

## **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 Economy and Place 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 Economy and Place

**Reference No.:** 17/02080/FUL Full Application

**Proposal:** **Erection of a two storey extension to side and rear and first floor extension to side (Amended description)**

**Location:** 1 Liberty Green Washington NE38 7UA

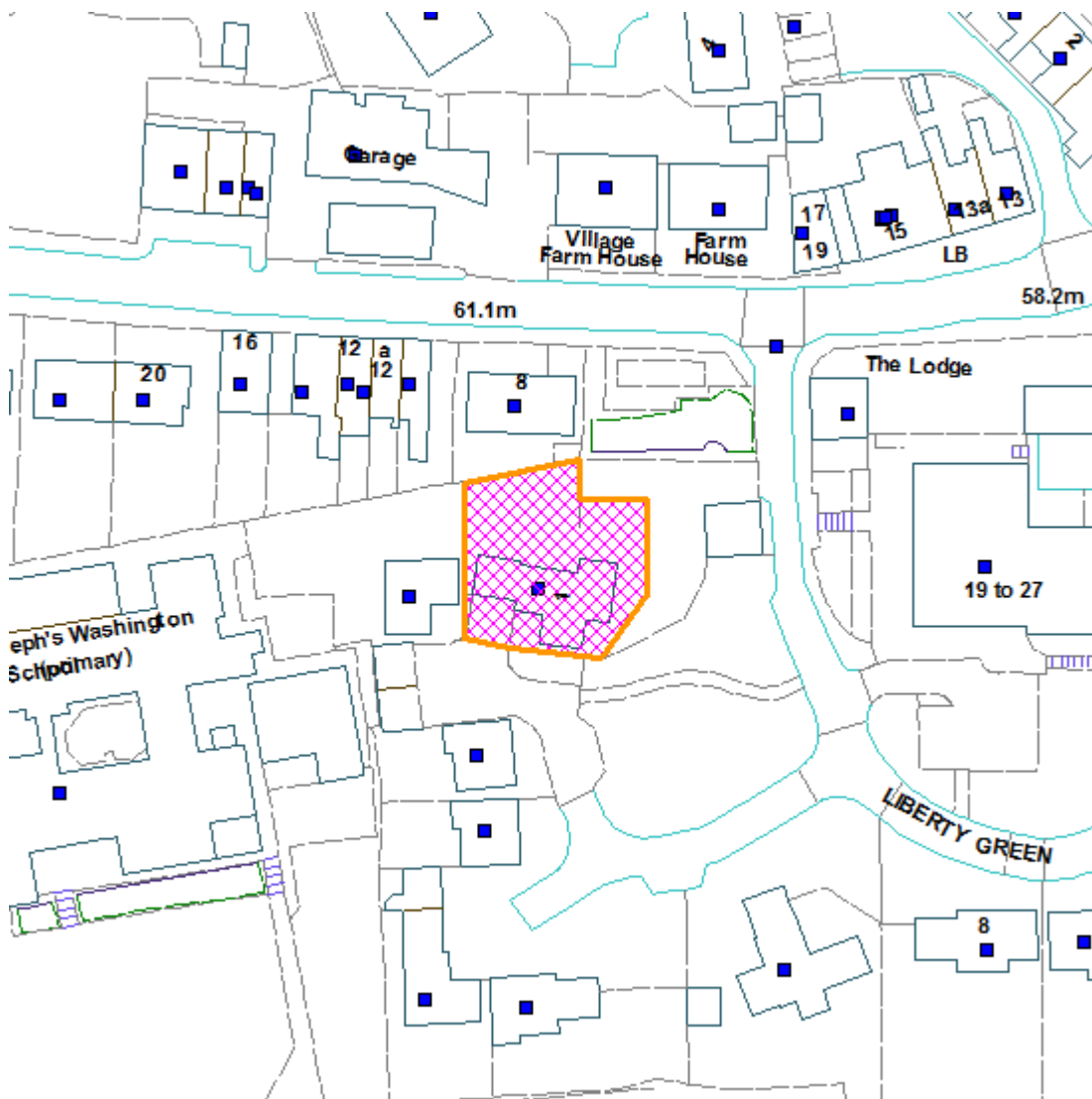
**Ward:** Washington Central

**Applicant:** Mr J. Arca

**Date Valid:** 7 February 2018

**Target Date:** 4 April 2018

### Location Plan



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## **PROPOSAL:**

### Site description and proposal

The host property comprises a southerly facing two storey detached dwelling situated within the 'Village lane' part of Washington Village Conservation Area. The dwelling forms one of a number of large executive style properties which were developed on land associated with the Old Rectory. The land upon which Liberty Green has been constructed rises from Village Lane on a north to south axis and is interspersed by mature trees many of which are afforded protection through Tree Preservation Orders (TPO's).

The host dwelling sits within a generous plot at the culmination of the western branch of the residential cul-de-sac. Although the property has been constructed on land which is corresponding with land levels within the wider estate, the plot is elevated notably above the land and property of No.8 Village Lane, a split level dwelling which lies to the north. Protected trees are located within the rear garden of the property.

In its initial form the application proposed the erection of a two storey extension to the side and rear (above the garage and to the rear of the garage) and a further two storey extension which is proposed to be erected off the north eastern corner of the dwelling. The application has however been amended during the course of the process for reasons discussed below. The application now proposes the erection a two storey extension to the side and rear of the property (attached to the north eastern corner) and a first floor extension to the side (above the existing garage).

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Network Management  
Washington Central - Ward Councillor Consultation

Final Date for Receipt of Representations: **10.08.2018**

## **REPRESENTATIONS:**

### Representations

The application has been subject to two rounds of neighbour consultation due to the fact that amendments were received during the planning process.

As a result of the initial public consultation carried out a representation was received from representatives of the occupier of No.8 Village Lane. The objection raised the following concerns;

- o Our property lies at the rear of 1 Liberty Green and the proposal will lessen our privacy due to the presence extra windows which will look into our bungalow;
- o The development at the side of the property will lower light levels into our bungalow particularly given the existing presence of an extremely large sycamore tree.

The second round of public consultation was undertaken following the applicants decision to remove the two storey extension from the rear of the garage. As a result of this, further consultation a second objection was received from the No.8.

The comments of objection note that the proposed development has been scaled back but that the remaining extension will still, when combined with the existing tree cover, serve to exacerbate the already limited level of light that is received by the rear windows of No.8 and the limited degree of outlook from the rear windows of No.8.

## **POLICIES:**

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

B2 - Scale, massing layout and setting of new developments

B4 - Development within conservation areas

EN10 - Proposals for unallocated sites to be compatible with the neighbourhood

CN17 - Tree Preservation Orders and replacement of trees

## **COMMENTS:**

### Issues

In assessing the proposal the main issues to consider are the effect of the development upon the amenities of the neighbouring properties, the impact of the development upon the character and appearance of the host building and the wider conservation area and the impact on protected trees.

### Policy framework

UDP Policy B2 states 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. This is taken forward by paragraph 127 of the NPPF which advises that planning policies and decisions should seek to achieve well designed places which function appropriately, promote a high standard of amenity for existing and future users, add to the quality of the area and are sympathetic to local character and history including the surrounding built environment and landscape setting,

Paragraph 189 of the NPPF states that in determining planning applications the Local Planning Authority (LPA) should require an applicant to describe the significance of any heritage assets affected.

Paragraph 192 of the NPPF requires LPA's to 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 communities
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 200 requires LPAs to look for opportunities for new development within conservation areas 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.

Management Objective 3b of the Washington Village Conservation Area Character Appraisal and Management Strategy (CAMS) states that the Council will provide design guidance to owners of residential and commercial properties in the Conservation Area.

Policy B4 of the UDP states that "all development within and adjacent to conservation areas will be required to preserve or enhance their character or appearance, while policy B6 states the Council will preserve and enhance the character or appearance of Conservation Areas.

Policy CN17 seeks the retention of trees which make a valuable contribution to the character of an area.

### Impact on residential amenity

The host site was initially inspected on 12 March 2018. During the officer site visit it was noted that the host property and rear garden area were raised notably above the rear garden/patio level of No.8 Village Lane to the south whilst the adjacent detached property to the west (No.2 Liberty Green), shared a relatively flush building line with the rear of the host dwelling. Protected trees were located within the rear garden (identified as a Sycamore T1) and Beech (No's T2, T3 and T4) within the Council's constraints data base.

Due to the respective positions of the proposed extensions and neighbouring occupiers, it was considered that the principal impact of the development would be most keenly felt by the occupiers of No.8 Village Lane to the South. The rear elevation of the host dwelling lies between 16.4m and 17.4m away from the rear elevation of No.8 whilst ground level variances (as illustrated within a sectional plan submitted by the agent) indicate that the internal floor level of No.8 sits between 1.5m and 2m below the rear garden level of the host dwelling.

Given the existing spacing and ground level differences, it is evident that spacing between the respective dwellings already stands close to the Local Planning Authority's minimum spacing standards as laid out within the Household Alterations and Extensions Supplementary Planning Document (SPD). These standards are laid out as being;

- 21m – between main facing windows (i.e. living rooms, kitchens, bedrooms);
- 14m – between main facing windows facing a side or end elevation (with secondary or no windows).

\*The above distances should be increased by 2m for every 1m difference in ground levels between plots.

In this respect and in order to gain greater insight as to the perceived impact of the development on the living conditions of the occupants of No.8, a second site visit was carried out with views into the rear of the host property witnessed from within the confines of No 8's rear kitchen and bedroom windows as well as the rear patio area. During the site visit and throughout the course of the representations received, the main concern expressed by the objector appears to primarily concentrate on the fact that a number of protected trees positioned to the rear of No 1 Liberty Greens garden are reducing light, overshadowing and generally causing a nuisance to the occupier of No.8 Village Lane. In this respect the objector has raised concerns that the new

development would, in tandem with the trees, further exacerbate these problems. Indeed the objector has stated that without compromise being reached through the removal of several mature specimens, their objection would stand.

With regard to the above it was explained to the objector that whilst their issues with the trees were noted, the applicant was not proposing to fell trees as part of the application and thus the primary consideration for the Local Planning Authority was to consider the impact of the built development upon the amenity of No.8 Village Lane. In this respect and as a result of views experienced from within the confines of their property, concern was raised over the elongated massing of the development particularly in relation to the addition of the first floor extension above the garage and the two storey rear which would sit behind it. Photos taken during the site visit illustrated that the rooms positioned to the rear of No. 8 already suffer from a very limited degree of sky light due to their lower lying position in relation to the host dwelling. Indeed, when standing within the kitchen of No.8 it was evident that the area above the host garage provides the only tangible expanse of visible sky light. Furthermore the two storey rear element would have reduced the already tight spacing between the two properties to below the minimum standards and concerns were also expressed that this element of the development would appear overbearing due to the ground level differences.

In terms of the privacy implications it is evident that two new windows are proposed within the rear elevation of the existing dwelling as part of the internal reconfiguration work. This includes an upper floor window (potentially serving a bedroom) and a ground floor window serving a dining room. Although the addition of the upper floor window has the potential to reduce privacy for the occupants of No.8 by means of overlooking, it is acknowledged that the insertion of an upper floor window within the rear elevation of an existing property does not require planning permission.

The second element of the proposed works (the two storey side and rear extension to wrap around the north eastern corner of the property) would be offset to the east and thus would not directly interface with the rear windows at No.8. In this respect the impact of this element would be more limited and based on views witnessed from the rear of No.8, would not cause material detriment to their living conditions.

Nonetheless, the concerns expressed above were relayed to the agent in an email and consequently amended plans were received thereafter. The amended plans illustrate that the two storey rear extension has been removed although a first floor extension above the garage has been retained. Whilst the concession offered by the agent is noted and the blank rear elevation of the first floor extension would, broadly speaking, meet the minimum spacing standards as outlined above, the retention of the first floor extension above the garage would still serve to remove the only notable area of visible skylight available to the rooms within the rear elevation of No.8, particularly the kitchen. This would consequently dictate the first floor extension, when read in conjunction with existing property, would appear overtly dominant and overbearing when viewed from within the confines of No.8.

In this respect it is considered the loss of the sky light and the subsequent overbearing impact of the first floor extension would be injurious to the living conditions of the occupants at No.8 and as such the first floor extension is unacceptable and contrary to the requirements of UDP policy B2 and Section 7 of the Household Alterations and Extensions SPD.

#### Impact upon visual amenities and conservation area

Although located to the rear and side of the property the extensions would still be visible from within the public realm more specifically on the approach up Liberty Green from Village Lane and

from the certain angles on the lower lying Village Lane. Nonetheless, the host site does benefit from quite substantial tree screening and the extensions would be designed and constructed to replicate the features found within the host dwelling. The Council's Built Heritage Officer has offered no response to the consultation and given the modern style of the estate it is not considered that the extensions would serve to detract or harm the character of this part of the Conservation area.

On this basis and subject to ensuring that materials were submitted for subsequent approval by way of condition, it is not considered that the development would cause any substantial harm to the significance of the property nor would it be harmful to the character and significance of Washington Village Conservation Area.

### Tree implications

As has been noted above, the site is home to a number of protected trees. In this respect and given that the proposed extensions would encroach towards protected trees (Particularly T1 Sycamore and T4 Beech), the agent was advised that an arboricultural impact assessment would need to be submitted to allow the Local Planning Authority to be fully informed as to the impact of the development on the health and wellbeing of the trees.

A tree survey was initially received however it contained a number of inaccuracies, pages were missing from the report and the beech tree closest to the existing conservatory had not been considered. A further report was received thereafter and despite the report concluding that the development would have no adverse impact on the trees it did not contain a tree constraints plan or a tree protection plan as referenced by sections 3 and 4 of the report.

In considering the content of the tree report it appears to offer generic best practice recommendations without offering any specific insight into as to the actual impact of the development on the individual trees concerned. Indeed based on the existing ground conditions it would seem that the proposed extension to be erected on the north eastern corner of the property would encroach notably into the root protection zone of the nearby beech tree although this can't be fully verified due to the fact that the author of the report has failed to provide a tree constraints and tree protection plan. Although a tree protection plan has been prepared by the agent, this plan is inaccurate as it illustrates a square root protection zone around a tree plotted significantly further away from the host dwelling than is actually the case. In addition the location of the root protection fencing has been identified in relation to the property as it currently stands, not as it would be as a result of the development.

In light of the above, it is considered that the Local Planning Authority has not been furnished with either an acceptable or accurate level of detail to allow for a full and informed appraisal of the impacts of the development on the protected trees. On this basis it has not been adequately demonstrated that the development will not adversely impact on the health and wellbeing of the trees on the site and therefore the proposal is contrary to the requirements of policy CN17 of the UDP.

### Conclusion

In light of the reasoning offered above, it is considered that the proposed first floor side extension would cause demonstrable harm to the living conditions of the occupants at No.8 by virtue of removing a large proportion of the only visible area of skylight afforded from the rear kitchen and bedroom windows.

In addition the applicant has not satisfactorily demonstrated that the proposed two storey extension to be erected on the north eastern corner of the property would not adversely impact on the nearby protected beech tree.

The proposal therefore fails to accord with UDP policies B2 and CN17 and Members are consequently recommended to refuse planning permission, for the reasons 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:-

- 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:** REFUSE, for the reasons set out below:

**Reasons:**

1 The proposed first floor side extension, by virtue of its size and position, would serve to remove a large proportion of visible skylight from the kitchen and bedroom windows positioned within the rear elevation of No.8 Village Lane. This expanse of skylight, particularly in relation to the kitchen window, is the only discernible area of skylight available to the occupants of No.8 and its loss would result in the extension appearing as visually dominant and overbearing from the rear of the neighbouring property. The development would therefore be harmful to the living conditions of the occupants and would conflict with the objectives of the NPPF, policy B2 of the Council's UDP and the Council's adopted 'Household Alterations and Extensions' SPD.

2 The Local Planning Authority has not been provided with an appropriate level of detail to allow for a full and informed appraisal of the impacts of the development on the protected trees within the site. Consequently it has not been adequately demonstrated that the development will not adversely impact on the health and wellbeing of nearby trees and the proposal is therefore contrary to the requirements of policy CN17 of the UDP.

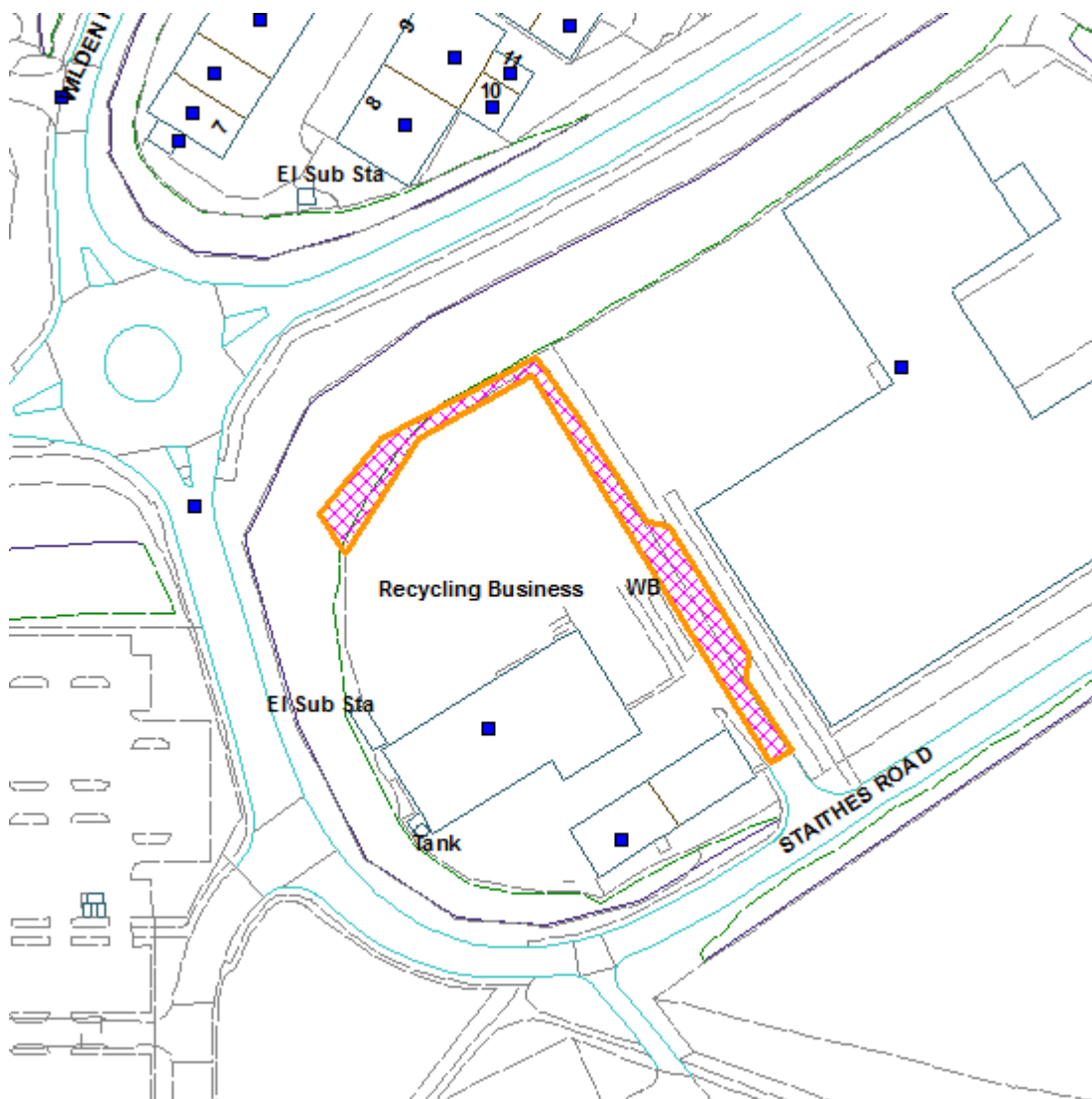
**Reference No.:** 18/00705/MAW Minerals- Waste (County Matters)

**Proposal:** Relocation of pre-cast concrete wall, extension of concrete hardstanding area and installation of picking station with associated conveyors and weigh bridge.

**Location:** Timberpack Waste Recycling Centre, Staithes Road, Washington, NE38 8NW

**Ward:** Washington East  
**Applicant:** Timberpack  
**Date Valid:** 8 June 2018  
**Target Date:** 7 September 2018

### Location Plan



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## **PROPOSAL:**

Planning permission is sought to extend an existing concrete hardstanding area by 568 Sq m at the Timberpak Limited Waste Recycling Centre on Staithes Road, Washington. The site is located within Pattinson South Industrial Estate and is largely screened from the surrounding roads and footpaths by a tree belt which runs around the northern and western perimeter. The company specialise in the processing and recycling of wood. Currently there are two large industrial-shed type buildings on site; one of which is utilised in connection with the processing of materials with the other utilised for training and office based accommodation.

Currently the existing 2.8m high free-standing pre-cast concrete retaining wall, is set 5 metres behind a 1.8 metre high palisade fence. The provision of additional hardstanding will enable the relocation of this wall up to the line of the palisade fencing (which will be removed) which in turn will provide space for a new picking station and weighbridge for the facility. These improvements will provide a safe and secure area for the operatives to sort the various timber materials into skips prior to them being processed at another facility.

The agent has qualified that the facility is licensed by the Environment Agency and under the terms of the licence the facility is restricted to the amount (tonnage) of materials that can be processed. Consequently, the amount of materials arriving and leaving the site is strictly monitored and the permitted facility tonnage cannot be exceeded. The agent has therefore confirmed that the extension to the facility would not result in additional vehicle movements to and from the site.

The application has been advertised accordingly by way of press and site notices and neighbour notifications.

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Washington East - Ward Councillor Consultation  
Network Management  
Flood And Coastal Group Engineer  
Environmental Health  
Environment Agency  
Northumbrian Water

Final Date for Receipt of Representations: **09.07.2018**

## **REPRESENTATIONS:**

Northumbrian Water

Have observed that the application does not provide sufficient detail with regards surface water management in order to enable Northumbrian Water to assess their capacity to treat the flows from the development and as such have recommended that a condition be imposed requiring

such details to be provided and approved by the LPA in consultation with themselves prior to development commencing

Environment Agency:

No objections to the proposal.

Third Party Representations -

No letters of objection have been received.

## **POLICIES:**

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

B2 - Scale, massing layout and setting of new developments

EC2 - Supply of land and premises for economic development purposes

EC4 - Retention and improvement of existing business and industrial land

EC15 - Development or extension of bad neighbour uses

WA1 - Retention and improvement of established industrial / business area

T14 - Accessibility of new developments, need to avoid congestion and safety problems arising

T22 - Parking standards in new developments

EN11 - Restrictions upon new development or intensified use of land liable to flooding

EN12 - Conflicts between new development and flood risk / water resources

CN23 - Measures to conserve/ improve wildlife corridors

## **COMMENTS:**

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

- o Principle of Development
- o Visual and Residential Amenity;
- o Highways Matters;
- o Drainage and Flooding
- o Ecology.

### **Principle of Development**

On a national level, the NPPF sets out the Governments planning policies for England and how these should be applied. Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development; i.e. meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 38 then advises that Local Planning Authorities should approach decision making in a positive and creative way and should seek to approve applications for sustainable development where possible.

Chapter 6 of the NPPF is also particularly relevant in the consideration of the merits of the proposals, as this relates to building a strong, competitive economy, wherein Paragraph 80 states that "decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs"

The site lies within an area allocated for economic development and as such UDP policies EC2, EC4 and site specific policy WA1.8 are applicable.

Policy EC2 seeks to ensure that an adequate supply of land and premises are available to meet the city's economic needs whilst EC4 and WA1.8 seek to ensure that such areas are retained and improved to meet the requirements of the designated uses.

In line with the policy provisions outlined above, the development seeks to re-organise the layout of the existing yard in order to facilitate the improvement of the operational functioning of the processing plant. Consequently, in line with local policy and in considering the sentiments of paragraph 80 of the NPPF which in part states that 'planning decisions should support economic growth and productivity, taking into account local business needs' it is considered that the proposal represents an acceptable form of development from a land use perspective.

#### Visual / Residential Amenity

UDP policy EC15 requires that the development or extension of uses including scrap yards and the sorting and storage of waste materials will only be permitted where;

- o There will be no significant nuisance to adjacent premises or highway users by virtue of dust, smell, vibration, noise, or pollution.
- o The site is adequately screened or is not visually prominent.
- o Appropriate facilities are provided for storage and treatment of by-products.
- o The site is of sufficient size for the operations and has adequate car parking and servicing.

In addition, UDP 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.

As per the existing site set-up, the new development would be screened by a densely planted tree belt. Furthermore, the pre-cast concrete retaining wall will be repositioned on the site boundary, creating a further element of screening, although this will not be readily visible from the other side of the tree belt. As such, it is not considered that the proposed development would be of the detriment to the visual amenities of the area.

From a residential amenity (disturbance) perspective, the site is located within a largely commercial setting with the nearest residential properties located some distance away. A noise assessment has duly been submitted in support of the application, in order to demonstrate that noise levels will be no greater than at present, which the City Council's Public Protection and Regulatory Services (Environmental Health) Section have reviewed this and have advised that the use of the picking station and associated conveyors should be restricted to between the hours of 07.00-17.00 Mon -Fri & 07.00-12.00 Sat/Sun. If this activity is to be operational during night time hours (23.00-07.00) then further assessment of the potential impact of the picking machine during the night time period will need to be undertaken.

Notwithstanding this and as per previous applications on the site, it is recommended that a Construction Environmental Management Plan is conditioned as part of any approval given to ensure that the construction phase is adequately managed and mitigated and that the amenities of nearby residents / occupiers are appropriately considered.

To conclude general amenity matters, it is not considered that the proposals would give rise to the creation of any additional noise, disturbance or other by-products beyond those which may currently be experienced by the existing processes carried out from the site. It is therefore considered that the proposal accords with UDP policies EC15 and B2.

### Highways Matters

Policies T14 and T22 of the UDP require proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport and indicate that development should not cause traffic congestion or highways safety problems on existing roads whilst adequate provision should be made for parking and the loading and unloading of commercial vehicles.

The agent has explained that the proposals would not intensify the existing operations carried out from the site and consequently there would be no additional vehicular movements resulting from the development.

In this respect the Councils Network Management Section has raised no observations or recommendations to the proposal and as such, it is not considered that the proposal would unacceptably compromise highway safety or the free passage of traffic in and around the site.

### Drainage and Flooding

Paragraph 163 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied.

Policies EN11 and EN12 of the UDP require appropriate protection measures to be incorporated in development proposals within areas at risk of flooding and require the LPA, in conjunction with the EA, to ensure that proposals would not impede the flow of flood water, increase the risk of flooding or adversely affect the quality or availability of ground or surface water.

In considering the above against the context of this application it is acknowledged that any waste application, no matter how small in scale, will fall under the umbrella of a major planning application and accordingly SuDS should be incorporated into all waste schemes on this basis. However in this instance, it is not considered unreasonable to assess SuDS requirements against the individual merit and nature of the development proposed. As explained earlier in the report, the proposals are not of any significant scale and whilst it does result in a further area of hard-standing being formed, it does not propose any increase in the intensity of the activities currently undertaken on the site. It is also noted that no additional drainage is proposed and the new area of hardstanding is to be laid on a slight fall to ensure any surface water is fed into this existing system. At the time of writing, the applicant has nonetheless been asked to provide further information for the Lead Local Flood Authority to assess, which is anticipated to have been received and reviewed in time for the Committee meeting when a verbal update will be given in this regard.

### Ecology

Whilst located within an industrial locality, the site is also positioned within a wildlife corridor and is therefore subject to the provisions of policy CN23 which encourages measures to conserve and improve the environment and seeks to refuse development which adversely affects the continuity of the corridor. As per the previous proposals on the site, no adverse impacts are anticipated, and as such, the scheme is considered to be acceptable from this perspective.

### Conclusion

For the reasons outlined above, the principle of the proposed development is considered to be acceptable without unduly impacting on the amenity of the area and it is not considered that the

development would compromise highway safety, or be of detriment to wildlife within the vicinity. Further information is awaited in respect of matters associated with drainage and flood risk and it is understood that these matters should be satisfactorily resolved prior to the meeting, at which a verbal update will be made in this regard. Subject to the satisfactory resolution of these matters it is therefore considered that the development will accord with all the aforementioned policies and Members will be recommended to approve the application subject to the imposition of the draft conditions as set out at the foot of this report.

#### 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:** Minded to APPROVE subject to the draft 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:

- o 3332/00A Site Location Plan
- o 3332/01 Existing Site Layout Plan
- o 3332/02 Proposed Site Layout Plan
- o 6160DThird Angle Projection Plans sheets 1-4

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; 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 buildings on site, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

4 The use of the picking station and associated conveyors shall not be operated for the purposes hereby approved outside the following hours:

Monday to Friday (except Bank Holidays) 07:00 to 17:00;  
Saturday to Sunday (except Bank Holidays) 07:00 to 12:00;

In the event that it is necessary to operate the picking station and associated conveyors to during night time hours (23.00-07.00) then a further noise assessment of the potential impacts of this activity during the night time period should be undertaken and approved in writing by the Local Planning Authority prior to the commencement of such activities in order to protect the amenities of the area in accordance with policies S12 and B2 of the Unitary Development Plan.

5 The development hereby approved cannot commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall be undertaken in complete accordance with these details, in order to prevent any increased risk of flooding from any sources in accordance with the NPPF and Policies EN11 and EN12 of the Unitary Development Plan.



6 No development shall take place until a scheme of construction working has been submitted to the satisfaction of the Local Planning Authority. Such a scheme shall include hours of working, hours of deliveries to and from the site, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, measures to ameliorate noise, dust, vibration and containing construction dirt and debris within the site and construction methods. Once approved, the development shall proceed in accordance with the agreed scheme, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the adopted Unitary Development Plan.

7 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 City Council as Local Planning Authority:

- i) A preliminary risk assessment which has identified:
  - o all previous uses
  - o potential contaminants associated with those uses
  - o a conceptual model of the site indicating sources, pathways and receptors
  - o potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The results of the site investigation and detailed risk assessment referred to in (ii) 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.
- iv) 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 (iii) 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 paragraph 109 of the NPPF and policy EN14 of the UDP.

**Reference No.:** 18/01174/ADV Advert Application

**Proposal:** **Display of 4no. non-illuminated roundabout signs.**

**Location:** Armstrong Road Armstrong Industrial Estate Washington

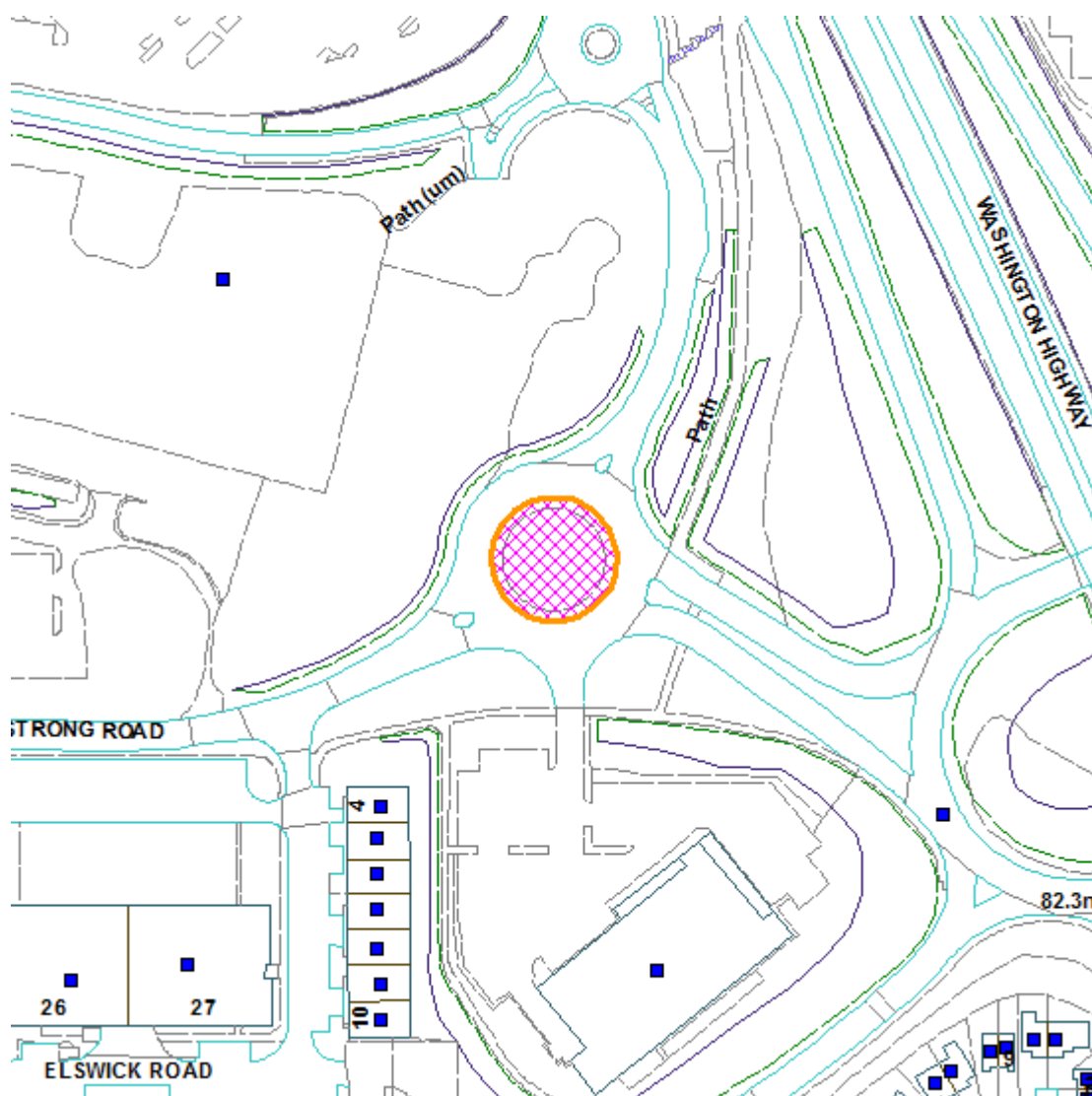
**Ward:** Washington West

**Applicant:** Community Partners Ltd

**Date Valid:** 10 July 2018

**Target Date:** 4 September 2018

### Location Plan



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## **PROPOSAL:**

The site-

The application site relates to the roundabout at the junction of Armstrong Road and Craggs Road within Armstrong commercial/industrial estate, Washington.

This proposal is an additional site to the series of schemes recently approved by Members at the respective Sub-Committee meetings for advertisements on roundabouts within South Sunderland (application ref. 17/00787/ADV), North Sunderland (app. ref. 17/00786/ADV), Hetton/Houghton-le-Spring (app. ref. 17/00784/ADV) and Washington (app. ref. 17/00785/ADV).

The proposals -

Advertisement Consent is sought to erect 4 free standing signs on the roundabout facing the four entrance roads. The signs would be non-illuminated measuring 1200mm in width by 500mm in height. The boards would be erected on two steel posts which would extend 500mm from ground level to the base of the signage board. The visual content of the signs will vary to change in line with the nature of the advertiser but the drawings illustrate the Sunderland City Council's logo will be positioned along the bottom of the board.

The application is accompanied by a typical elevation drawing and a location plan and site plan identifying the location of the roundabout and position of the proposed signs.

## **TYPE OF PUBLICITY:**

## **CONSULTEES:**

Washington West - Ward Councillor Consultation  
Network Management

Final Date for Receipt of Representations:

## **REPRESENTATIONS:**

Consultee responses -

Highways - The Council's Network Management section has offered no objection or comment with regard to the proposed signage.

## **POLICIES:**

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

B21 - Advertisement & Control

T14 - Accessibility of new developments, need to avoid congestion and safety problems arising

## **COMMENTS:**

### Planning considerations and assessment

Pursuant of the requirements set out by The Town and Country Planning (Control of Advertisement) (England) Regulations 2007, policy B21 of the City Council's adopted UDP states that applications for advertisement consent will be determined on the basis of their impact on amenity and public safety. This policy is considered to be consistent with paragraph 132 of the National Planning Policy Framework (NPPF) July 2018, which states that 'The quality and character of places can suffer when advertisements are poorly sited and designed'. It also states that advertisements should only be subject to local authority control in the interests of amenity and public safety, taking account of cumulative impacts'.

With regard to the above the main considerations are the impact of the signage on amenity and highway safety.

### Amenity

In assessing the merits of proposal, the scale and massing of the boards are not considered to be unduly large and will be proportionate to the signs approved within the previous schemes mentioned above.

Furthermore the signs would be viewed in tandem with existing street signs such as chevron, whilst landscaping would also provide a backdrop. Overall, it is not considered that the proposed signage would appear particularly conspicuous within this setting. In this respect the cumulative effect of the advertisements upon the character and appearance of the area is considered to be acceptable.

### Highway safety

The City Council's Network Management has provided no objection to the proposed signage. On this basis there are considered to be no grounds to suggest that the signs would be of detriment to highway and public safety.

### Conclusion

In light of the reasoning offered above, it is considered that the proposed siting and design of the signage is appropriate without appearing unduly prominent within the context of their setting. The impact of the proposal on the visual amenity of the location is therefore considered to be acceptable in this instance.

In respect of highway/public safety, the City Councils Network Management Section has offered no objections to the siting of the structures.

Consequently the proposals are considered to accord with local and national policy and Members are recommended to grant advertisement consent for the scheme subject to 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:

- 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:** GRANT advertisement consent, subject to the conditions detailed below:

**Conditions:**

1 The consent hereby granted shall be for a period of 5 years from the date hereof in the interests of visual amenity and to comply with policy B21; of the UDP.

2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

3 No advertisement shall be sited or displayed so as to:-

a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (Civil or Military)

b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair the visual amenity.