

## **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 City Development Directorate at the Customer Service Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

Peter McIntyre

Executive Director City Development

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**Reference No.:** 19/02022/FUL Full Application

**Proposal:** **Erection of boundary fence and gates (amended plans received 20/1/2020)**

**Location:** Land Adjacent St Benets Causeway Whitburn Street Sunderland

**Ward:** St Peters  
**Applicant:** Leah Properties  
**Date Valid:** 27 November 2019  
**Target Date:** 22 January 2020

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## **PROPOSAL:**

### APPLICATION SITE

The site relates to a roughly triangular area of land to the front of St Benet's RC Church and Monastery. The land is separated by an access lane known as the Causeway and formerly provided a garden area. The shrubbery, trees and planting has been removed and the land is now a bare earth cleared site.

### PROPOSAL

The proposal as originally submitted was for the erection of 1.8m high metal rod fencing with gates around the perimeter of the site to the south, but also enclosing part of the Causeway to the front of the Monastery to the north. After a request for further information about the proposal, it transpired that the positioning of the proposed boundary enclosure had been drawn in error, following the land ownership line rather than the perimeter of the garden land. Amended drawings have been submitted showing the fence to be positioned around the perimeter of the site, abutting the existing garages, with two vehicular access gates.

No change is proposed to the existing gates at the Causeway. The proposal does not involve a change of use of the land. The land was previously enclosed by fencing and hedgerow shrubbery; the proposal seeks merely to erect a new fence to secure the site.

### **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

### **CONSULTEES:**

Network Management  
St Peters - Ward Councillors Consultation

Final Date for Receipt of Representations: **05.02.2020**

### **REPRESENTATIONS:**

Five letters of objection and a petition containing 10 signatures have been received to date. The objectors' main concerns are in response to the original plans and relate to restricted access and parking along the Causeway, which the amended drawings negate. Concern is also expressed about the proposed use of the land, particularly if part of the Causeway was to be enclosed.

Neighbours have been reconsulted in response to the amended drawings. The date for the receipt of representations will expire 5 February 2020. Any representations received before the meeting will be reported.

Consultees

Council's Highways team  
No objections

## **POLICIES:**

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

T14  
T22

## **COMMENTS:**

### **ISSUES**

The main issues to consider in the determination of the planning application are:

- Design and amenity issues
- Highway considerations

Design and amenity issues

Policy B2 of the Council's adopted 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.

As mentioned above, the proposal relates only to the erection of a fence around the perimeter of the site. The proposed fence type is a simple metal rod fencing of a design that would be appropriate to this type of location. It is proposed at a standard height of 1.8m, although no proposed colour is indicated. Subject to the submission of this detail, the proposal represents a standard form of development of a scale and design that is in keeping with the character of the surrounding properties and the street scene in general.

Given the above, the proposal is unlikely to result in any serious detriment to the visual amenities of area and is in compliance with policy B2 of the UDP.

### **Highway Considerations**

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

The proposal will not alter the existing parking and access arrangements to the front of the church, and two vehicular accesses are proposed onto the site. The Network Management Team has offered no objections to the proposal.

Given the above, it is considered that the proposed development is unlikely to lead to any significant increase in on-street parking in the vicinity of the site or highway and pedestrian safety concerns, in accordance with the requirements of policies T14 and T22.

## **CONCLUSION**

As detailed above, the proposal is unlikely to result in any adverse impacts upon the visual amenities of the area or highway safety and is in accordance with policies B2, T14 and T22 of the UDP.

However, the statutory period for the receipt of representations does not expire until 5 February 2020. It is therefore recommended that Members resolve to delegate the application for determination by the Executive Director of City Development, who is minded to approve the application subject to agreement of the colour of the fence, and subject to no further representations being received. Should any representations be received which raise any issue which is material to the planning merits of the application and not addressed by this report, the application will be referred to a subsequent meeting of the Sub-Committee.

**Recommendation: Delegate to the Executive Director of City Development who is minded to approve the application on expiry of the date for the receipt of representations.**