

DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE

AGENDA

Extraordinary Meeting to be held in Committee Room 2 on Monday, 8th May, 2017 at 5.00p.m.

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Applications made under the Town and Country Planning Acts and Regulations made thereunder Report of the Executive Director of Economy and Place (copy herewith)	1

E. WAUGH,
Head of Law & Governance.

Civic Centre,
SUNDERLAND.

27th April, 2017

Development Control (Hetton,Houghton and Washington) Sub-Committee

8th May 2017

REPORT ON APPLICATIONS

REPORT BY THE EXECUTIVE DIRECTOR OF ECONOMY AND PLACE

PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Executive Director of Economy and Place determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

LIST OF APPLICATIONS

Applications for the following sites are included in this report.

1. 16/02302/FUL
Land To The Rear Of Station Road Hetton-le-Hole Houghton-le-Spring
2. 17/00492/FU4
Columbia Grange School Oxclose Road Washington NE38 7NY

COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairperson or the Development Control Manager (019 561 8755) or email dc@sunderland.gov.uk .

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/

Ms. Irene Lucas CBE
Chief Executive

Reference No.: 16/02302/FUL Full Application

Proposal: **Erection of 2no residential dwellings.**

Location: Land To The Rear Of Station Road Hetton-le-Hole Houghton-le-Spring

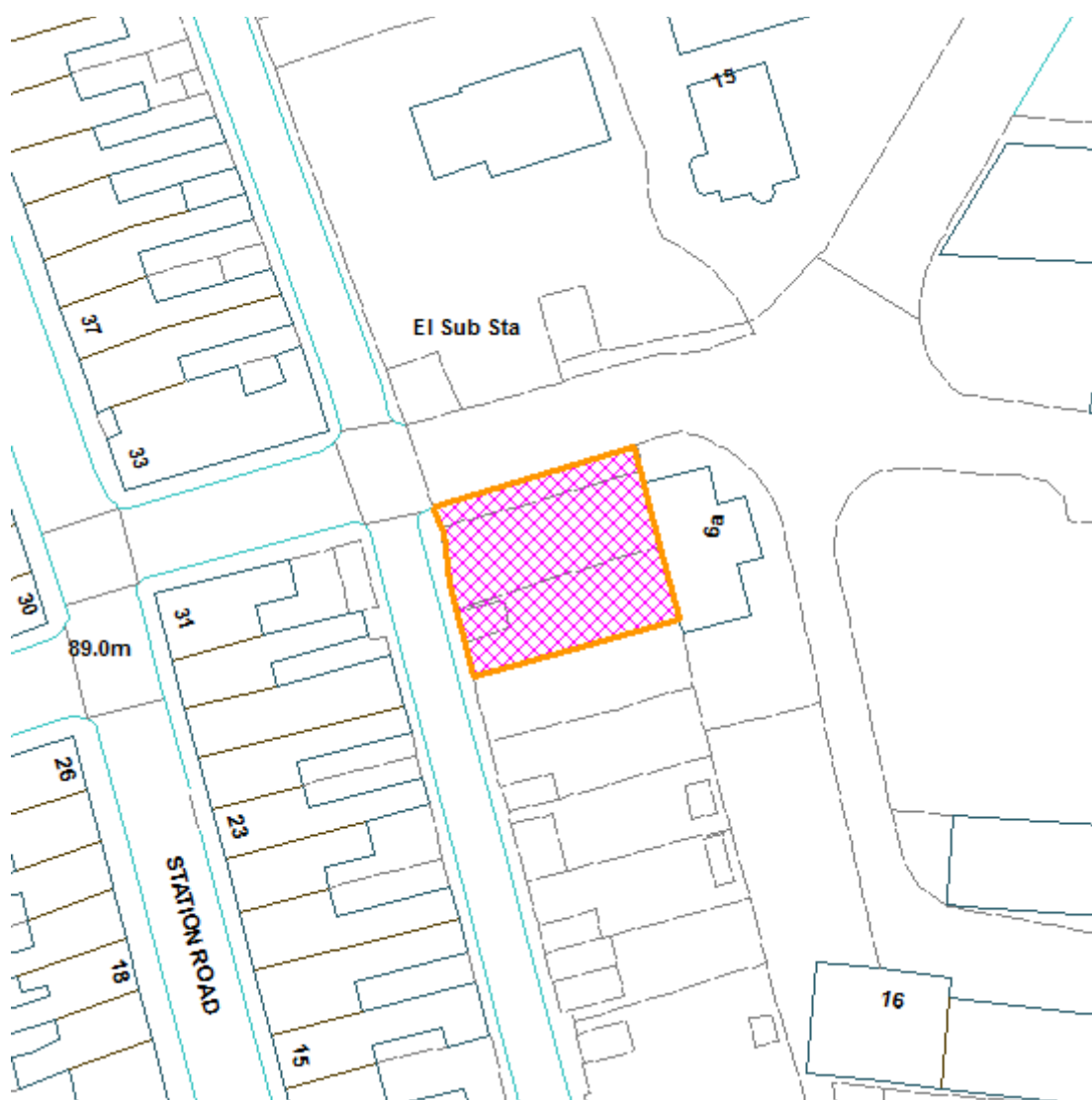
Ward: Hetton

Applicant: SBA Developments

Date Valid: 13 March 2017

Target Date: 8 May 2017

Location Plan



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PROPOSAL:

INTRODUCTION

Planning permission is sought for the erection of two no. semi-detached dwellings on land to the rear of 27-33 Station Road, Hetton-Le-Hole. The land in question is located on the east side of back Station Road at the northern end of a row of plots used primarily as garaging /ancillary domestic garden land to dwellings in Station Road. It is rectangular in shape and measures 22 x 17.5 m in area. The land in question is currently vacant and is overgrown with vegetation but appears to have been used domestically in the past as a garden. There is a redundant concrete garage towards the southern end of the site, which would be demolished to make way for the dwellings.

Abutting the site to the east is an industrial unit and other industrial/commercial uses on the Pearson's Industrial Estate. To the north is an access road that gives access to the estate from back Station Road that has been blocked off. Beyond this are two detached dwellings in Claude Street, which appear to have been granted planning permission in the 1990's and 2000's. Back Station Road is constructed to adoptable standards, with footpaths and street lighting evident.

PROPOSAL

The proposal involves the construction of a pair of semi-detached dwellings that are two storeys in design but with a third floor in the roof area. Each dwelling has an 'L' shaped footprint with an integral garage at ground floor level and two further floors providing a total of 4 bedrooms. The dwellings are designed with dormer windows in the front roof slope and a series of pitched roofs with a gable end either side. A porch would be provided along the front elevation. Externally, a gap of 2.7 m would be retained to each side boundary of the dwellings whilst to the rear the depth of the garden is 9.5 m. At the front the two storey element of the dwellings would be set back 2.6 m from the highway and the driveway length is shown to be 5 m in each case. The dwellings would be constructed using red brick and tiles. Window openings are proposed to the front and rear only.

TYPE OF PUBLICITY:

Neighbour Notifications

CONSULTEES:

Hetton - Ward Councillor Consultation
Hetton Town Council
Network Management
Environmental Health

Final Date for Receipt of Representations: **12.04.2017**

REPRESENTATIONS:

Neighbours - Four letters of objection have been received as part of the consultation exercise. The letters are from neighbouring residents who reside in Station Terrace to the east of the site. In summary, the objections relate to the following issues:

- Concerns about additional traffic generation in the back street, which is often congested. Cars also park on the corner close to the site and there have been several near misses. Vehicles park all day in the road causing problems parking in resident's garages. Cars that are held up in Station Road use the back street as an alternative, and it often resembles a race track and this could lead to serious accidents.
- Additional dwellings would cause more activity in the back lane, which is overused already.
- Construction vehicles and other parking associated with building the dwellings would create more congestion.
- Dwellings opposite the site in Station road would lose privacy due to the three storey nature of the proposed dwellings.

Environmental Health - Comment as follows:

Contaminated Land:

It is noted the applicant has submitted a report in relation to ground contamination. This is currently under review and until it has been fully assessed Public Protection and Regulatory services recommends no works other than investigation works should be carried out on the site prior to the receipt of written approval of the desk top study and any necessary remediation strategy in respect of this matter. The responsibility of the safe development rests with the developer.

Noise:

The proposed development is situated close to an industrial/commercial activity and may be subject to relatively high levels of intrusive noise. As such the development shall be afforded suitable and sufficient noise mitigation measures to ensure that future residents are afforded commensurate levels of protection conducive to good sleeping or resting conditions. The Applicant should have regard to the guidance contained in World Health Organisation, Guidelines for Community Noise (1999) and British Standard 8233:1999, Sound insulation and noise reduction for buildings - Code of practice Construction:

Construction Management:

In order to ensure the environmental impact of the construction of the development is adequately managed and mitigated and in the interests of the amenity of nearby residents/occupiers in the vicinity of the site, it is recommended that a condition be attached to any granted consent which requires the provision of a Construction Environmental Management Plan. The CEMP should include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated.

Hetton Town Council - Comments awaited. Any received will be reported orally at the meeting.

Network Management - Comment that a footway crossing will be required for the two dwellings to be provided at the applicant's expense. A street lighting column may need to be relocated at the applicant's expense.

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

T_22_Parking standards in new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood
EN_5_Protecting sensitive areas from new noise/vibration generating developments
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 assessing the proposal are as follows:

Principle of Proposed Development
Design and Visual Amenity
Residential Amenity
Highway Implications
Ground Contamination
Noise

Principle of Proposed Development

The site is not allocated for any specific land use by the Council's adopted Unitary Development Plan (UDP) and, as such, is subject to policy EN10. This policy dictates that, where there is no indication of any proposals for change, the existing pattern of land use is intended to remain. Therefore, proposals for development in such areas must be compatible with the principal use of the neighbourhood, which in this instance is a mix of residential and industrial/commercial.

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

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

However, the glossary to the NPPF states that 'previously developed land' (i.e. brownfield sites) excludes land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. In this case the land in question is somewhat unique in that it would have originally served as a garden/garaging/ancillary domestic uses in connection with the houses around it. Whilst the land is severed from the curtilage of the dwellings in Station Road by a back lane it is reasonable to assume that the land is not 'previously developed' land and was used as a private residential garden, albeit now vacant, and not within the curtilage of a particular dwelling. Paragraph 53 of the NPPF states that planning authorities should consider setting out policies to resist inappropriate development of residential gardens, for example where such development would harm the character of an area.

Although garden areas are excluded from the NPPF's definition of 'previously developed land', the development of such sites is not unacceptable provided the scheme is not detrimental to the established pattern of built development within the locality. In cases where the development does not have undue harm on the character of the area, the loss of private garden space to residential development may not be inappropriate, especially where few opportunities exist for similar

schemes within the locality. The relationship between the proposed development and the character of the surrounding area is considered further in the next section of this report.

Design and Visual Amenity

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

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

As set out previously in the report, the locality to which the application site relates comprises a mix of residential terraces to the west and a pocket of detached dwellings that were developed 10-20 years ago, to the north. The area to the east and south of the site is industrial/commercial and to the south, ancillary domestic gardens/garaging plots. There is a clear demarcation of the existing residential development from the ancillary gardens and industrial land in this part of back Station Road dictated by the presence of the access road to the north of the site that serves Pearson's Industrial Estate. On this side of the back lane there are few tall structures fronting the highway.

The proposal would introduce 2no. detached dwellings which would be alien to the character of this side of the street, and indeed on the opposite side of the back lane are terraced dwellings the rear of which would face the frontage of the proposed new dwellings. Given the height and layout of the donor plots relative to the local area, it is considered that the proposal constitutes an incongruous form of development that fails to maintain the character and built form of the local area. The dwellings would be close to the frontage of the site and would fail to maintain the strong established building line of the street or respect the pattern of development within the street and wider locality.

The dwellings would appear wholly out of keeping with the established and maintained layout of the street and would introduce an alien and obtrusive element into the street scene. In addition, it is considered that the proposed dwellings, by virtue of their height and position, would appear obtrusive when viewed from the public highway to the west.

Residential Amenity

Expanding upon UDP policy B2, section 10C of the adopted Residential Design Guide SPD recommends the provision of a minimum gap of 21m between main facing windows and 14m between main windows facing onto secondary windows or blank gables for new residential developments. This section goes on to advise that, where the development is 3 storeys or more an additional 5 m should be added to the respective distances.

The proposal fails to meet the above spacing standards in that there is a third floor within the roof space of the two dwellings with two no. dormer windows that face the rear elevations of adjacent

terraced properties to the west in Station Road. In this respect the dwellings should be at least 21 m away from the neighbouring properties but are positioned only 24.2 m away. As a result mutual overlooking and loss of privacy between bedrooms and main habitable rooms would give rise to loss of privacy and overlooking to the detriment of existing and future residential occupiers. Similarly, to the rear of the plots, the two storey industrial building would be within 9.5 m of the rear elevations of the development. At this short distance the building would create an oppressive outlook from the rear of the new dwellings to the detriment of the living conditions the occupiers should be expected to have. There are windows at first floor level in the industrial unit that would also directly overlook the rear rooms and gardens of the plots which would significantly affect privacy. Consequently it is considered that the limited internal and external outdoor space, coupled with the poor outlook afforded from main facing windows to the west and east would not provide acceptable living conditions for the future occupiers of the proposed dwelling.

In light of the above the proposal would be contrary to policy B2 of the UDP and section 10C of the SPD, above, and is unacceptable.

Highway Implications

Paragraph 32 of the NPPF 75 states that, 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

Policies T14 and T22 of the UDP specify 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. Topic 13 of the Development Control SPG expands upon these policies, setting out the LPA's parking standards, and recommends the provision of 1no. off-street parking space per dwelling in addition to 1no. visitor parking space for every 3no. new dwellings.

Upon consultation with the Council's Network Management section, it is noted that both proposed dwellings would be accessed directly from a public highway and both have an in curtilage driveway and garage facility. As a result it is unlikely that the development would exacerbate existing traffic congestion problems that have been identified by neighbouring residents, nor would emergency and refuse collection vehicles be unduly impeded from accessing the existing and proposed dwellings in back Station Road.

Other issues raised by residents regarding the use of the back lane as a 'race track' are traffic management issues that cannot be addressed as part of this application.

Ground contamination

Paragraph 120 of the NPPF sets out that, 'to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'.

Policy EN1 of the UDP seeks improvements to the environment by minimising all forms of pollution whilst EN12 is also of relevance in respect of impacts on the quality on ground and surface water. In addition, UDP policy EN14 dictates that, where development is proposed on land which there is reason to believe is either unstable or potentially unstable, contaminated or potentially at risk from migrating contaminants or potentially at risk from migrating landfill gas or mine gas, adequate investigations should be undertaken to determine the nature of ground

conditions below and, if appropriate, adjoining the site. Where the degree of instability, contamination, or gas migration would allow development, subject to preventive, remedial, or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

A Desk Study (Phase 1) Report was submitted with the application. The Council's Environmental Health team has recommended that no development takes place until a site investigation is carried out to ascertain whether the site is contaminated.

Noise

The application was not accompanied by a noise assessment. This is considered vital given the close relationship of the site to existing industrial uses immediately adjoining to the east and north. Such uses include a depot that is likely to generate noise inconsistent with a living environment. In the absence of a noise assessment it is considered likely that the amenities of any future residential occupiers would be adversely affected by the proposal, contrary to policy EN5 of the UDP.

Conclusion

Paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Whilst the principle of erecting a residential dwelling within the garden plot is considered to be acceptable from a land use perspective, it is considered that the constraints of the site would result in the development having an adverse impact on the residential amenity of neighbouring properties, offering poor amenity to potential occupiers and appearing out of character with the established pattern of the surrounding built form. Furthermore, given the absence of an allocated parking bay, the development would likely lead to an intensification of on-street parking to the detriment of highway safety.

For the above reasons the proposal fails to comply with policy B2 of the UDP, Section 5.10 of the RDG and paragraphs 14, 17, 53, 56, 57 and 64 of the NPPF. For the reasons given above, it is considered that the proposal would be detrimental to the character and amenity afforded to the street scene and wider locality. It is therefore recommended that planning permission be refused accordingly.

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.

RECOMMENDATION: Refuse

Reasons:

- 1 The proposed dwellings, by reason of their design, height and position, would result in the introduction of an uncharacteristic, obtrusive feature in back Station Road to the detriment of the street scene and the character and visual amenity of the local area, contrary to policy B2 of the adopted Unitary Development Plan and paragraphs 14, 17, 53, 56, 57 and 64 and of the National Planning Policy Framework.
- 2 The proposed dwellings, by virtue of their height and siting, would fail to meet adopted privacy distances and cause unacceptable overlooking and loss of privacy to neighbouring residential occupiers. The proximity of the industrial unit to the east of the site would also create an oppressive outlook to the rear of the to the detriment to the residential amenity afforded to any future occupiers contrary to paragraphs 17, 56, 57 and 64 of the National Planning Policy Framework and policy B2 of the adopted Unitary Development Plan.
- 3 The application is not accompanied by a noise assessment which takes into account the potential impacts of the industrial estate to the east and, in lieu of any conclusive evidence to the contrary, the proposal is considered to be potentially harmful to the living conditions of the future occupiers of the proposed dwellings and contrary to policy EN5 of the adopted Unitary Development Plan.

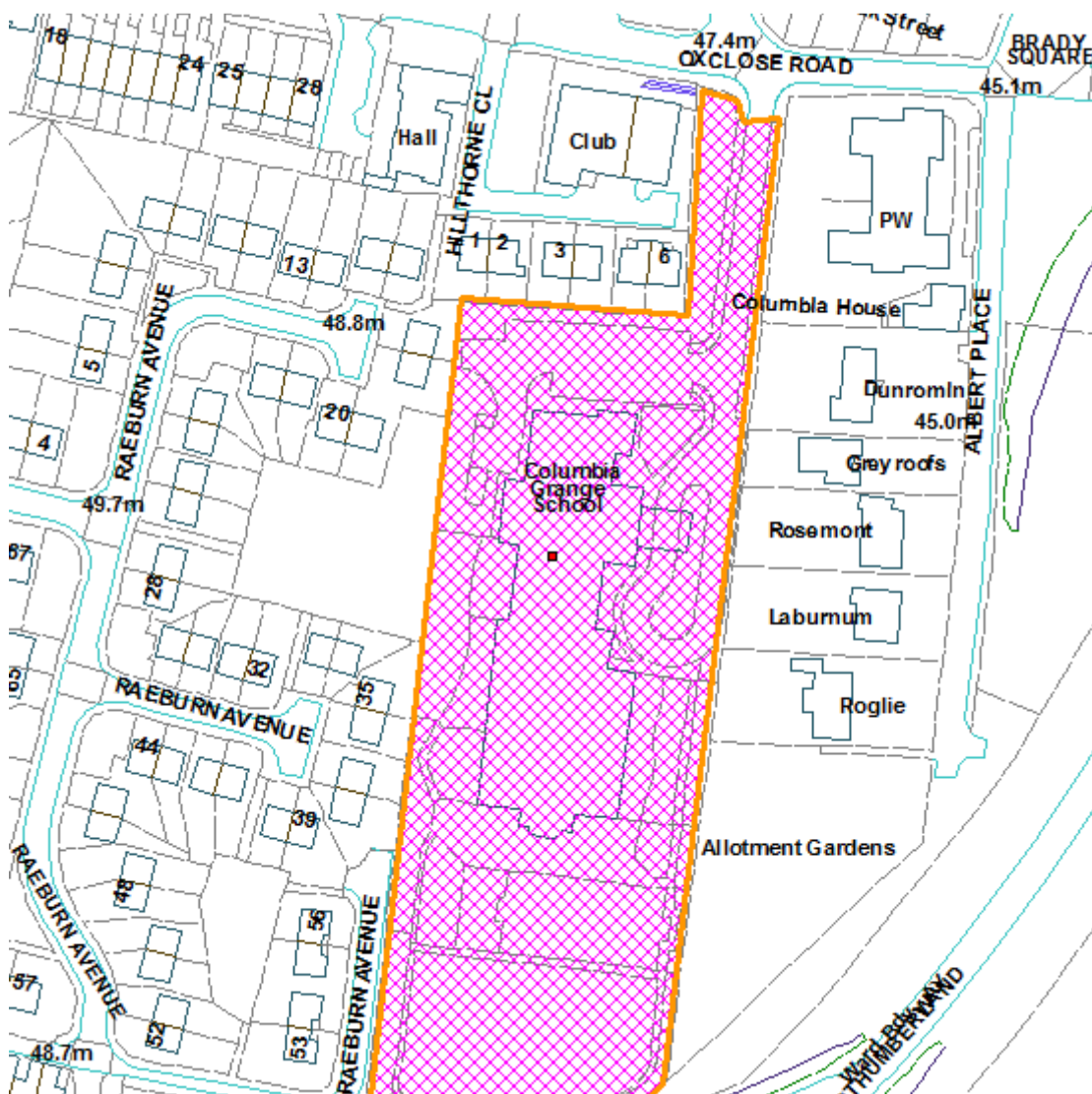
Reference No.: 17/00492/FU4 Full Application (Reg 4)

Proposal: Erection of a portable classroom to west elevation.

Location: Columbia Grange School Oxclose Road Washington NE38 7NY

Ward: Washington Central
Applicant: Columbia Grange School
Date Valid: 28 March 2017
Target Date: 23 May 2017

Location Plan



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PROPOSAL:

The proposed development affects Columbia Grange School, a modern building occupying a long, narrow plot within a largely residential area. The school, which was granted planning approval in 2002, is accessed from Oxclose Road to the north and its grounds are bounded by the residential dwellings of Albert Place to the east and Raeburn Avenue to the west, whilst to the south lie a range of allotment gardens.

The application is for the erection of a portable classroom to be positioned off the western elevation of the main school building. The steel building would be finished in light grey, presenting a footprint of 6.055m x 9.785m and height of 2.55m.

A supporting statement has been submitted with the application wherein it is stated that there is currently competing demands and pressures on facilities within the school due to increasing pupil numbers. It is therefore contended that the proposal would alleviate the demands/pressures being placed on the existing rooms within the school by providing facilities for clubs and playgroups.

The application has been referred to the Hetton, Houghton and Washington Sub-Committee as the Local Authority has an interest in the land.

TYPE OF PUBLICITY:

Neighbour Notifications

CONSULTEES:

Washington Central - Ward Councillor Consultation
Network Management

Final Date for Receipt of Representations: **25.04.2017**

REPRESENTATIONS:

Representation

The Local Authority has carried out public consultation for the application in the form of letters to neighbouring properties. No representations have been received as a result of the consultation carried out.

Internal consultees

Network Management - Clarification has been sought as to whether the proposal would result in any additional staff, pupil numbers or car parking spaces being required.

POLICIES:

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

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

B_2_Scale, massing layout and setting of new developments

L_7_Protection of recreational and amenity land

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

COMMENTS:

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

Principle of development

Design, siting and external appearance

Highway implications

Principle of development

There are no relevant policies associated with the proposal within the Council's adopted Unitary Development Plan (UDP) (1998) and, as such, the scheme 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. As the proposal relates to the limited extension to the existing building, it is considered that the proposal accords with the above policy.

Whilst not specifically designated for any particular land use the site is governed by UDP Policy L7. Policy L7 states, in part, that land allocated for open space or outdoor recreation, as shown on the proposals map, will be retained in its existing use. This includes playing fields attached to schools or other educational establishments. Permission for other uses on these sites will only be granted if:

- (i) the development is for educational purposes; and
- (ii) there would be no significant effect on the amenity, recreational and wildlife habitat of the site.

In accordance with the above, the proposal is relatively limited in scale and as such would have no demonstrable impact on the amenity, recreational or wildlife habitat of the site. The proposal is required for the enhancement of the educational facility and as such the proposal is considered to accord with UDP Policy L7.

Design, siting and external appearance

Policy B2 of the UDP relates to new development, redevelopment and alterations to existing buildings and states in part 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.

With regard to policy B2 detailed above, it is considered that the size and form of the proposed extension will not significantly detract from the appearance of the existing school or wider area. Although it is noted that the proposal is of limited design merit and the materials to be utilised in the building are not particularly reflective of the existing school, it is also acknowledged that it is to

be positioned within a relatively secluded location off the western elevation of the main school building whilst the existing tree planting which provides a level of screening along the western curtilage of the site is shown to be retained within the submitted plans. Consequently it is not considered that the proposal would not be readily apparent from any principal vantage point within the surrounding street scene.

The nearest residential dwellings are positioned to the west on Raeburn Avenue with the side gable of the nearest property, No. 19, sitting over 27m away. The portable classroom is of a low rise construction and there are considered to be no residential dwellings within such a proximity to the building that would give rise to concerns over residential amenity. Given the lack of any demonstrable harm arising from the placement of the building, it is not considered necessary to impose a temporary permission on the proposal in this particular instance.

In this respect it is considered that the development would comply with the requirements of Policy B2 of the adopted UDP

Highway implications

Policy T14 of the UDP states that new development proposals must not result in conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires new development to be afforded an appropriate level of dedicated car parking provision.

In response to the queries posed by Network Management, the Head Teacher of the school has clarified that the proposal is solely intended to free up additional space within the school due to the limited space that they currently have and that it would have no direct implications on the number of pupils and teachers at the school or the number parking spaces required.

In light of the above proposal is considered to accord with the requirements of Policies T14 and T22.

Conclusion

For the reasons given in this report it is considered that the principle of development is acceptable and that it would not have a demonstrably adverse impact on residential or visual amenity. The proposal raises no significant concerns in respect of highway or pedestrian safety and as such the proposal is considered to comply with policies EN10, B2 and L7 of the adopted UDP.

Accordingly it is recommended that Members grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended).

Equality Act 2010 - 149 Public Sector Equality Duty

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

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

- o age;
- o disability;

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

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

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

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

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

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

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

RECOMMENDATION: Members grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended).

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

- The floor plans and elevations as existing and proposed received 10.03.2017 (Plan ref: 933-03)
- The site plan and sections received 10.03.2017 (Plan ref: 933-02)
- The location plan received 10.03.2017 (Plan ref: 933-01)

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.