

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 2010

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the Office of the Chief Executive in the Civic Centre or via the internet at www.sunderland.gov.uk/online-applications/

Janet Johnson
Deputy Chief Executive

Reference No.: 13/04024/FUL Full Application

Proposal: **Extensions to front, rear and sides of existing school comprising new classroom, nursery, office, administration and reception areas. Reconfiguration and extension of church car park including new tarmac hardstanding area to allow the provision of a total of 54 spaces incorporating pupil drop off area. Alterations to existing vehicular access to church car park and creation of new separate vehicular access to the presbytery from Station Road. (Amended Description)**

Location: Our Lady Queen Of Peace R C School, Church And Presbytery Station Road Penshaw Houghton-le-Spring DH4 7JZ

Ward: Shiney Row

Applicant: The Trustees Of RC Diocese Of Hexham And Newcastle

Date Valid: 13 December 2013

Target Date: 7 February 2014

PROPOSAL:

The application relates to Our Lady Queen of Peace School, Church and the Presbytery on Station Road in Penshaw.

Planning permission is sought for extensions to the front, rear and sides of the existing school comprising new classroom, nursery, office, administration and reception areas.

The extensions to the school building are in three distinct areas. The first of these is proposed a new extension to the side/rear (south-east and south-west) elevations. This would allow for the creation of a new class room for Year 3 and 4 pupils and the widening of an existing classroom used by Year 5 pupils. The extension would project 8.3 metres beyond the rear of the existing building at the point which it would adjoin and would be 10.4 metres wide. The element of the extension which wraps around the side of the existing Year 5 classroom to increase its width would be 1.4 metres wide. The extension would be erected with a monopitch roof, 3.2 metres high at its lowest point and 4.2 metres high at its highest point. The proposed extension would be set in from the rear boundary of the site, shared with residential properties in Redlands by approximately 8.4 metres.

The second extension is proposed to the front/side (north-west) elevation of the school. The new accommodation would allow the provision of a new Year 6 classroom, two new group work rooms, as well as office, administration and

reception facilities. The proposed extension would also allow for the widening of an existing classroom used by Year 5 and 6 pupils. The extension would project 17 metres forward of the existing building at the point it would adjoin and would have a cumulative width of 15 metres at its widest point. In common with the proposed extension to the rear of the school, this extension would have a monopitch roof which would be 3.6 metres high at its lowest point and 5 metres high at its highest.

The third area of the school to be extended is to the other side elevation adjacent to the north-east boundary of the site. The extension proposed here would allow the creation of a new Year 1 classroom and the extension of the existing nursery and reception classroom. The extension would be 25.6 metres long and 6.6 metres wide. It would replicate the monopitch design of the existing building which it would adjoin being 3.7 metres high at its lowest point and 5.5 metres high at its highest point. The extended building would be set in by approximately 6 metres from the eastern boundary of the site.

The proposal also comprises the reconfiguration and extension of church car park including new tarmac hardstanding area to allow the provision of a total of 54 spaces incorporating pupil drop off area.

Alterations are also proposed to the existing vehicular access to the church and the creation of new separate vehicular access to the presbytery from Station Road.

When initially submitted, the planning application also included a proposal to create a 25 space car park within the school grounds on part of the playing field. This element of the proposed development has now been omitted from the application.

This application would normally have been determined under the Council's Scheme of Delegation, but has been referred to the Sub-Committee for determination at the request of Councillor Speding. Members visited the site on 21 March 2014.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Northumbrian Water
Environmental Health
Sport England
Shiney Row - Ward Councillors Consultation
Network Management

Final Date for Receipt of Representations: **14.04.2014**

REPRESENTATIONS:

There have been two separate consultation periods in respect of this application. The first of these was in respect of the original planning application and the second upon receipt of amended plans omitting the originally proposed car park on the playing field and additional information in respect of highway and drainage matters.

Neighbours

In response to the initial consultation period in connection with the application, a number of representations have been received from nearby residents raising objections to the proposals as follows:

- The proposal would detrimentally affect views from the rear of 9 Redlands.
- The documentation states that the existing soakaway will be used to disperse water. This soakaway is wholly inadequate in dispersing the water at present and as a result, properties in Frederick Gardens are experiencing flooding. The proposed development will exacerbate this issue through increased levels of hardsurfacing on the site. The matter has previously been communicated to the school, but to date remains unresolved.
- The drainage section of Sunderland Council and Northumbrian Water have previously advised residents of Frederick Gardens that the water is coming from the school grounds.
- The proposed extensions to the car parks will not solve the problem of parking on the main road. With the school intake increasing by 50%, the parking problem will get worse. Station Road is a busy road. Frequent buses and motorists travelling to Shiney Row are forced to overtake parked cars on a blind bend. Improved arrangements for entering and exiting the school and church grounds and also for drop off and pick up are essential.

Further to the second consultation period, a further letter has been received in objection to the proposal from residents of five properties in Frederick Gardens. The letter raises the following reasons for objecting:

- Over the last few years, the residents have all experienced problems with excess water draining into their properties from the adjoining school field. The residents have tried unsuccessfully to speak with the Chair of Governors and the Headteachers of the school since 2001 to the present date to resolve the issue.
- Using the existing, inadequate soakaway to disperse the surface water will exacerbate the problem of flooding which is currently seriously affecting the residents' properties which lie below the bottom of the soakaway.
- The extension of the car park will not solve the problem of parking on the main road.
- In addition, the Site Drainage Statement is extremely subjective without substantive fact.
- There are no dimensions of the current soakaway and the school claim not to know it existed and have no records of it.
- The agent states that there is no evidence that the soakaway is not being fit for purpose. This is not true and the residents have provided correspondence dating back to 2001 highlighting the problems they have

been experiencing. A factual statement cannot be made in respect of the downstream impact of the drainage system as the topography of the adjacent dwellings was not inspected when the soakaway was replaced in 2001 and the agent has not taken up residents' offers to see the problems in the intervening time.

- The drainage statement states that water is discharged deep underground close to the south-western boundary and also implies leakage from the soakaway which is 2 metres below ground level would become apparent below this level. The residents have evidence that this is happening, but the agent has chosen to ignore this.
- The exact location of the soakaway is unclear as the plans suggest it is further from the fence than it actually is.
- The existing soakaway was constructed in 2001 and the residents would like answers and evidence that the following were carried out by a drainage expert; percolation tests, testing on the soil type i.e. filtration rates, the clay cap and underlying geology, the water table, were tests carried out and if so were they shared with a qualified drainage expert, topography of the ground and consultation with neighbouring properties.
- In the drainage statement, the agent states that he has inspected the playing field regularly over the years and every couple of weeks over the past five months. Are there records of these purported inspections and more importantly, what inspections were made of the soakaway, the residents can see no evidence of this in the statement.
- The residents are not opposed to the growth and development of the school, however they do want to see that all drainage systems are not only fit for purpose for the school and neighbouring properties i.e. to stop the water leakage into neighbouring properties and to have the infrastructure and capacity not only for the proposed future developments in 2014 and 2019/20 but also to take into account changes in the climate and consequent water levels. Why can excess water not simply be directed into a main drain?

Consultees

Network Management

In commenting on the application as initially received, the Network Management Team advised as follows:

It is understood that pupil numbers will increase by 105 pupils from 210 to 315. This will take place over the next six years with classes increasing from 30 pupils to 45.

The application form states that an additional four full time staff are proposed (24 in total). It is noted that a 25 space staff/visitor car park is proposed within the school grounds.

It is noted that the proposal will generate a significant increase in vehicular movements.

A transport statement is required to provide the following:

- It is apparent that no parent parking is to take place within the grounds of the school. It is assumed that parent parking is proposed within the

church car park and the adjacent club car park. Clarification of these parking arrangements is required - a plan identifying the proposed 73 parking spaces as stated in the application form is required.

- There is a proposed drop off area within the church car park, however this area is likely to be used for parking and not just a drop off point.
- Clarification is required as to how the operation of the church services will be affected by parents using the church car park.

The creation of a new vehicular access to the Presbytery may be acceptable on the basis of a low level of use.

At present, there is no school crossing patrol operating at this school, however the increase in pupil numbers in the future would increase vehicular and pedestrian movements and a school crossing patrol may be required.

It is understood that the school has an existing school travel plan, a revised and updated travel plan and travel survey would be required for this proposal.

With reference to the amended plans in respect of the church car park layout, the Network Management Team advised that the plan shows 54 proposed parking spaces, however these appear to be of sub-standard size. The minimum recommended measurement for a parking bay is 2.4 metres by 5 metres and the six drop off bays should be 6.1 metres long to aid manoeuvring into and out of the spaces.

Sport England

In response to consultation on the proposal as first submitted, Sport England advised that the location of the initially proposed extended north-westwards onto the playing field which aerial photos suggest has been used to accommodate a football pitch of differing dimensions over the years. It was not demonstrated that the car park extension would not conflict with the playing field's sporting use and as such this aspect of the proposal would be in conflict with Sport England's playing field policy. For this reason, Sport England objected to the proposal as first submitted as it was not considered to accord with any of the exceptions in Sport England's playing fields policy.

Thus, in accordance with Circular 02/09, Sport England objected on the following grounds:

- There is a deficiency in the provision of playing fields in the area of the local authority concerned;
- The proposed development would result in a deficiency in the provision of playing fields in the area of the local authority concerned.

Upon receipt of amended plans, it was evident that the car park which had been the reason for Sport England's initial objection to the scheme had been omitted. Sport England were reconsulted and have advised that the parking area which encroached onto the playing field land has been deleted with additional car parking instead located in the adjacent church. Sport England's statutory objection is therefore withdrawn and as such no further comments were offered.

Northumbrian Water

Northumbrian Water considered the development and assessed the impact of the proposed development on their assets and assessed the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. Having assessed the proposal development against the context outlined above, Northumbrian Water confirmed that there are no comments to be made in respect of the proposed development as the applicant intends to dispose of surface water via a soakaway.

Northern Powergrid

Northern Powergrid has confirmed that it has no objections to the proposal providing that its rights are not affected and that any such rights will continue to be enjoyed to allow access to their apparatus for maintenance, replacement or renewal works as necessary.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

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

COMMENTS:

The main issues to be considered in determining this application are:-

- 1) Principle of the Development.
- 2) Impact upon Residential Amenity.
- 3) Impact upon Visual Amenity.
- 4) Highway Issues.
- 5) Drainage Issues.

- 1) Principle of the Development.

The site in question is not allocated for any specific land use within the Council's Unitary Development Plan (UDP) 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.

Policy CF4 states that provision for nursery education will be made, so far as possible, within surplus accommodation at existing schools, or in new premises on existing school sites where sufficient land is available. Policy CF5 of the UDP requires that where possible, the requirements for the provision of education shall be met on existing sites

The school playing fields are identified to be protected from development under UDP policy L7.

In light of the above, it is considered that, the proposed extensions and alterations accord with policies EN10, CF4 and CF5 of the Unitary Development Plan in providing additional teaching and ancillary facilities for the existing school. Furthermore, following the amendment to the proposal to omit the car parking provision which would have encroached onto the school playing field from the proposal, the playing field is unaffected by the development and as such, the proposal is considered to accord with policy L7.

The use of the existing church car park by parents of children attending the school as a pick up and drop off facility is a longstanding arrangement. The provision of drop off facilities along with improved car parking and site access arrangements is considered to be to the benefit of both the school and the church and serves to formalise and reinforce the existing shared use arrangement.

The impact of the proposed new access to the Presbytery is considered to be acceptable in principle in that it allows for the creation of a dedicated vehicular access to this residential property.

For the reasons set out above, as the proposal relates to the expansion of a the school on its existing site with associated improvements to the adjacent church and presbytery, the proposed development is considered to be acceptable in principle with due regard to the UDP policies set out above.

2) Impact upon Residential Amenity

Policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

The proposed extensions are in various locations around the site as set out above. The proposed nursery and year 1 classroom extension would be offset from the closest dwellings on Dalton Way, which stand in an elevated position by approximately 22 metres. This distance, combined with the difference in levels is considered to be such that the amenities of occupiers of these properties would not be compromised by the proposed extension.

The proposed new extension for the year 3 and 4 pupils is offset from the rear elevation of the closest property in Redlands by approximately 18 metres and the school is set down from the ground level of Redlands. The separation distance between the properties combined with the setting of the school at a lower level is such that the impact of the proposed extension upon occupiers of the dwellings in Redlands is acceptable. The impact of the proposed extension upon the amenities of occupiers of dwellings in Redlands is further reduced by the proposed roof design, which is a monopitch roof which is at its lowest height where it is closest to the boundary with Redlands.

Whilst it is noted that The Presbytery stands at a lower level than the school site, the separation distance of 22 metres between the nearest extension to the school and the rear elevation of The Presbytery is considered to be sufficient in order to avoid unacceptable harm to occupiers of The Presbytery.

The closest residential property in Frederick Gardens is offset from the closest part of the extended school by approximately 95 metres which is considered to be sufficient in order that the amenities of occupiers of these properties will not

be compromised as a result of the proposed extensions. The concerns raised by residents of Frederick Gardens in respect of flooding are to be given separate consideration - see below.

The proposed new access to The Presbytery stands between the church and the boundary shared with 14 Station Road. It is considered that the proposed new access is set away from the shared boundary by a distance significant enough to avoid harm to the amenities of occupiers of this property as a result of its use.

For the reasons set out above, it is not considered that the works proposed by this application would be harmful to the amenities of any adjacent resident in order to warrant refusal of the planning application.

3) Impact upon Visual Amenity

As set out above, policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

The school site is of limited visibility from Station Road, being set at the head of a long driveway with a good amount of screening in between. The extensions to the front would be still be visible from vantage points along Station Road, but given that the extensions are designed to reflect the contemporary appearance of the previous extensions to the original school, it is considered that the proposal adequately reflects the design and character of the street scene so as not to be detrimental to visual amenity. The same can be said in respect of views from the footpath of Dalton Way to the east of the site, where the extensions will be visible in the context of the previously erected extensions to the school, to which they appear similar.

The proposed expansion of the church car park to facilitate the additional parking and drop off facilities will result in the creation of a new tarmac hardstanding area on part of the existing grassland between the school access and the existing church car park. Whilst the loss of part of this grassed area is unfortunate, a strip of grassland 13 metres wide is shown as to be retained on the submitted site plan and on balance, it is considered that the benefit of extending the car park and improving the pick up and drop off arrangements at the school outweigh the loss of a small area of grassed open space, particularly given that a relatively large area of open space would remain after the works are carried out.

For the reasons set out above, the impact of the proposal on visual amenity and the street scene is considered to be acceptable.

4) Highway Issues

Policies T14 and T22 of the UDP stipulate that development should not cause traffic congestion or highways safety problems on existing roads whilst adequate provision shall be made for the parking of vehicles.

The comments received from the Network Management Team in respect of the most recent set of plans indicate that some of the car parking spaces proposed in the church car park are of substandard size. These comments have been passed on to the agent and his comments are awaited in return. It is anticipated that these concerns will be able to be addressed to allow a full consideration of

the highways issues associated with the planning application to be made prior to the Sub-Committee Meeting. The outcome of these considerations will be presented to the Sub-Committee by way of a supplementary report.

5) Drainage Issues

Policy EN12 of the UDP states that in assessing proposals for new development, the Council will seek to ensure that the proposal would not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding.

The issues raised by residents in Frederick Gardens in respect of flooding and water run off issues remain under consideration. The outcome of these considerations will be presented to the Sub-Committee by way of a supplementary report.

Conclusion

The acceptability of the proposal is currently being given further consideration in respect of the associated highway and drainage issues and it is anticipated that a recommendation will be made through the preparation of a supplementary report.

RECOMMENDATION: Deputy Chief Executive to Report

Reference No.: 14/00504/FUL Full Application

Proposal: **Erection of an industrial facility with offices and associated car parking and service yard.**

Location: Land At Junction Of Mercantile Road And Commerce Way
Rainton Bridge Industrial Estate Houghton-le-Spring

Ward: Hetton

Applicant: Expert Tooling & Automation

Date Valid: 2 April 2014

Target Date: 2 July 2014

PROPOSAL:

The application seeks permission to erect an industrial facility with offices and associated car parking and service yard on land at the junction of Mercantile Road and Commerce Way, Rainton Bridge Industrial Estate. The site is currently unoccupied and sits at a prominent location at the access to Mercantile Road. There are existing industrial developments, to the north, east and south of the site.

The site sits approximately 1m above the level of Mercantile Road, with a mound running along the north and western boundaries of the site. The development proposes to incorporate the mound into its layout, with a batter line acting as a secondary boundary thereby keeping all proposed visually and functionally within the site.

The development is intended for industrial and ancillary office use, acting as a new base of operations for Expert Tooling & Automation in the North East. The site area is approximately 1.57 acres and the development will comprise an industrial unit with internal office space. It will also benefit from 42 parking spaces, 2 of which will be disabled bays, as well as a cycle shelter.

The application has been supported by:-

- Design and Access Statement
- Phase 1 Habitat Survey and Ecology Report
- Flood Risk Assessment
- Ground Investigation Interpretative Report
- Plans & Elevations.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications
Press Notice

CONSULTEES:

Environmental Health
Business Investment
Hetton - Ward Councillor Consultation
Network Management

Final Date for Receipt of Representations: **20.05.2014**

REPRESENTATIONS:

Representations and consultation responses:-

Following consultation with the adjoining premises and their erection of site notices and press notice there have been no letters of representation submitted in support or objection.

However, the site notice consultation period does not expire until the 20 May, which is the day before the Committee meeting and therefore, should any representations be received they will be reported and considered in a Circulation report.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
EC_4_Retention and improvement of existing business and industrial land
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
HA_1_Retention and improvement of established industrial / business areas
CN_22_Developments affecting protected wildlife species and habitats
EN_12_Conflicts between new development and flood risk / water resources
EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas

COMMENTS:

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

1. Principle of development
2. Design considerations
3. Flood risk considerations
4. Ecological considerations
5. Highway considerations
6. Amenity considerations

1. Principle of development

In assessing the principle of the land use, and the overall development of the site, due consideration has been given to both the National Planning Policy Framework (NPPF) and City of Sunderland Unitary Development Plan (UDP).

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development plan without delay unless material considerations indicate otherwise.

The application site is located within Rainton Bridge Industrial Estate, which is an allocated industrial/ business area on the approved Unitary Development Plan (UDP) and as such is covered by policies HA1.5 and EC4. The principle of the scheme is therefore considered to be acceptable.

2. Design considerations

Within the NPPF in paragraph 17 are a set of 12 core land-use planning principles that should underpin both plan-making and decision-taking. In this instance the fourth principle is of particular relevance and states 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."

Whilst policy B2 of the UDP requires that:-

"The scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas."

The unit has been purposely designed to accommodate production, workshop and office facilities. The ground floor of the unit will be primarily used for production and workshop purposes. As well as staff facilities, the ground floor will also include a meeting room to allow for visitors to be seen without having to travel through the working areas of the unit. The first floor will be primarily used as office facilities, with a combination of one large open plan office space, meeting rooms, manager offices and a large boardroom.

The nature of the proposed use requires a large production area and floor to ceiling heights. The elevations of the building reflect this, with an eaves height of 10m. The footprint of the building is based on a 6m grid, giving the building an overall internal length of 60m and a depth of 34.25m. The landscaping for the site will make use of an existing landscaping strip to the southern and western boundaries of the site. A large proportion of the site will remain green with planting to suit the existing landscape buffer around the site. The mound to the north and west boundaries of the site will act as a feature, emphasising the prominence of the building within the Industrial estate.

The building's walls will primarily be clad in horizontal, profile cladding, with a blue brick plinth wall below to damp proof course level. On the ground floor the

windows are set at a high level, allowing light into the working areas whilst ensuring security, whilst the office areas to the first floor benefit from large glazed openings to allow as much light in as possible, with curtain walling and first floor windows wrapping around the frontage of the building to emphasise the corners of the unit.

In light of both national and local planning policy, the layout and design of the proposed development is considered to be appropriate to its industrial setting and will complement the surrounding units within the residential estate. The proposal is considered to comply with both NPPF guidance in paragraph 17 and policy B2 of the UDP and is therefore acceptable from a design perspective.

In terms of the development's impact on flood risk, ecology, highway and amenity considerations consultation responses are still awaited and it is anticipated that these will be received to enable an addendum report to be put before Members which will on balance recommend approval subject to appropriate conditions.

RECOMMENDATION: Deputy Chief Executive to Report