an early quayside wall.

I therefore asked for two additional trenches to be excavated in advance of the submission of a planning application.

I have read the submitted archaeological evaluation report.

Two archaeological trenches were excavated. Both trenches recorded a considerable depth of overburden which comprised industrial rubble mixed with riverine silts.

Sand was found in trench 2 on the east part of the site. This appears to be a natural former shoreline.

The only finds were some shards of late 17th or 18th century pottery.

The substantial concrete foundations of the early 20th century Scotia Works have caused significant disturbance to the original ground profile and to archaeological deposits.

The archaeology report concludes that the east part of the site retains a moderate level of archaeological potential since archaeological remains were found here in 1994.

The central and east parts of the site closest to the riverside have some potential because an east-west wall was found here in 1994.

Network Management

Both a Transport Statement and Framework Travel Plan have been submitted in support of this application.

Access and Parking

Initial queries were raised in relation to the availability of parking provision for the proposed three storey office accommodation with ancillary café and gym for staff use. This proposal includes for the relocation of some staff from the local area with a number already employed within the adjacent premises so no significant intensification in traffic is anticipated. Existing parking provision in Wylam Wharf is to be retained.

There are no parking restrictions currently in force on Low Street.

The applicant is to provide six dedicated parking spaces on site for visitors with a minimum one for required disabled parking provision. Off-street parking is available along Panns Bank and also in nearby City Centre car parks. City Centre Parking permits are available and further information can be obtained by contacting the Parking Services team.

In addition to this the applicant has entered into an agreement with The Quayside Exchange to access and use the car park adjacent the proposed development on weekdays (6am to 6pm). The parking is to be available for use by staff and the need for parking monitored through the Travel Plan.

Public Transport

The site is located within close proximity to the City Centre with alternative public transport options available. This is to be supported through a Travel Plan with measurable objectives and targets.

Nexus have been consulted and have offered no comments.

Framework Travel Plan

Cycle parking is proposed within the site along with improvements to the public realm for pedestrians. The applicant offers sustainable travel incentives such as Cycle to work and Metro passes to staff. This is supported and can be monitored through a suitably worded Travel Planning condition.

Servicing and Deliveries

Refuse collection is proposed take place from Low Street with bins located in an external store next to the west elevation of the building.

Deliveries are proposed take place via a dedicated and secure area located off public highway. Numbers of deliveries are likely to be low and made by standard goods vehicles which can be accommodated within the site boundary.

Section 278 Agreement

A new vehicle access is proposed which will require alterations to public highway including the reinstatement of an existing access. The applicant will need to enter into an agreement with the Council to undertake the highway works with all costs met by the applicant.

Highway Materials

Low Street lies within a conservation area. Highway materials to be used for the new access and footway reinstatement will need to match existing and be agreed with the Council.

Construction Traffic

A suitably worded condition is recommended to control construction traffic and contractor parking through a Construction Management Plan / Scheme of Work.

Summary

Based on the above confirmation of parking provision and availability of sustainable transport options, there are no objections to the proposal on highway grounds. Two conditions are recommended to cover a Travel Plan and a Scheme of Work.

Nexus - No comment on the submitted scheme

Planning Implementation and Urban Design - No objections in principle to the development, subject to conditions in respect of materials and landscaping details should members be minded to grant consent.

Tyne and Wear Fire Authority - No objections to the proposal.

Historic England - No objections to the principle of development and supports the application on heritage grounds.

Northumbrian Water - No objections to the principle of development subject to a condition being imposed in respect of surface water drainage of members are minded to grant consent.

POLICIES:

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

R_1_Working towards environmentally sustainable development

EC_5_Sites for mixed uses

EN_5_Protecting sensitive areas from new noise/vibration generating developments

CN_18_Promotion of nature conservation (general)

B_6_Measures to preserve and enhance conservation areas

B_2_Scale, massing layout and setting of new developments

B_4_Development within conservation areas

B_10_Development affecting the setting of listed buildings

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

T_22_Parking standards in new developments

COMMENTS:

1 The Principle of Development

2 Scale, Massing and Layout

3 Flood Risk and Drainage

4 Ecology

5 Highways

6 Land Contamination and Ground works

Summary of the Application Site

The application site is located in a prominent and sensitive location on the waterfront in the Old Sunderland Riverside Conservation Area. It has a number of listed buildings in the vicinity, those of landmark qualities include the adjacent Rose Line building and the Exchange Building on a higher level, on High Street.

The Rose Line building, (the current UK office for Tombola Ltd) is bound to the north by the River Wear, to the east by a surface car park and Quayside House, to the south by Low Street, and to the west by car parking and a vacant site, and University of Sunderland halls of residence further west.

The site, also known as Scotia Quay, which is approximately 2,685sqm is bound to the north and east by the River Wear and the Grade II listed Rose Line building respectively.

The cobbled road of Low Street lies to the south, lined with a bonded warehouse and a sparsely used private car park. The aspect is poor to the west whereby a 3m high boundary wall screens student accommodation serving Sunderland University.

The site, which lies in a conservation area, is undeveloped and has remained so for over twenty years, until recently vegetation dominated its once hardscaped appearance having previously been used as a service yard serving several warehouses lining Low Street. Prior to which it was a ship building yard during the height of the industry along the River Wear.

1 The Principle of Development

The proposal relates to the provision of a new HQ building for Tombola Ltd on land on the north side of Low Street, St Peters Riverside, Sunderland on a site which is currently vacant. Proposed is the erection of a new three storey office accommodation and associated landscaping with ancillary café and gym for employee use only.

The new headquarter building for Tombola Ltd would form a riverfront campus by integrating their current base, the Rose Line building. The new build will provide a contrasting and much needed change to their current working environment, akin to the open plan, flexible and socially enriching environments offered by large IT firms across the UK, most notably Facebook and Google. Tombola acknowledges the need to take inspiration from innovative office design to attract and retain staff within the northeast, particularly Sunderland.

The development would have floor to floor heights that comply with modern office standards. The building would be three storeys to maintain a massing sensitive of the current adjacent buildings and historic warehouses that have since been demolished within its context.

The application proposes a rectangular footprint positioned close to the western boundary to provide a central external landscaped area serving the current Rose Line building and Tombola's new HQ. The proposal would provide sufficient semi private space to host both business and community related events.

Shared social accommodation on the ground floor of the new development encourages movement and connections across the site, promoting the campus concept. A large café will front the River Wear, activating the northern edge and maximising views to the port. The main entrance to the proposed office would be just off Low Street within the landscaped campus. The proposal would also incorporate enhancement to the river frontage, with a ramped connection onto the Riverside Walk adjacent to the River Wear.

Planning Policy Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. As the determination of this planning application is a determination to be made under the Planning Acts the starting point must be the Development Plan and then other material considerations must be considered.

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was formally adopted on 27 March 2012 and replaces the now old PPGs and PPSs.

The NPPF sets out the government's economic, environmental and social planning policies for England. Taken together, these policies articulate the government's vision of achieving sustainable development and for facilitating economic growth, which should be interpreted and applied locally to meet local aspirations.

The NPPF is a material consideration in the determination of planning applications and advises that development that accords with an up-to date Local Plan should be approved, alternatively development that conflicts should be refused unless other material considerations indicate otherwise.

Section 2: Ensuring the vitality of town centres of the NPPF recognises town centres as the heart of their communities and aims to support their viability and vitality

The following NPPF guidance is relevant to this application:
Paragraph 131, 137 and 118

Paragraph 131

In determining planning applications, local planning authorities should take account of:

- o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- o the desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 137

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 118 states

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles (set out within this paragraph of the NPPF).

Planning Policy

The current plan is the Unitary Development Plan (UDP) which was adopted in 1998. The council is now bringing forward a new Local Plan that will guide development over the next 20 years, the

Core Strategy and this will ultimately replace the UDP. The Core Strategy is not currently saved by the city council and therefore draft policies currently carry limited weight.

The Unitary Development Plan currently has the site allocated as existing employment and mixed use sites, The Rose Line building is within a site for mixed use, and is also within a flood risk area. It is within the Old Sunderland Riverside conservation area, and a multi user route runs along its northern boundary, adjacent to the River Wear.

The application site is a brownfield site currently fenced and vacant.

The area was considered for World Heritage site designation in association with the Wearmouth Jarrow cWHS, the designation was not awarded.

The following Unitary Development Plan and Alteration Number 2 policies are relevant

- B2 Scale, massing, layout and setting of new developments
- B4 Development within conservation areas
- B6 Measures to preserve and enhance conservation areas
- B10 Development affecting the setting of listed buildings
- B11 Measures to protect the archaeological heritage of Sunderland (general)
- T14 Accessibility of new developments, need to avoid congestion and safety problems
- T22 Parking standards in new developments
- EN14 Development on unstable or contaminated land or land at risk from landfill/mine gas
- CN18 Promotion of nature conservation (general)
- EC5 Mixed Use Sites (mixed use sites)
- R1 Sustainable Development

Also of importance are two Supplementary Planning Documents (SPDs): The Wearmouth Masterplan and Design Code (2012), and the St Peter's Riverside and Bonnersfield Planning Framework (2010) which refers specifically to Wylam Wharf and sets the context and principles for the area.

Character Appraisals and Management Strategies (CAMS) have also been adopted as formal Planning Guidance for 12 of the city's 14 Conservation Areas. These documents are material considerations in the decision-making process. A draft CAMS has been prepared to cover the remaining two conservation areas - Old Sunderland and Old Sunderland Riverside.

The remaining warehouse at Wylam Wharf has been a Grade II Listed Building since 1978. The four storey building dates from the 18th century and is constructed of rubble stones, brick and Welsh slate is one of the only two warehouses that remain in this former densely occupied commercial quayside area.

The application site is identified in the Wearmouth Masterplan and Design Code SPD as a key development site for commercial led mixed-use development.

Conclusion on the Principle of Development

In considering the application and its acceptability for planning permission consideration should be given to establishing the principle of development. Section 38 (6) of the Planning and Compulsory Purchase Act (2004). This requires that the adopted plan be regarded as the primary consideration in determining a proposal unless material considerations indicate otherwise.

The NPPF is a material consideration in the determination of planning applications. It advises that development which accords with an up to date local plan should be approved. Given that the

application site lies within Sunderland City Centre, it is within the area to which the Unitary Development Plan (UDP) Alteration No.2 (Central Sunderland) is applicable. Therein, policy EC10A states that the City Council will support the regeneration of central Sunderland and will seek to maximise investment in other sectors including employment. Policy SA.5 is derived from the Citywide Policy EC5 which states that offices are considered acceptable (mixed use development).

Taking into account the UDP, Alteration Number 2 along with the National Planning Policy Framework, the proposed development is considered to comply with the both National and Local Planning Policy and is supporting the continued regeneration of Sunderland. Therefore, to conclude the principle of development on this site is considered acceptable.

2 Scale, Massing and Layout of the Development with the Conservation Area and impact on surrounding Listed Buildings.

The proposal provides the opportunity to optimise the potential of the site to accommodate development, whilst responding to local character and history and creating a safe and accessible environment and ultimately providing a visually attractive development.

The NPPF attaches great importance to the design of the built environment, with emphasis placed upon ensuring that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, whilst responding to local character and history and creating safe and accessible environments and ultimately providing visually attractive developments.

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

Policy B8 seeks to ensure listed buildings are retained unless the benefits for the community would decisively outweigh the loss resulting from demolition, whilst policy B10 aims to ensure that development proposals in the vicinity of listed buildings do not adversely affect their character or setting.

The proposed office building as set out earlier would be located adjacent to a listed building, Rose Line building.

The three storey scale of the proposed office building has been designed to respect the Grade II listed building and other heritage assets in the vicinity.

The architectural language and materiality expresses various sentiments that reference the areas industrial heritage. The proposed materials palette would be simple to minimise interfaces, maximise buildability and create a striking building to an architecturally high standard. A high spec linear format brick allows a return to handmade craftsmanship with a huge mix reflective of the colour palette derived from the 1960s. Further details are set out in the accompanying Design and Access Statement.

The fenestration to the north and south has been designed to complement the vertical order identified from the surrounding historic buildings. The proposed fully glazed east elevation provides strong visual connections to and from the external environment, Rose Line building as well as from various key approaches.

The visual impact of the proposal has been carefully considered from down the River Wear, and upon approach from Low Street, which reflects the full west elevation of the Rose Line building.

The proposed building will maximise north light and views of the surrounding context.

The application site has a city centre location, adjacent to a listed building and within the Old Sunderland Riverside Conservation Area, the quality and visual appearance of the material proposed have been given careful consideration and as such complies with Policy B2A of the adopted Unitary Development Plan.

The accompanying Design and Access Statement and the supporting Heritage Statement have carefully assessed the impact of the office development building on the setting of the listed building and the Old Sunderland Riverside Conservation Area in terms of form, height, massing and contemporary design approach.

It is considered that the contemporary design approach, detailing and proposed palette of materials all respond sensitively to the character and architectural qualities of the listed building and Old Sunderland Riverside Conservation Area and as such complies with both National and Local Planning Policies.

The design and layout of the proposal have been subject to pre-application discussion with relevant council officers, in particular planning officers through which the general principles and much of the detail of the proposal were established and agreed in principle. The contemporary design of the proposed building with its waterfront setting provides an excellent design solution within the historic setting

Conclusion on Scale, Layout and Massing

Design Quality

The prominence and sensitivity of the site demands a high quality design solution for any development of it, and provides a real opportunity to provide a well-crafted contemporary building that compliments its historic setting but also makes a striking design statement in its own right on the waterfront.

It is considered that the proposed design has achieved this. The proposed building presents a vision of a contemporary interpretation of an historic warehouse, the design clearly influenced by the industrial heritage of the area but in a vibrant, airy, well-articulated and innovative manner. The proposed design is considered acceptable in principle and as such complies with policy B2A of adopted Unitary Development Plan and complies with the NPPF in achieving high design standards.

Heights & Massing

The massing and scale of the building, whilst extensive, sits well within its historic surroundings, its eaves and ridge height generally reflecting those of buildings in the vicinity. Whilst it is quite a bulky building, the use of extensive unbroken glazing floor to ridge height to the east elevation and along the ground floor north elevation, along with the large format windows and rooflights (albeit still reflecting traditional proportions and arrangements), reduces its overall massing and gives it a quite lightweight character and appearance. Historically there is also precedent for a building of a large footprint, the Scotia Engines works occupying part of the site during the area's shipbuilding heyday.

The proposed height and massing is considered acceptable in principle and as such complies with policy B2A of adopted Unitary Development Plan and complies with the NPPF in achieving high design standards

Connections

Connectivity between the two offices is provided in a discreet manner through the landscaping arrangement. It is noted however that a separate application for Listed Building Consent will be required to form a new opening in the west elevation of the Roseline Building to facilitate this. Careful consideration needs to be given to the siting and detail of this opening having regard to the existing pattern and proportions of fenestration of the listed building, to ensure its special interest, character and high aesthetic value is not compromised.

The Local Planning Authority welcomes the connectivity to the wider area and the access arrival points from Low Street and Quayside walk are considered appropriate. The development should open up access to the river and take advantage of the fine views that the location offers as well as drawing views towards the landmarks of the Wearmouth Bridge and St Peters Church. Access to the digital model is required to ensure the proposals are taking full advantage of these opportunities.

The site subject to this application has long been recognised as a potential development plot but is in a very prominent and sensitive location, directly on the waterfront in the Old Sunderland Riverside Conservation Area. It is largely surrounded by listed buildings, including those of landmark qualities such as the adjacent Roseline Warehouse and the Exchange Building perched above on the High Street.

The proposed scheme will introduce a high quality and visually striking contemporary building onto the waterfront, respecting and enhancing the conservation area and setting of surrounding listed buildings and making a key contribution to the regeneration and vibrancy of the area. The proposal accords with Policies B4, B6 and B10 of the UDP, and supports the requirements of NPPF paragraphs 131 and 137 for new development to make a positive contribution to local character and distinctiveness and to enhance the significance and settings of conservation areas and listed buildings. It is recommended that if members are minded to grant consent conditions in respect of material and landscaping are imposed to ensure a satisfactory form of development is achieved.

3 Flood Risk and Drainage

Flood Risk

A proportion of the mixed use development area along the bank of the River Wear has been identified as being at risk of flooding (flood zones 2 and 3). New development should be steered away from flood zones 2 and 3 by applying the sequential test principles, both in a strategic and local context to ensure development is located in the most appropriate locations in accordance with PPS25.

The application is supported by a Flood Risk and Drainage Assessment. The proposed layout drawing is contained in Appendix 1.3 and the Design and Access statement is included in the planning submission, which gives context to the positioning of the building in relation to massing, access, links, form, function and the exact type of facilities to be provided and why they are required.

The new facilities will include an office type building with multiple stories. The ground floor will be used for storage, changing, WC's and an on-site canteen type facility. No basements are proposed and no habitable, living space is proposed. The lifetime of the development due to its use is expected to be 60 years. The finished floor of the building will be set at an agreed level based on the surrounding finished ground levels, with a 150mm allowance to protect the building from overland flood risk.

In accordance with Table 3 in Section 1 of the submitted report it classifies, this type of development is classed as 'Less Vulnerable'.

In accordance with Table 4 in Section 1, within Flood Zone 1, 2 and 3, 'Less Vulnerable' development is appropriate in planning terms, and the Exception Test is not required.

In accordance with NPPF and as described in Table 5 in Section 1 of the submitted report, the impact of climate change should be included in the analysis. Due to the development lifetime being 60 years, a 20% increase to rainfall intensity due to climate change will be included for in the in the 1 in 100 year analysis.

In accordance with NPPF and the recommendations of the Environment Agency the drainage assessment of a FRDA should demonstrate that it should be possible to discharge foul and surface water from proposed development safely.

No specific design details will be provided at this stage, only an assessment based on a desk top study using the existing information; this is with the anticipation that planning permission is granted with suitably worded Conditions in relation to foul and surface water, which can be discharged at the appropriate time.

This assessment considers the following:

- o Existing site layout, 'Rights to Discharge' and consents
- o Proposed site layout and discharge arrangements
- o Climate change
- o Any mitigation needed

Proposed Surface Water Drainage

The development will be served by private separate surface water sewers that will be designed and constructed in accordance with the Building Regulations Part H.

Detailed design of the surface water sewers is being undertaken. At this stage therefore only an estimate on the discharge flow rate and any flood risk mitigation is possible.

The proposed surface water runoff rate can be estimated by using BS EN 752 Part 4: 1998 '11.3.2 Methods of Calculating Runoff from Small Development Schemes', which is an applicable method for sites up to 200ha in area.

Drainage Assessment

Using this method of analysis the peak 1 in 30 year runoff rate from the site, if it was all impermeable, could be up to 30l/s. The peak 1 in 100 year runoff rate from the site could be up to 44l/s. With the inclusion of climate change of 20% this could be in the order of 53l/s.

Due the site being adjacent to the tidally influenced River Wear, a free discharge of surface water into the River would be reasonable. A 225mm diameter pipe would be sufficient to manage the anticipated flow rates from the entire red-line boundary.

Pollution and Sustainable Drainage

As outlined previously, development is directed towards the use of sustainable drainage wherever possible to limit the impact of surface water discharges from a quantity and quality point of view. At this stage Table 7 shows the types of SuDS that will, may or may not be used within the site and the reasons for inclusion, exclusion or uncertainty. The site is small, and carries low risk of pollution. Due to space, proximity to the River Wear and practicality constraints the use of SuDS is limited.

Indicative SuDS List

1. SuDS
2. Implemented Reason
3. Water Butts Perhaps To act as source control and local water storage for small
4. scale on site use Green Roof Perhaps The use of a sedum roof is subject to further assessment Rainwater harvesting Perhaps To be agreed, but encouraged for use in irrigation, Oil / petrol interceptors Perhaps Subject to risk assessment, but for new high risk areas, if applicable
5. Trapped gullies Yes Efficient sediment collection and pollution control
6. Silt traps Perhaps Subject to detailed design
7. Filter Strips Perhaps Subject to detailed design
8. Filter Trenches Perhaps Filter drains could provide water quality and conveyance
9. benefits.
10. Swales Perhaps Subject to detailed design
11. Permeable Pavement Perhaps Subject to detailed design

In relation to Operation and Maintenance (O&M), the proposed drainage systems will be managed by the Developer, which will meet the requirements of the design standards.

In accordance with the NPPF flood risk must be assessed for all sources of flooding. The development of any site must also be carried out in such a way as to mitigate any potential flood risk, both on and off site. This section identifies the foreseeable sources of flooding and assesses the flood risk associated with each one.

Tidal and Fluvial Flooding

The site is adjacent to the tidally influenced River Wear. The site lies in Flood Zone 1, but is very close to Flood Zone 2 and 3. As shown in Section 3, the predicted river level, with the inclusion of climate change up to 2100 (past the lifetime of the development), for the 1 in 100 year event is 4.59mAOD. When taking the lifetime of the development into account of 60years, and therefore a climate change impact of 435mm rather than 925mm, the proposed flood level would be approximately 4.1mAOD.

The ground level on the quay wall next to the site varies from 4.6 to 5.3mAOD, and the site ground level where the building is planned is around 5.0mAOD.

The risk to the development from fluvial flooding is considered to be low and acceptable.

Pluvial Flooding

The evidence to date is that the existing informal drainage within the site is adequate, as no flooding has occurred from direct rainfall on the site.

Pluvial flooding will be managed on site by the construction of new, separate surface water sewers that will intercept/ direct rainfall, and the building's finished floor level will be set 150mm above the finished surrounding ground levels, thus affording protection from overland flows in the event of excess flows that make their way to the site from off site.

The risk to the development from pluvial flooding is considered to be low and acceptable.

Groundwater Flooding

There are no proposals to create basements and existing ground levels will be retained. There are no known artesian groundwater issues, and although groundwater could be relatively close to the surface due to the proximity of the River Wear, the river levels are lower than the site.

During the construction of the building foundations and sewerage systems, measures may have to be taken by the contractor to protect the works from groundwater ingress depending on the level of the groundwater at the time of the works. This is a usual and acceptable risk in civil engineering. The risk from groundwater flooding is therefore considered to be low and acceptable.

Flooding from Sewers and Water Mains

There are no known large diameter or high pressure public sewers or water mains that cross the development.

There are no known records of the site being affected by sewer or water main flooding. The risk of flooding from sewers and water mains is therefore considered to be low on site.

Flooding from Artificial Sources

There are no known reservoirs, canals or raised bodies of water within the site, or in the immediate vicinity of the site. The risk of flooding from artificial sources is therefore considered to be low and acceptable.

Flood Risk Assessment

Flood Risk from Proposed Sewers

Based on the information in Section 5 the foul and surface water sewers will be designed and constructed to meet the requirements of the Building Regulations Part H. Surface water will discharge freely into the River Wear and the pipe system sized to manage flows up to the 1 in 100 year, plus 20% allowance for the impact of climate change.

On this basis the flood risk associated with the construction of new sewers is considered to be low and acceptable.

Mitigation

As the development proposals are located in Flood Zone 1, the overall risk of flooding is low. However, flood risk mitigation will be built in to the development, such as raising the finished floor level 150mm above surrounding ground and sizing the surface water pipes to accommodate the 1 in 100 year, plus climate change, event.

In the unlikely chance that flooding does occur the building offers places of refuge at first floor level and should the occupier chose, they can subscribe to the Flood Warning system.

Conclusion on Flood Risk and Drainage

It is considered that on the above basis the proposed development is acceptable in terms of flood risk and is in accordance with the requirements of Policy EN12 of the adopted UDP. If members are minded to grant consent it is recommended that conditions be imposed in respect of surface water drainage, full drainage details and construct the development in accordance with the FRA and Drainage Report dated January 2016.

4 Ecology

The location and nature of the development in this instance does not require a Habitats Regulations Assessment, however this does not preclude an assessment of the development's impact upon protected and priority species especially due to its location close to the River which is identified as an important wildlife corridor within the City. An Extended Phase 1 Habitat Survey has been submitted with the application. The report concludes

The report has considered the potential impact upon the River Wear. The River Wear is adjacent the Northern boundary of the proposed development. The habitat has been identified in the UDP as a potential wildlife corridor. Based on the habitats present and the biological records, there is a potential for the river to be used as commuting corridor for Otters, Birds and Bats. Adjacent the Northern Boundary of the site is a public footpath along the river, then a sheer drop to the water surface. Due to this, as well as lack of habitats present on the site to support protected or notable species, it is unlikely that protected or notable species will use the river to access the site.

However, due to the proximity of the development to the river they may be indirect impacts on the behaviours of Otters, Birds and Bats using the river as a commuting corridor to and from suitable habitats. Impacts during the construction phase can be reduced to acceptable levels by adopting good standards of pollution prevention.

Once the development is complete, light pollution is the only impact likely to be significant. This can be reduced to an acceptable level by adopting a suitable lighting scheme. If members are minded to grant consent, it is recommended that a condition should be imposed in respect of any light to be erected on the building.

Ecological Value

No EBP species were recorded during the Phase 1 Habitat Survey. Site habitats are species low in the wider ecological landscape. The site being affected by the development therefore is considered low in its potential to support protected, EBP, Local BAP and red data species and sensitive development may improve the site from this perspective.

Impact Assessment

The proposed development will have a minor magnitude of impact upon the site and its ecological features.

Therefore a minor impact upon a site of negligible value constitutes an ecological impact neutral/slight magnitude.

Considering the size of the site and the nature of the habitats involved the proposed development is considered to pose a neutral on local biodiversity.

Conclusion on Ecology

The proposed development is considered acceptable in principle and is considered to have a neutral impact on the local biodiversity. The proposed development is considered to comply with both national and local planning policy. If members are minded to grant consent it is recommended that conditions be imposed to ensure the development is carried out in accordance with recommendation in ecology report and condition in respect of any lighting proposed on the new development.

5 Highways

Both a Transport Statement and Framework Travel Plan have been submitted in support of this application.

Access and Parking, initial queries were raised in relation to the availability of parking provision for the proposed three storey office accommodation with ancillary café and gym for staff use. This proposal includes for the relocation of some staff from the local area with a number already employed within the adjacent premises so no significant intensification in traffic is anticipated. Existing parking provision in Wylam Wharf is to be retained.

There are no parking restrictions currently in force on Low Street.

The applicant is to provide six dedicated parking spaces on site for visitors with a minimum one for required disabled parking provision. Off-street parking is available along Panns Bank and also in nearby City Centre car parks. City Centre Parking permits are available and further information can be obtained by contacting the Parking Services team.

In addition to this the applicant has entered into an agreement with The Quayside Exchange to access and use the car park adjacent the proposed development on weekdays (6am to 6pm). The parking is to be available for use by staff and the need for parking monitored through the Travel Plan.

Public Transport

The site is located within close proximity to the City Centre with alternative public transport options available. This is to be supported through a Travel Plan with measurable objectives and targets. Nexus have been consulted and have offered no comments.

Framework Travel Plan

Cycle parking is proposed within the site along with improvements to the public realm for pedestrians. The applicant offers sustainable travel incentives such as Cycle to work and Metro passes to staff. This is supported and can be monitored through a suitably worded Travel Planning condition.

Servicing and Deliveries

Refuse collection is proposed take place from Low Street with bins located in an external store next to the west elevation of the building. Deliveries are proposed take place via a dedicated and secure area located off public highway. Numbers of deliveries are likely to be low and made by standard goods vehicles which can be accommodated within the site boundary.

Section 278 Agreement

A new vehicle access is proposed which will require alterations to public highway including the reinstatement of an existing access. The applicant will need to enter into an agreement with the Council to undertake the highway works with all costs met by the applicant.

Highway Materials

Low Street lies within a conservation area. Highway materials to be used for the new access and footway reinstatement will need to match existing and be agreed with the Council.

Construction Traffic

A suitably worded condition is recommended to control construction traffic and contractor parking through a Construction Management Plan / Scheme of Work.

Conclusion on Highway Issues

Based on the above confirmation of parking provision and availability of sustainable transport options, there are no objections to the proposal on highway grounds and as such the proposed development is considered to comply with Policy T14 and T22 of the adopted Unitary Development Plan, Alteration number 2 and National Planning Policy Framework. If members are minded to grant consent it is recommended that, two conditions are imposed to cover a Travel Plan and a Scheme of Work

6 The impact of the development in respect of ground conditions

Policy EN14 is relevant to the consideration of this planning application.
Policy EN14 of the adopted UDP states that:

Where development is proposed on land which there is a reason to believe is either:

- o Unstable or potentially unstable;
- o Contaminated or potentially at risk from migrating contamination;
- o Potentially at risk from migrating landfill gas or mine gas;

The Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site, where the degree of instability,

contamination, or gas migration would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

This planning application is accompanied by a preliminary Geotechnical and Ground Contamination Desk Top Review.

Preliminary Risk Assessment Summary:-

When taking into consideration the history of the site, there could be a potential risk to human health from the presence of deep areas made ground on site although likely to be low risk due to the nature of the proposed end use (commercial offices). These issues should be investigated in more detail in order to determine the risks to human health more accurately, and these risks can be reassessed after the completion of any fieldworks.

Hazardous Ground Gases:-

In accordance with CIRIA 665 this development should be considered as low sensitivity, although it is felt the risk from deep areas of made ground associated with the historical activities are deemed to be low / moderate. Ground gas monitoring standpipes should to be installed on site and monitored frequently for the presence of hazardous ground gases (Methane and Carbon Dioxide) in accordance with CIRIA C665.

Controlled Waters:-

Following an assessment of the hydrological and hydrogeological conditions, the site is recorded to be underlain by a Principal Aquifer, although the adjacent River Wear is more likely to be at potential risk than the Principal Aquifer within the limestone. Based on the information reviewed it is felt that the site represents a potential low / moderate risk to Controlled Waters.

Recommendations for Phase 2 Intrusive Investigation Works

Taking into account the above, it is recommended that a Phase 2: Ground Investigation (intrusive investigation) is completed for this site to determine if any ground contamination is present on the site which could pose a risk towards the proposed end users and / or the environment. This investigation should be completed prior to commencing with any future development works and should include for the following or similar investigation work;

- o A series of windowless sampling boreholes, cable percussive boreholes and mechanically excavated trial pits, including inset geotechnical testing (SPT's, shear strength testing, etc.) and sampling to help aid with future foundation design and to collect samples from shallow depth for subsequent laboratory testing.
- o Installation of combined ground gas & groundwater monitoring wells accompanied by an appropriate number of monitoring visits (in accordance with CIRIA C665), in order to determine the ground gas regime below the site.
- o Laboratory geotechnical testing (i.e. liquid and plastic limit testing, pH & soluble sulphate testing, etc.).
- o Contamination screening on selected samples recovered from the investigation positions for typical contaminants as detailed in Section 5.3 of the submitted report. The samples of soil and any potential water collected will be forwarded to UKAS and MCERTS accredited laboratory to undertake the recommended testing.
- o Site supervision and production of factual and interpretive Phase 2: Ground Investigation Report, including a ground contamination risk assessment for Human Health and Controlled Waters.

Prior to site investigation works commencing on site, all existing utilities/services should be identified and recorded, such that any potential damage to services crossing this site can be prevented, as well as ensuring the health and safety of future site workers.

Conclusion on Land contamination and ground works

No objections to the principle of development as it is considered to comply with both National and Local Planning Policy. However, if members are minded to grant consent conditions should be imposed in respect of Gas Risk Assessment, Foundation Options Risk Assessment, Land Contamination and Japanese's Knotweed.

It is also recommend that the Environment Agency should be consulted in respect of the Land Contamination, a response is currently awaited this will be reported on a supplementary report, should any additional comments be received.

Equality Act 2010 - 149 Public Sector Equality Duty

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

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

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

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

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

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

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

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

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

CONCLUSION

The proposed development is considered to bring both physical development in the area and enhancements to the Conservation Area whilst not impacting on the adjoining listed building.

The proposed development is considered acceptable in principle and complies with both National and Local Planning Policy and as such Members are recommended to approve the application subject to no additional comments being received from the Environment Agency expire of consultation 07.08.2016.

RECOMMENDATION:

Members be minded to approve the application subject to no additional comments being received from the Environment Agency expire of consultation 07.08.2016.

Conditions:

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

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

- TOM-RYD-00-00-DR-A-2001-S2-P3_Proposed-GA-Site-Plan Received 7th July 2016
- TOM-RYD-00-00-DR-A-3001-S2-P4_GA Plans - Level 00 Received 7th July 2016
- TOM-RYD-00-00-DR-A-3002-S2-P3_GA Plans - Level 01 Received 7th July 2016
- TOM-RYD-00-00-DR-A-3003-S2-P3_GA Plans - Level 02 Received 7th July 2016
- TOM-RYD-00-R2-DR-A-3004-S2-P3_GA Plans - Roof Received 7th July 2016
- TOM-RYD-00-ZZ-DR-A-3601-S2-P3_GA Elevations - North and East Received 7th July 2016
- TOM-RYD-00-ZZ-DR-A-3602-S2-P3_GA Elevations - South and West Received 7th July 2016
- TOM-RYD-00-ZZ-DR-A-3801-S2-P3_GA Sections - AA and BB Received 7th July 2016
- TOM-RYD-00-ZZ-DR-A-3802-S2-P3_GA Sections - CC and DD Received 7th July 2016
- TOM-RYD-00-ZZ-DR-A-0001-P3 -Location Plan Received 6th May 2016

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

3 Notwithstanding any indication of materials which may have been given in the application, 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.

4 External Noise

No noise emitting fans, louvers, ducts or other external plant and machinery associated with the uses shall be installed until a noise assessment and scheme to reduce noise vibration has been submitted and approved by the Council. The approved scheme shall be completed prior to first occupation of the buildings and shall thereafter be retained.

Internal noise (B1 office use)

Prior to the commencement of any B1 office development, a scheme for the protection of the proposed office accommodation from external noise shall be submitted to and approved by the Council and this shall achieve internal noise levels less than 40dB9(A) LAeq. Any works forming part of this scheme shall be carried out in accordance with the approved scheme and prior to any part of the office development being occupied.

5 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 of the UDP.

6 Archaeological Watching Brief Condition

No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing.

Reason: The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, and, if necessary, emergency salvage undertaken in accordance with paragraph 141 of the NPPF, Core Strategy Policy 7.11, Policy DM7.8, Policy DM7.11, Policy DM7.12 and saved Unitary Development Plan Policies B11, B13 and B14.

7 Archaeological Watching Brief Report Condition

The building(s) shall not be occupied/brought into use until the report of the results of observations of the groundworks pursuant to condition () has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with paragraph 141 of the NPPF, Core Strategy Policy 7.11, Policy DM7.8, Policy DM7.11, Policy DM7.12 and saved Unitary Development Plan Policies B11, B13 and B14.

8 The development hereby permitted shall not be commenced until such time as a suitable drainage scheme 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 be subsequently be agreed, in writing, by the Local Planning Authority.

Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the and to comply with policy EN5 of the adopted Unitary Development Plan.

9 The development hereby permitted shall not be commenced until such time as a suitable surface water drainage scheme has been 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 be subsequently be agreed, in writing, by the Local Planning Authority.

Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the and to comply with policy EN5 of the adopted Unitary Development Plan.

10 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number 11 to number 13 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 14 has been complied with in relation to that contamination. To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan

11 Site Characterisation

Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11.'

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to

ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan

12 Submission of Remediation Scheme

Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contaminated to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the adopted Unitary Development Plan.

13 Implementation Remediation Scheme

The remediation scheme approved under Condition number 12 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan

14 Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 11 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 12 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 13 (Implementation of Approved Remediation Scheme).

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the Unitary Development Plan.

15 Construction work or deliveries associated with the proposals shall only take place between the hours of 07:00 to 19:00 hours Monday to Friday and 07:30 to 14:00 Saturday, with no activity Sundays or Bank Holidays without any prior approval from the Local Planning Authority.

16 No development shall commence until a written detailed Gas Risk Assessment is submitted to and approved in writing by the Local Planning Authority. The Gas Risk Assessment shall then be carried out in strict accordance with the approved details in the interest of achieving a satisfactory form of development on site and to comply with the requirements of Policies B2 and EN5 of the adopted Unitary Development Plan.

17 No development shall commence until a written detailed Foundation Risk Assessment is submitted to and approved in writing by the Local Planning Authority. The Foundation Risk Assessment shall then be carried out in strict accordance with the approved details in the interest of achieving a satisfactory form of development on site and to comply with the requirements of Policies B2 and EN5 of the adopted Unitary Development Plan.

18 The biodiversity enhancement and mitigation measures set out in the Extended Phase 1 Report dated 16th February 2016 shall be fully implemented in accordance with the measures set out in that report, in the interest of biodiversity enhancement and the protection of ecological interests and to comply with the requirements of policy CN23 of the adopted Unitary Development Plan.

19 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy CN17 of the UDP.

20 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy CN17 of the UDP.

21 Then measures set out in the Travel Plan/Framework Report JMP received 6th May 2016 shall be fully implemented in accordance with the measures set out in that report, in the interest of highway safety and to comply with the requirements of policies T14 and T22 of the adopted Unitary Development Plan.

4.

South
Sunderland

Reference No.: 16/00958/LB4 Listed Building Consent (Reg 4)

Proposal: **Internal alterations comprising provision of additional door to servery area within kitchen and metal stud wall with plasterboard finish to kitchen**

Location: Barnes Infant School Mount Road Sunderland SR4 7QF

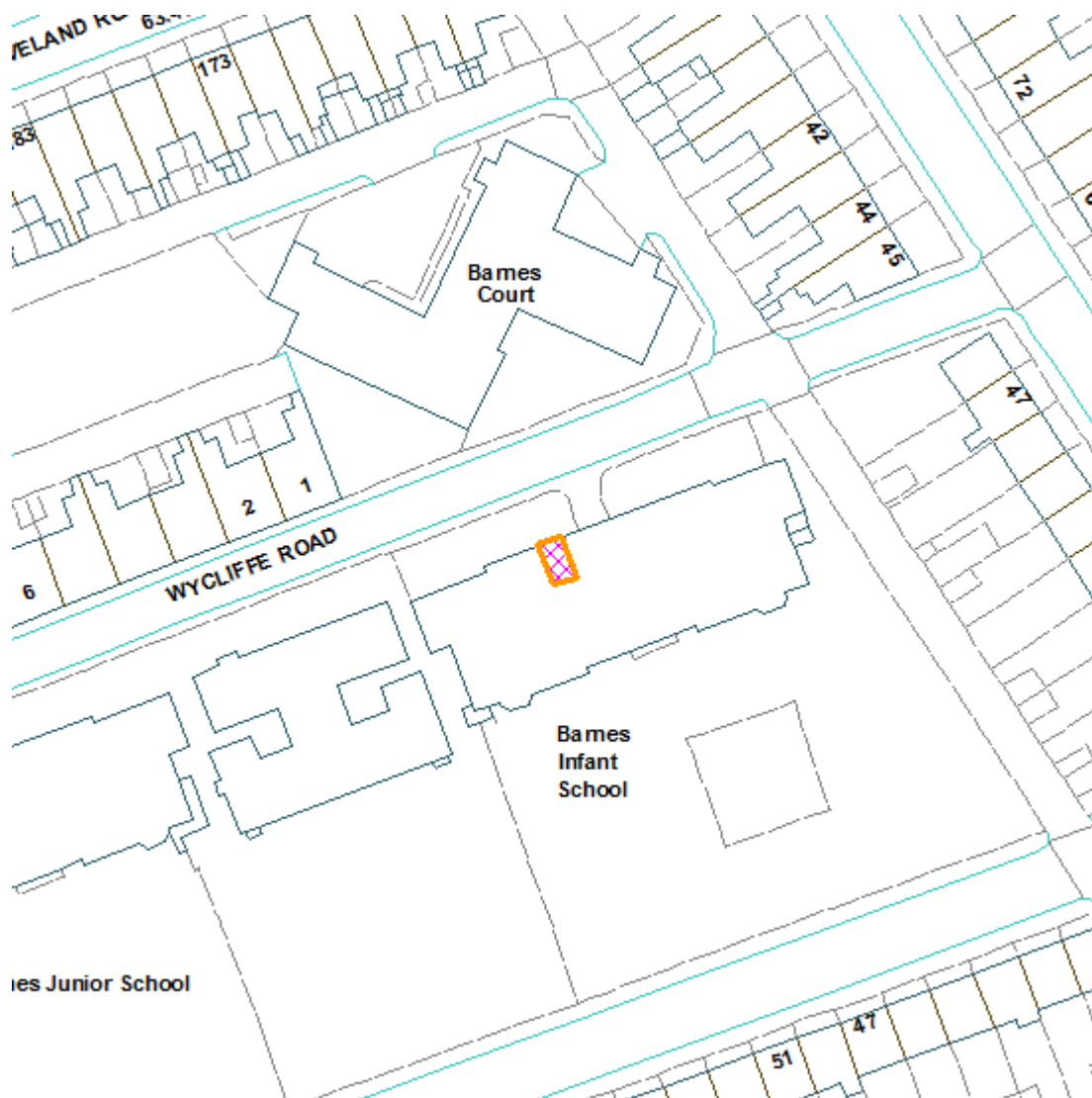
Ward: Barnes

Applicant: Barnes Infant Academy

Date Valid: 15 June 2016

Target Date: 10 August 2016

Location Plan



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PROPOSAL:

Listed building consent is sought for the creation of an additional servery ingress and egress with the introduction of a new door to match the existing within the framework of the existing partition. It is proposed to reverse the swing on the existing door to allow for more efficient movement to and from the servery counter. The existing clear glass within the existing door will be replaced with pyram fire resistant, the same glazing will also be incorporated within the proposed door. Finally, the existing partition will be backed up with a new metal stud partition finished with fire line board to provide a degree of fire resistance between the useable spaces of the kitchen and the dining hall. The existing partition will be backed up with new metal stud partition finished with fire line board to provide a degree of fire resistance between the useable spaces of the kitchen and dining hall. The partition will be taken to full height of glazed screen soffit.

The proposal relates to Barnes Infant School, a large, two-storey late-Victorian school building located in a primarily residential area of High Barnes. The infant school building is one of a pair, the other being occupied by a junior school, occupying a large, rectangular site bordered by Mount Road to the south, Wycliffe Road to the north, Colchester Terrace to the west and Ewesley Road to the east. All streets are flanked by residential dwellings on their sides facing the school, with Wycliffe Road also featuring a nursing home (Barnes Court) directly opposite the infant school building. Both school buildings are Grade-II Listed on account of their special historic and architectural quality and importance.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Barnes - Ward Councillor Consultation
Tyne And Wear Archaeology Officer

Final Date for Receipt of Representations: **28.07.2016**

REPRESENTATIONS:

County Archaeologist

No comments to make.

Built Heritage

No comments received to date.

Third Party

No third party representation has been received following the statutory consultation period.

POLICIES:

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

B_8_Demolition of listed buildings

COMMENTS:

Members should note that this report only focuses on the implications of the proposals in relation to the Grade-II Listed status and heritage significance of the school building. In this regard Local Planning Authorities are required to determine applications for Listed Building Consent with specific reference to the statutory obligation placed upon them by Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 - this sets out that LPAs must have special regard to the desirability of preserving a Listed building or its setting or any features of special architectural or historic interest which it possesses.

The National Planning Policy Framework (NPPF) then sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development, which should be viewed as a 'golden thread' running through both plan-making and decision-taking. Within the overarching role of delivering sustainable development, the planning system should be underpinned by a series of 12 core land-use planning principles. The most pertinent core principle in relation to the current application is that the planning system should seek to 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'.

Section 12 of the NPPF provides more detailed guidance in relation to conserving and enhancing the historic environment. Paragraphs 128 and 129 firstly require Local Planning Authorities to give consideration to the significance of the heritage asset affected by a development proposal. Paragraph 131 then states that in considering proposals, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities and economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 132, meanwhile, places great weight on the conservation of heritage assets; the more important the asset, the greater the weight should be.

On a local level, policy B8 of the City Council's adopted Unitary Development Plan (1998) states that there will be a presumption in favour of retaining Listed buildings.

Having regard to both National and Local Planning Policy it is acknowledged that the proposal is required in order to improve the circulation space within and around the kitchen area making it more efficient and safe for users. The works have been designed in a manner that is considered to be sympathetic to the heritage status of the listed building and as such the implications of the proposal are acceptable, in compliance with the requirements of policy B8 of the UDP and the core principles and relevant paragraphs of the NPPF as set out above.

Therefore in conclusion and in the absence of any significant adverse impacts being identified it is recommended that Members Grant Listed Building Consent under Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended), subject to the condition listed.

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY

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

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

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

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

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

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

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

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

RECOMMENDATION:

Members Grant Listed Building Consent under Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended), subject to the condition listed below:-

Conditions:

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

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

- Location Plan
- Existing Screen Plan and Elevation
- Proposed Screen Elevation
- Existing Ground Floor Plan
- Proposed Ground Floor Plan
- Proposed Screen Plan and details

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

Reference No.: 16/01210/LAP Development by City(Regulation 3)

Proposal: **Change of use from day care unit to six-bedroom short break residential unit for people with disabilities**

Location: Grindon Mews Nookside Sunderland SR4 8PQ

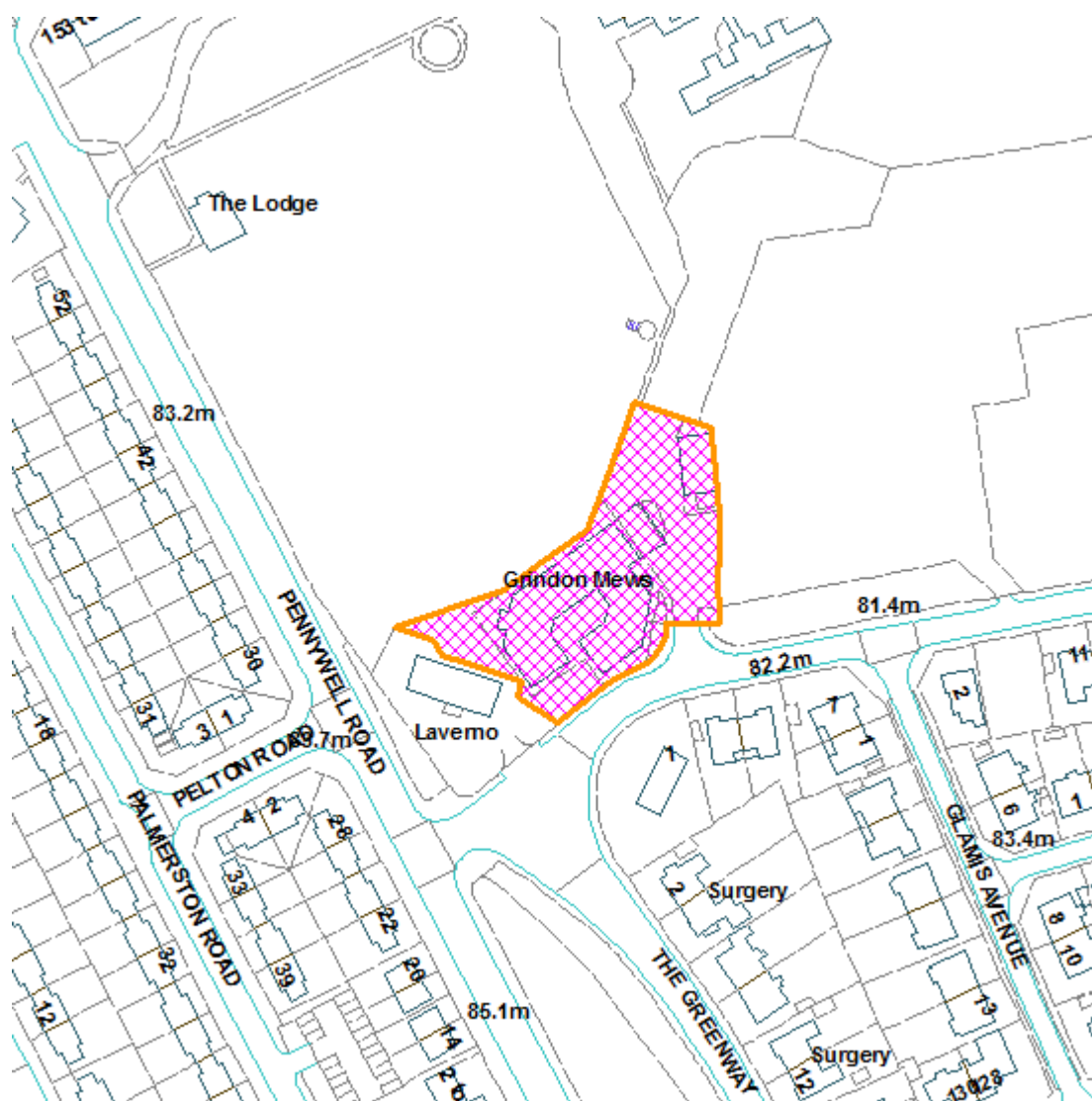
Ward: St Annes

Applicant: Sunderland Care And Support

Date Valid: 5 July 2016

Target Date: 30 August 2016

Location Plan



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PROPOSAL:

Planning permission is sought to change the use of the existing day care facility for disabled persons to a 6 bedroom short break facility for people also with disabilities. The facility would accommodate individuals either for a short weekend break, mid-week or in some cases for two weeks.

Minor internal alterations in the form of new openings are proposed to the building as part of this application.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

St Annes - Ward Councillor Consultation
Network Management
Environmental Health

Final Date for Receipt of Representations: **04.08.2016**

REPRESENTATIONS:

Neighbour Consultation

Following the statutory consultation period no third party representation has been received to date, however the final date for the receipt of representation follows the preparation of this main agenda report (4th August) and therefore should any representation be received before the Committee meeting then these will be reported to Members and any issues raised addressed.

Internal Consultations

Highways - no observations.

Environmental Health - no comments received to date.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
EN_10_Proposals for unallocated sites to be compatible with the neighbourhood
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

COMMENTS:

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

1. Principle of Development
2. Residential and Visual Amenity
3. Highways

Principle of the Development

The site in question is not allocated for any specific land use within the Council's Unitary Development Plan and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain. In this instance it is evident that the proposed use of the host building is for residential related purposes and given that Nookside has a long established social care and residential history the proposed use is considered acceptable and consistent with the aims of policy EN10.

Residential and Visual Amenity

Policy B2 seeks to ensure that the scale, massing, setting and layout of new developments respects and enhances the best qualities of nearby properties and the locality and retains acceptable levels of privacy for neighbouring properties.

Having regard to the above policy and the former use of the building which has operated in a residential capacity as a care facility for individuals with disabilities for a number years it is not considered that the proposed use (short break residential care facility for individuals with disabilities) would be markedly different in nature or resulting impacts.

The surrounding area is predominantly residential in nature with a history of care facilities in the surrounding area. No external alterations/extensions are proposed to the host building as part of this application. As such, there are no material reasons to suggest that use of the property in the manner set out above would adversely impact on the living conditions of neighbouring occupiers or impact on the visual qualities of the prevailing streetscene.

Subject to the receipt of no objections, the proposal is considered to be acceptable however should any objections be received the relevant issues will be addressed prior to the Committee meeting.

Highways

The Highway Engineers have raised no objection to the proposal utilising the existing access with suitable refuse storage, parking and manoeuvring facilities within the curtilage of the site. As such, the proposal is considered to be in accordance with Policy T14 of the UDP.

Conclusion

In summary, and subject to no objections being received, the use of the property as short break residential facility for people with disabilities is considered to adhere with the established residential land use of the surrounding area without adversely impacting on the residential amenity of nearby occupiers or affecting the wider character of the streetscene. The proposal therefore complies with the provisions of UDP policies EN10 and B2.

As such it is recommended that Members be minded to grant consent under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions listed below.

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY

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

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

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

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

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

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

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

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

RECOMMENDATION:

Members be minded to grant consent under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions listed below:-

Conditions:

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

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

- Location Plan
- Existing Layout received 5.7.16
- Existing Site Layout received 5.7.16
- Proposed Layout received 5.7.16

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