

Planning & Highways Committee
9 January 2023

REPORT FOR CIRCULATION

REPORT BY EXECUTIVE DIRECTOR – CITY DEVELOPMENT

PURPOSE OF REPORT

This report is circulated to the Committee. It includes additional information received after the preparation of the committee report. This information may allow a revised recommendation to be made.

LIST OF CIRCULATED ITEMS

The planning applications with updates are repeated below:

- Item 3: Farringdon Community Academy (22/01958/FU4)
- Item 4: Land south of High Street West, Sunderland (22/02157/VA3)
- Item 5: Roker Park (22/02219/LP3)

Item 3: Farringdon Community Academy (22/10958/FU4)

As per the main agenda report, Members will be aware that further discussions were to take place between the Local Planning Authority (LPA) and the developer with regard to the specific wording and trigger point for condition 22 (Remediation). The LPA can advise that a meeting took place on the 22nd December wherein a resolution on this matter was agreed.

The resolution will involve the developer submitting an updated Phase 3 Remediation Statement which will reflect the gas protection measures required in the new school buildings. Whilst the updated statement would usually have been prepared in advance of the committee meeting it has not been possible due to the Christmas break therefore the statement is anticipated to be submitted shortly after the meeting. Once received and reviewed the updated Phase 3 statement will form part of the approved documentation set out in condition 2 and condition 22 will be reworded to include a pre-demolition trigger point which will require an updated Remediation Statement detailing the scope of supplementary ground investigation to be undertaken beneath the building footprints following demolition. The condition would also compel the developer to submit the findings of the supplementary ground investigation to the LPA

and, if necessary, prepare a revised Remediation Statement reflecting the findings of the supplementary ground investigation.

In addition to the above, Members are advised that a minor annotation to draft condition 18 (Tree Protection Measures) is also proposed to account for the phased development of the site as this would avoid the need to erect tree protection on the operational school site until demolition commences, and vice versa.

Officers would therefore advise that condition 18 be amended as below, addition as per ***bold italic***)

Prior to first commencement of any development ***within that phase***, the tree protection measures set out in the submitted Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (Elliot Consultancy Ltd, July 2022) shall be implemented in full with the relevant signage and areas of protective fencing installed at the locations recommended in the Tree Protection Plan (appendix 4 and 7 of the Assessment) for the duration of all construction works ***within that phase***, in order to ensure retained trees at the site are properly protected during construction works.

Reason: To comply with the objectives of the NPPF and Policy NE3 of the Core Strategy Development Plan.

RECOMMENDATION:

Further to the update provided above and for the reasons set out in the main agenda report, it is recommended that members be Mindful to Grant Consent for the development in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended), subject to the recommended conditions and the appropriate revision to the wording of condition 22.

Item 4: Land south of High Street West, Sunderland (22/02157/VA3)

The recommendation within the committee report will be repeated below:

Grant consent under Regulation 3 of the Town and Country Planning General Regulations 1992; subject to:

- *The satisfactory resolution of the outstanding points from the Council's ecology consultant and Local Highway Authority (including any additional / amended conditions).*
- *The draft conditions below.*

There has not yet been a response from the Council's ecology consultant, in response to amended plans showing the location of the proposed bat and bird boxes.

The Agent, around the time of finalising the committee report, sent an e-mail in

response to earlier points raised by the Local Highway Authority; who have subsequently advised that the proposed development “appears satisfactory”.

The recommendation should therefore be amended, as below:

Grant consent under Regulation 3 of the Town and Country Planning General Regulations 1992; subject to:

- *The satisfactory resolution of the outstanding points from the Council's ecology consultant (including any additional / amended conditions).*
- *The draft conditions within the committee report.*

22/02157/VA3: Proposed development at Roker Park

The recommendation within the committee report says:

Members be minded to Grant Consent under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended); subject to:

- *The satisfactory resolution of the outstanding points raised by the Council's ecology consultant relating to Habitats Regulations Assessment and whether category A trees would be felled (including any additional / amended conditions).*
- *The satisfactory responses from the Council's Conservation Officer and Gardens Trust.*
- *The draft conditions below*

The Council's Ecologist has prepared a Habitats Regulations Assessment which concludes that *it can be objectively concluded that there are not likely to be significant effects on any European Site.*

The Applicant has also submitted an amended site plan which shows that seven trees would be felled, which fall within Category A (1no), B (4no), C (1no) and unclassified (1no).

The advice from the Council's Conservation Officer, in response to be most recently submitted plans, will be repeated below:

I can confirm the Conservation Team have no additional comments to make, my original comments remain entirely relevant as the revised proposals for the amphitheatre do not compromise the overall quality of the enhancement scheme.

The advice from the Gardens Trust, in response to be most recently submitted plans, will be repeated below:

Thank you for forwarding the amended plans detailing the proposed reduction in the scale of the amphitheatre in Roker Park. We confirm the Gardens Trust has no objections to these amendments.

The recommendation should therefore be amended, as below:

Members be minded to Grant Consent under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended); subject to the draft conditions within the report.

END OF REPORT